



MINUTES

Via Zoom

Board of Directors

April 20, 2022

MEMBERS PRESENT

J. Atkinson, Chair
J. Mason, Vice-Chair
F. Campbell
G. Gower
J. Karau
P. Kehoe
C. Lowry
P. Sweetnam
A. Tennant
R. Darling
J. Inglis

MEMBERS ABSENT

E. El-Chantiry
B. Holmes
C. Kelsey
B. King
C. Rigelhof
K. Thompson

STAFF PRESENT

S. McIntyre, General Manager
E. Levi, Recording Secretary
M. Craig, Manager of Planning and Regulations
J. Cunderlik, Director of Water Resources Engineering
R. Fergusson, Operations Supervisor
A. Millar, Treasurer
D. Reid, Environmental Planner
E. Ogden, Environmental Planner
J. North, Water Resources Technologist

J. Atkinson called the meeting to order at 1:00 pm

B04/20/22-16

MOVED BY: J. Karau

SECONDED BY: R. Darling

Resolved, That the agenda for the April 20, 2022 Board of Directors Meeting be adopted as presented.

“CARRIED”

BUSINESS ARISING

1. Amendment to Finance & Administration Advisory Committee Minutes dated February 8, 2022

S. McIntyre explained that following the last meeting, members asked for clarification regarding the mileage rate proposed by the Finance & Administration Advisory Committee—specifically, whether the change was intended for the Board and Committee members only, or would also apply to MVCA employees.

B04/20/22-17

MOVED BY: P. Sweetnam

SECONDED BY: P. Kehoe

Resolved, That the Board of Directors:

- a) **Approve maintenance of current (2020/2021) per diem and honorarium rates for 2022.**
- b) **Approve an increase in the corporate mileage rate for staff to \$0.57/km effective January 1, 2022.**
- c) **Direct that mileage rates set out in the provincial “Travel, Meal and Hospitality Expenses Directive” be used for Board member mileage effective January 1, 2022.**
- d) **Direct staff to conduct a review of per diems and honorariums and to table results for consideration before municipalities commence recruitment of Board members for the 2022-2026 term of council.**

“CARRIED”

MAIN BUSINESS

2. Approval of Minutes – Board of Directors

B04/20/22-18

MOVED BY: F. Campbell

SECONDED BY: P. Kehoe

Resolved, That the Minutes of the Mississippi Valley Board of Directors Meeting held on March 16, 2022 be received and approved as printed.

“CARRIED”

3. Receipt of Draft Minutes (for information purposes only):
 - a. Executive Committee – November 12, 2021
 - b. Policy & Priorities Advisory Committee – February 17, 2022
 - c. Finance & Administration Advisory Committee – April 11, 2022

4. Watershed Conditions Report, Report 3216/22

J. North spoke to current water level conditions in the watershed outlined in Staff Report 3216/22. There is currently no snow left on the ground over much of the eastern part of the watershed and the snow pack in the upper part of the watershed is diminishing quickly. There are no specific indicators at this time for flooding, however rainfall will be closely monitored.

5. Offer to Purchase K&P, Report 3212/22

B04/20/22-19

MOVED BY: J. Atkinson
SECONDED BY: F. Campbell

Resolved, That Board of Directors move to in-camera discussion to address a proposed or pending acquisition or disposition of land by the Authority; and further Resolved, That staff remain in the room.

“CARRIED”

B04/20/22-20

MOVED BY: J. Inglis
SECONDED BY: G. Gower

Resolved, That the Board of Directors move out of in-camera discussion.

“CARRIED”

B04/20/22-21

MOVED BY: J. Karau
SECONDED BY: P. Sweetnam

Resolved, That the Board of Directors decline the Bucci offer.

“CARRIED”

6. Deferred item - Review of Committee Structure, Report 3204/22

S. McIntyre outlined the concerns and comments received regarding Report 3204/22 that was deferred by the Board on March 16th, 2022. Concerns were brought forward regarding having the legislative agenda terminology used for the executive function. Staff was directed to change the first recommended role to indicate that the Executive Committee would hold meetings “as needed” and that a Mississippi River Public Advisory

Committee be formed with a MVCA Board Member serving as the Chair. The Public Advisory Committee would be formed to provide advice and support only.

