

MISSISSIPPI VALLEY CONSERVATION AUTHORITY

BOARD OF DIRECTORS MEETING

Mill of Kintail Gatehouse

MINUTES

May 18, 2011

MEMBERS PRESENT:

M. Burnham, Chair;
P. Sweetnam, Vice-Chair;
D. Abbott;
D. Black;
G. Code;
E. El-Chantiry;
W. Millar;
A. Gillis.

MEMBERS ABSENT:

A. Jones;
R. Kidd;
G. McEvoy;
A. Snider;
B. Sutcliffe;
L. Watkins.

INVITED MEMBER PRESENT:

L. Antonakos;
E. Preston.

STAFF PRESENT:

P. Lehman, P. Eng., General Manager;
J. Sargeant, Secretary-Treasurer;
C. Craig, Project Manager;
M. Craig, Manager, Planning & Regulatory
Services;
G. Mountenay, Water Management Supervisor;
E. Kohlsmith, Septic Inspector;
P. Hammersley, Environmental Technician.

GUEST PRESENT:

E. Fytche, Mississippi Valley Field Naturalists.

The Chairman called the meeting to order at 1:00 p.m.

BUSINESS:

1. Approval of Minutes – April 20, 2011

B05/18/11-1

MOVED BY: W. Millar

SECONDED BY: G. Code

Resolved, That the Minutes for the Board of Directors meeting held April 20, 2011 be received and approved as printed.

“CARRIED”

2. Minutes – Office Building Committee Meeting – May 2, 2011

B05/18/11-2

MOVED BY: D. Black

SECONDED BY: G. Code

Resolved, That the Minutes for the Office Building Committee meeting held May 2, 2011 be received.

“CARRIED”

3. Business Arising from the Minutes

With regard to the Office Building Committee tour of new building structures, Mr. Sweetnam suggested that the Committee visit the fire station on Iber Road in Ottawa. He noted that the fire station is close to the police station which the committee also discussed visiting.

Mr. Gillis expressed concern with the suggestion of 1% for the capital reserve allowance. He suggested that it should be in the 5% range. Mr. Lehman noted that the figure was a suggestion and has not been finalized. Mr. Gillis also expressed concern with the committee only picking two or three companies for detailed request for proposals. It was pointed out that the Committee is not limited to two or three companies. If more than two or three proposals are outstanding then all will be considered.

B05/18/11-3

MOVED BY: D. Black

SECONDED BY: G. Code

Resolved, That the Office Building Committee proceed with a Design-Build project delivery system for the new office project.

“CARRIED”

4. Ontario Regulation 153/06 Permits

B05/18/11-4

MOVED BY: A. Gillis

SECONDED BY: D. Abbott

Resolved, That the Board of Directors approve Permit Nos. W11/11, W10/110, W11/21, W11/18, W11/16, W11/22.

“CARRIED”

5. Software Acquisition

Staff Report #2631/11 regarding the purchase of WISKI-SODA software was reviewed and discussed. Mr. Lehman noted that the 2011 Budget included an allocation of \$10,000 to enter into an agreement with Kisters to purchase and operate the WISKI-SODA data software. At that time, the costs were based on a partnership with several eastern Conservation Authorities (CA's) entering into an agreement with Kisters and sharing the costs of the overall project, originally estimated at \$80,000. To date, only 2 CA's including MVC and Quinte Conservation have committed to enter into the agreement in 2011. As a result, MVC and Quinte staff re-negotiated a price with Kisters to deploy the software through Quinte Conservation which will host the data collection server. MVC's cost to undertake the project jointly with Quinte Conservation in 2011 will be \$16,700 with an additional \$3,400 in each of 2012 and 2013.

Mr. Lehman advised that staff at both MVC and Quinte Conservation are of the opinion that the use of the software will provide important benefits to the Water Management Program at considerably lower cost than purchasing the software individually. He recommended that MVC proceed with the acquisition in 2011 at a cost of \$16,700.

In response to a question, Mr. Lehman noted that staff must access the gauges 365 days per year at an annual cost of \$15,000.

