



MINUTES

Hybrid Meeting Via Zoom
and at MVCA Office

Board of Directors Meeting

October 16th, 2023

MEMBERS PRESENT

- P. Kehoe, Chair
- J. Atkinson, Vice Chair
- B. Holmes
- D. Comley
- J. Mason
- H. Yanch
- M. Souter
- G. Gower (Virtual)
- C. Kelsey
- C. Kelly (Virtual)
- C. Curry (Virtual)
- R. Huetl
- R. Kidd (Virtual)

MEMBERS ABSENT

- T. Popkie
- A. Hubley
- A. Vereyken
- A. Kendrick
- S. Lewis

STAFF PRESENT

- S. McIntyre, General Manager
- J. Cunderlik, Director of Engineering
- J. North, Water Systems Technologist
- A. Broadbent, Manager of I&CT
- S. Millard, Treasurer
- S. Lawryk, Property Manager
- M. Craig, Manager of Planning and Regulations
- T. Fragnito, Finance Administrative Assistant
- K. Hollington, Recording Secretary

GUEST SPEAKER

Joanne Glaser, Cornerstones Management Solutions Limited

P. Kehoe called the meeting to order at 1:00 p.m.

Declarations of Interest (Written)

Members were asked to declare any conflicts of interest and informed that they may declare a conflict at any time during the session. J. Atkinson and D. Comley declared conflict of interest in regards to item 8, Water & Sewer Connection. J. Atkinson and D. Comley are councillors for the Town of Carleton Place and though they do not have a personal or pecuniary interest in the item stated that they would remove themselves during that item due to it relating to a contract with the Town.

Agenda Review

P. Kehoe explained that item 7 will be moved up to after item 2 due to timing constraints. He noted that three items are on the consent agenda and asked if anyone would like to discuss. There were no requests to discuss.

B23/10/16-1

MOVED BY: J. Mason

SECONDED BY: R. Huetl

Resolved, that the agenda for the October 16th, 2023 Board of Directors Meeting be adopted as amended.

“CARRIED”

MAIN BUSINESS

1. Approval of Minutes: Board of Directors Meeting, September 11th, 2023

B23/10/16-2

MOVED BY: H. Yanch

SECONDED BY: D. Comley

Resolved, that the minutes of the Board of Directors Meeting held on September 11th, 2023 be received and approved as presented.

“CARRIED”

2. Receipt of Minutes from Finance & Administration Committee Meeting June 22, 2023
3. Employee Presentation: Implementation of HR Downloads, (T. Fragnito)

T. Fragnito introduced the Board to the cloud based, human resources software that MVCA currently uses. She summarized the training courses and materials that are available for staff and the improvements in tracking certificates of completion.

B. Holmes asked if HR downloads feeds into the MVCA payroll program. T. Fragnito responded that it does not. B. Holmes asked if there is potential for the program to automate payroll. T. Fragnito responded that it is currently two separate programs.

4. Pay Scales, Report 3357/23, (S. McIntyre & S. Millard)

B23/10/16-3

MOVED BY: J. Atkinson

SECONDED BY: C. Kelsey

Resolved, That the Board move to in-camera session for discussion of the following matter:

Labour relations or employee negotiations

And Further Resolved, That

The General Manager, Treasurer and Joanne Glaser, Cornerstones Management Solutions Limited remain in the room.

“CARRIED”

B23/10/16-4

MOVED BY: B. Holmes

SECONDED BY: D. Comley

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

“CARRIED”

B23/10/16-5

MOVED BY: J. Atkinson

SECONDED BY: B. Holmes

Resolved, That the Board of Directors:

- 1. Approve the updated Salary Scale as presented to the Finance and Administration Committee in June 2023.**
- 2. Approve phased implementation as described in the June 2023 report.**

“CARRIED”

5. Watershed Conditions, Report 3360/23, (J. North)

J. North summarized the current watershed conditions, highlighting that below average rainfall has resulted in lower than normal flows in some areas but most lakes have maintained normal

levels. She explained that flows are expected to increase as more water from the drawdowns in the upper lakes reaches the lower half of the system. She is hopeful for rain to fill some of the smaller tributaries that are currently drier. She explained the general schedule for the drawdowns of specific lakes. She noted that the long-range forecast looks normal and expects target levels to be maintained before freezing.

R. Huetl added that he noted the levels of Crotch Lake to be quite low when he visited a week prior. J. North responded that water levels vary year-to-year and that levels are at the lower end of normal for this time of year but they are not below average. September had below average rainfall compared to the past.