Staff was directed to return to the Board with draft language for amendments to the Administrative By-law.

J. Karau expressed concern for the workload of the Policies and Priorities Advisory Committee (PPAC) were not equally distributed with the Finance and Administration Advisory Committee (FAAC). He suggested that the administration and employee manual matters be directed to the Policies and Priorities Committee when restructuring to even the workload between the two committees.

S. McIntyre expressed that the Policy and Priorities Committee will have an increased amount of work due to the new regulations being released. As well, often there are financial impacts that coincide with employment matters therefore, it may be appropriate to leave personnel and employee matters to the FAAC.

C. Lowry appreciated the intent of the proposed amendment but felt that the workload of the FAAC the past year was an anomaly and that adjustments in the assignments were not necessary.

P. Kehoe agreed that the workload of the FAAC over the past year was heavier than normal and was an anomaly and not requiring the responsibilities to be changed. He felt the PPAC responsibilities are more external policy related and the FAAC is responsible for more internal policies.

P. Sweetnam appreciated the proposed amendment but felt that the workload has been assigned appropriately in the staff report.

A. Tennant asked if the assignments can be changed at a later time if deemed necessary.

S. McIntyre stated that the Board can approve any changes to the Administrative By-law.

B04/20/22-22

MOVED BY: J. Karau

SECONDED BY: R. Darling

Resolved, That the Board of Directors direct staff to amend Table 2, as presented, to transfer the personnel administration and employee manual responsibilities to the Policy & Priorities Committee from the Finance and Administration Advisory Committee.

“DEFEATED”

B04/20/22-23

MOVED BY: A. Tennent

SECONDED BY: F. Campbell

Resolved, That the Board of Directors direct staff to draft and table amendments to MVCA's *Administrative By-law* to address the recommendations contained in Report 3204/22.

"CARRIED"

J. Karau thanked everyone for their input on the matter and was reassured that the workloads of each committee are deemed manageable by the members.

7. **Lower Mississippi Flood Plain Mapping Update, Report 3217/22**

J. Cunderlik described the process used to update the Lower Mississippi Flood Plain Mapping, which included a third-party review of the 2019 study in accordance with current standards (Technical Guide River & Stream Systems: Flooding Hazard Limit (MNDMNR, 2002).) Work carried out included: topo-bathymetric data gap analysis to improve model accuracy; field survey of areas of concern; model update with additional data, calculations, and assumptions; model validation against observed flooding information; and updated the flood plain maps and regulation limit. The resulting Regulatory (1:100 year) flood plain and Regulation Limit delineation is suitable for use in MVCA's Regulation mapping as well as for municipal land use planning purposes.

After the adoption by the MVCA Board of Directors the report, maps and Regulation Limit will be used in the implementation of Ontario Regulation 153/06 and forwarded to the local municipalities for inclusion in their Zoning By-law document.

J. Mason enquired if there are other areas of concern that a similar review should be completed in the future. J. Cunderlik explained that flood plain mapping should receive a cursory review every 10 years to ensure that elevation and other information reflects current conditions and suggested that Mississippi Lake would likely be the next, most suitable area to be reviewed.

B04/20/22-24

MOVED BY: J. Inglis

SECONDED BY: P. Sweetnam

Resolved, That the Board of Directors:

- a) **adopt Report 3217/22 and the associated GIS-based flood hazard limits and flood plain maps as the delineation of areas along the Lower Mississippi River that are susceptible to flooding during the Regional flood standard as defined in Schedule 1 of Ontario Regulation 153/06, and**

- b) **direct that the report, maps and Regulation Limit be used in the implementation of Ontario Regulation 153/06.**

“CARRIED”

8. Management of Reserves, Report 3213/22

S. McIntyre reviewed the current state and historical trends of MVCA reserves, the policies of other jurisdictions, and identified risks to revenues and expenditures to identify an appropriate target operating reserve balance of approximately \$700,000. Staff will prepare draft policies to guide management of the Operating Reserve and restricted Reserve Funds and report on the state of the reserves as compared to the benchmark / targets each fall concurrent to seeking annual levy / budget direction. The 5-year Capital Needs Assessment and 10-year Capital Plan are to be updated to include future impact on reserves, explaining that completion of Dam Safety Reviews at Kashwakamak and Shabomeka dams will enable staff to reassess and prioritize capital works.