Mr. Mountenay advised that there are other modules available which can be purchased in future years which will, for example, update the web automatically along with other functions. He noted that the present purchase is for the barebones software which will allow the gauges to be accessed on weekends without staff having to be at the office. He noted that staff will still have to look at the data and make decisions on log operations as required. He also noted that the software will provide residents of the watershed with hourly data as opposed to daily data.

Mr. Sweetnam stressed that fisheries should not be a priority for MVC. He stated that the responsibility for fish is not a mandated responsibility for MVC and software should not be purchased to allow that to happen. He stressed that any decision to take on responsibility for fish must be discussed at a Board level.

Mr. Mountenay agreed to provide a demonstration of the software when it is received and set up. In response to a question, Mr. Mountenay confirmed that MVC will receive the

water quality module with the purchase. He noted that he will be attending a workshop on June 8 to review the software which will allow information to be shared between all conservation authorities.

Mr. El-Chantiry suggested that staff report to the Board of Directors or the Finance Committee about the cost savings as a result of the purchase.

B05/18/11-5

MOVED BY: P. Sweetnam

SECONDED BY: W. Millar

Resolved, That staff be authorized to allocate \$16,700 in 2011 towards the purchase of the WISKI-SODA data acquisition software.

“CARRIED”

6. Appointment of Regulations Officer

Staff Report #2632/11 regarding the appointment of a Regulations Officer was reviewed. It was noted that over the past several years, enforcement of Ontario Regulation 153/06 to investigate potential violations and initiate prosecution has been assigned to the Regulations Officer (David Arbour) and more recently included the Manager, Planning and Regulatory Services (Matt Craig). Due to workload demands and availability of staff, Mr. Lehman recommended that alternate enforcement staff be designated in accordance with Section 10 of the Regulation wherein the authority may appoint officers to enforce the Regulation.

The Regulations Officer is responsible for investigations and enforcement of the Conservation Authority Regulations under both Section 28 (DEVELOPMENT, INTERFERENCE WITH WETLANDS AND ALTERATIONS TO SHORELINES AND WATERCOURSES REGULATION – ONT. REG. 153/06) and Section 29 (CONSERVATION AREA REGULATION – ONT. REG. 120/90), of the *Conservation Authorities Act*.

Mr. Lehman advised that Andy Moore has been an Environmental Technician with MVC since 2008 and recently completed Level 1- Compliance Training for Provincial Offences Officers. He recommended that Andy Moore be appointed as a Regulations Officer to enforce Ontario Regulation 153/06 and Ontario Regulation 120/90.

Mr. Lehman advised about positive comments received from the residents of Dalhousie Lake regarding Mr. Moore’s demeanor when handling a shoreline situation recently.

B05/18/11-6

MOVED BY: P. Sweetnam

SECONDED BY: G. Code

Resolved, That Wayne Andrew Moore be appointed as a Regulations Officer to enforce Ontario Regulation 153/06 and Ontario Regulation 120/90.

“CARRIED

7. Appointment to Regulations Committee

B05/18/11-7

MOVED BY: E. El-Chantiry

SECONDED BY: D. Black

Resolved, That the Mississippi Valley Conservation Authority hereby appoints Duncan Abbott to the Regulations Committee.

“CARRIED”

8. Appointment to New Office Building Committee

Mr. Burnham advised that Robert Sutcliff has requested that he be allowed to attend the Office Building Committee meetings at the request of Lanark Highlands. Mr. Burnham suggested that Mr. Sutcliff should be appointed to the committee if he is going to attend the meetings.

Mr. Gillis pointed out that Mississippi Mills should also be represented at the Office Building Committee meetings.

There was a discussion about the makeup and size of the committee at the present time.

B05/18/11-8

MOVED BY: G. Code

SECONDED BY: P. Sweetnam

Resolved, That Robert Sutcliffe be appointed to the New Office Building Committee.