E. El-Chantiry spoke in favour of the approach and asked how quickly staff could return with detailed policy recommendations. S. McIntyre responded that it would be in July.

J. Inglis sought clarification between Capital Needs and the Capital Plan. S. McIntyre explained that the needs assessment is largely based upon the condition of assets, whereas the plan prioritizes recommended works to meet the affordability limits of the Authority based upon risk variables.

B04/20/22-25

MOVED BY: C. Lowry

SECONDED BY: G. Gower

Resolved, That the Board of Directors direct staff to:

- 1. Prepare and table draft policies governing the Operating Reserve and restricted Reserve Funds.**
- 2. Report to the Board each Fall on the state of the Operating Reserve and Reserve Funds concurrent to seeking budget/levy direction.**
- 3. Update the 5-year Capital Needs Assessment and assess the health of Reserve Funds.**
- 4. Update the 10-year Capital Plan including a schedule of projected capital levies and reserve contributions.**

“CARRIED”

9. Managing Stress in the Workplace, Report 3218/22

J. Atkinson explained Report 3218/22 was provided for information purposes as staff wanted the Board to have this information to review prior to tabling of an Action Plan at the May meeting.

B04/20/22-26

MOVED BY: J. Karau

SECONDED BY: A. Tennant

Resolved, That Board of Directors move to in-camera discussion to address personal matters about an identifiable individual, including employees of the Authority; and further Resolved, That Sally McIntyre remain in the room.

“CARRIED”

B04/20/22-27

MOVED BY: J. Karau

SECONDED BY: R. Darling

Resolved, That the Board of Directors move out of in-camera discussion.

“CARRIED”

No decisions were taken in-camera.

10. Staff Presentation – Planning Department

D. Reid and E. Ogden outlined the advisory role that MVCA plays in reviewing planning applications submitted to municipalities for approval. The Authority assists municipalities in meeting their obligations under the *Provincial Policy Statement, 2020* by advising on how a proposal impacts fish habitat, Areas of Natural and Scientific Interest (ANSI), water quality and quantity, and drainage and stormwater. This aligns with the Authority’s regulatory role to review and issue permits in a manner that mitigates risks from Natural Hazards, and to Provincially Significant Wetlands, adjacent lands, and other wetlands.

Some of the challenges outlined included the following: development pressure on marginal lands that are constrained and more complex to assess; resistance to minimum standards; limited review timelines; submissions lacking required or sufficient detail or diagrams; lack of understanding our advisory versus our regulatory role; and a record number of inquires, permits, applications and violations.

G. Gower asked about timelines and deadlines and the ability to meet those deadlines. E. Ogden responded that communication with municipalities is important to ensure deadlines are met and that required information is received in a timely manner.

J. Karau asked if the Mississippi Watershed Plan has assisted the Environmental Planners when reviewing applications. M. Craig responded that the documents have been useful and referenced on certain applications. S. McIntyre added that the Watershed Plan has been a great resource when commenting on Official Plan updates and other municipal policy and planning documents.

11. General Manager Update, Report 3219/22

J. Inglis expressed concerns on the pending Water Resources Engineer vacancy. S. McIntyre shared that the position has been advertised and that the Operations Supervisor will also be retiring this spring.

Several members indicated that they were unaware of the establishment of a new Drinking Water Committee and raised concerns regarding the Authority participating in a committee that may be a duplication of the MRSPC. S. McIntyre indicated that it was her understanding the new committee was designed to address matters not covered by the *Clean Water Act* and committed to sharing further information with members following the meeting.

ADJOURNMENT

The meeting was adjourned at 3:03p.m.

B04/20/22-27

MOVED BY: R. Darling

SECONDED BY: P. Kehoe

Resolved, That the Board of Directors meeting be adjourned.

“CARRIED”

“E. Levi, Recording Secretary

J. Atkinson, Chair”