“CARRIED”

9. Septic System Program Proposals

Staff Report #2635/11 containing a proposal submitted to the Township's of North Frontenac and Central Frontenac to deliver the Township's septic inspection and re-inspection programs was reviewed and discussed.

Mr. Lehman advised that staff will be attending upcoming council meetings to answer questions about the program. He introduced Eric Kohlsmith and Peter Hammersley that both work for the Mississippi-Rideau septic system office doing the septic program in Tay Valley Township and the re-inspection program in North Frontenac, Central Frontenac, Drummond/North Elmsley and Rideau Lakes. He noted that MVC, in partnership with the Rideau Valley Conservation Authority, has been delivering the Tay Valley Township Septic approval and re-inspection program since 2004 through the Mississippi-Rideau Septic System Office.

Mr. Kohlsmith provided a presentation on the septic inspection and re-inspection programs. It was noted that the value of the conservation authorities delivering the programs is in providing an

integrated approach to the protection of surface and groundwater resources. Malfunctioning septic systems are recognized by the source water protection initiative as a potential threat to private water supplies. Promoting good design, construction and maintenance of private septic systems will be an important part of protecting drinking water sources and protection of the aquatic environment.

Recently, the Ontario Building Code (OBC) was amended to establish and govern mandatory septic re-inspections in certain areas. The amendments to the Building Code also govern discretionary on-site sewage system maintenance inspection programs that can be established by local approval authorities; i.e. at the discretion of a local municipality, it may establish a mandatory inspection program over all or a designated portion of its jurisdiction. However, if such a program is to be implemented, it must be done by the “Principal Authority” having jurisdiction over Part 8 of the OBC (Septic Systems). Currently the KFL&A Health Unit is the Township’s of North Frontenac and Central Frontenac “Principle Authority” for Part 8 (Septic System Approvals) of the Building Code.

The KFL&A Health Unit has advised municipalities in which the Health Unit has been the “Principle Authority”, that utilizing the Conservation Authorities to provide “Third Party Inspection” services (discretionary septic re-inspection programs) is not permitted under the legislation, and also have recommended that the current voluntary programs be deferred.

A legal interpretation of the Building Code received by staff would not exclude the Conservation Authorities from providing this “Third Party Inspection” service to member municipalities.

It was noted that the staff report and proposal was provided for information. If North Frontenac decides to have the Conservation Authority provide its septic approval program then the contract will be brought back to the Board of Directors for acceptance.

Mr. Sweetnam pointed out that the septic inspection program must pay for itself in each Township. He noted that the City of Ottawa should not subsidize septic inspections/re-inspections in outlying municipalities.

Mr. Burnham suggested that municipalities interested in having the Conservation Authority take over their septic inspections/re-inspections should contact Mr. Lehman or Mr. Kohlsmith.

B05/18/11-9

MOVED BY: W. Millar

SECONDED BY: D. Black

Resolved, That the proposals for delivery of Septic System Programs to the Townships of North Frontenac and Central Frontenac be received.

“CARRIED”

10. Watershed Conditions Update

Mr. Mountenay provided an update on water levels across the system as a result of excessive rain. He noted that the upper lakes are at normal levels at the present time. Mississippi Lake is approximately 8" above the normal level for the present time. Dalhousie Lake is approximately 1 foot higher than the normal level. Mr. Mountenay commented on the numerous complaints about erosion and ice damage.

11. Up-coming Meetings

- a. Board of Directors Tour – changed from June 15 to June 22, 2011 – all day tour to leave from the Lanark Office;
- b. Policy & Priorities Advisory Committee – June 28 – 10:00 a.m. – Mill of Kintail Gatehouse;
- c. Finance & Administration Advisory Committee – June 23 – 10:00 a.m. – Mill of Kintail Gatehouse.

ADJOURNMENT

The meeting was adjourned at 2:45 p.m.

B05/18/11-10

MOVED BY: D. Black
SECONDED BY: D. Abbott
Resolved, That the meeting be adjourned.

“CARRIED”

“J. Sargeant, Recording Secretary

M. Burnham, Chairman”