6. GM Update, Report 3361/23, (S. McIntyre)

S. McIntyre highlighted the following items from the GM Update report:

- Clyde River Flood Plain Mapping project, noting MVCA is in the process of organizing a public open house in November for municipalities in which the Clyde River flows. She explained that, MVCA will be connecting with local municipalities and potentially reaching out to have a presentation to councils on the project with the goal to finalize the floodplain mapping to present to the Board in December.
- IT Review, explaining that the consultants will be providing an updated report for review. She explained that there are implications for both the short and long-term budget because the current IT assets are at least 10 years old, and some areas require updates. The report is a strategic look at what MVCA invests in and why, and what is needed to manage IT needs moving forward.
- K&P Trail, explaining that discussions with the 3 counties are not moving as quickly as anticipated. MVCA has reached out to the Snow Road Snowmobile Club to renew an agreement for use of the trail. In 2021 a contract was negotiated with input from legal council on both sides. The Club has new legal council that came back with new changes, MVCA has put back to them the contract signed in 2021.
- Safety boom replacement at the Carleton Place dam, noting that staff took the FCM Study tour to the site.
- Events that MVCA is participating in, including the Ottawa Valley Walk for Wenjack in partnership with the local Girl Guides association and the ALUS Lanark 2023 Project Celebration.
- Conservation Ontario meeting, noting that CO approved its 2024 Workplan and Budget of ~\$1.5 Million, with MVCA contributing \$28,722. The 2024 workplan included the continued support of Conservation Authorities as new regulatory requirements are navigated.

- S. McIntyre noted that the City of Ottawa approved the Category 2 and 3 agreements, allowing for MVCA to develop the 2024 budget based upon the new methodology.

7. Execution of Category 2 and 3 Agreements, Report 3362/23, (S. McIntyre)

S. McIntyre explained that the City of Ottawa was the last remaining municipality to approve the proposed Category 2 and 3 agreement, and MVCA is now in a position to execute the agreements. She explained the need for Board authorization is due to the value of the contracts.

B23/10/16-6

MOVED BY: J. Mason

SECONDED BY: M. Souter

Resolved, that the Board of Directors authorize the Chair and General Manager to execute agreements with member municipalities for the delivery of Category 2 and 3 services, as set out in this report.

“CARRIED”

Reports rising from Finance & Administration Committee:

8. Water & Sewer Connection, Report 3358/23, (S. Lawryk)

S. Lawryk presented updates on the Water & Sewer connection, explaining that since the Board approved the payment of \$251,500 to the Town of Carleton Place in fulfillment of the 2012 Development Permit Agreement, MVCA received communication from the Town disagreeing with the methodology used to calculate that amount, and a draft multi-lateral agreement from Cavanagh Construction. MVCA sought legal advice from Vice and Hunter LLP that has advised that the 2012 Development Agreement remains valid and enforceable, that MVCA should not enter any new agreements with Cavanagh Construction, and that the Rivington appraisal using current land use and current land size is the most accurate way of determining the current difference in the appraised value between serviced and un-serviced land. MVCA has been working with JP2G Engineering on the design and layout plan to get servicing from the property line into the building.

R. Huetl clarified that the \$251,500 payment is the sharing cost of getting utilities to the property line and that MVCA still has to pay for connection. S. Lawryk confirmed. R. Huetl asked if the Town will allow MVCA to connect and if MVCA is in the process of getting tenders for the connection. S. Lawryk explained that MVCA is in the process of working with an engineering firm to prepare tender documents. An agreement with the Town is desired before moving forward.

G. Gower asked what the potential next steps are to resolve the disagreement with the Town. S. McIntyre explained that she has been in discussion with the Chief Administrative Officer of the Town of Carleton Place, Diane Smithson, and that once the Board has provided direction she would work with the CAO to determine a number that the two organizations could agree upon.

G. Gower asked if the direction from the Board is to come after further investigation. S. McIntyre responded that the Town of Carleton Place is actively reviewing the proposal from Cavanagh Construction. It is understood that there is no pre-existing agreement for the extension of services between the Town and Cavanagh Construction, the contractor responsible for the work. She added that her goal would be to work with the CAO to determine whether there were grounds to alter the amount.

G. Gower asked if MVCA is the only landowner that is affected by this situation or if there are others affected by the dispute. S. McIntyre responded that the Town itself has land being serviced by the extension and an adjacent landowner is also potentially affected.

R. Kidd asked for clarification on the motion, asking if part 2 is in reference to the Cavanagh agreement. P. Kehoe responded that there is an agreement in place, and that they will not be entering into a new one. R. Kidd suggested the discussion go in-camera to give the GM a sense of how the Board feels about the negotiation.

B23/10/16-7

MOVED BY: H. Yanch

SECONDED BY: M. Souter

Resolved, That the Board move to in-camera session for discussion of the following matter:

Advice that is subject to solicitor-client privilege

And Further Resolved, That

The General Manager and MVCA Staff remain in the room.

“CARRIED”

B23/10/16-8

MOVED BY: B. Holmes

SECONDED BY: R. Huetl

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

“CARRIED”

B23/10/16-9

MOVED BY: J. Mason

SECONDED BY: B. Holmes

Resolved, that the Board of Directors direct staff to:

- 1. Seek agreement with the Town of Carleton Place on interpretation and application of the 2012 Development Agreement and return to the Board with a recommended course of action; and**
- 2. Inform Carleton Place that MVCA will not enter into any new or additional cost-sharing agreement related to the extension of municipal services to MVCA's property.**

"CARRIED"

9. K&P Landowner, Report 3556/23, (S. Lawryk)

P. Kehoe noted that the landowners were in attendance, that a letter provided by the landowners had been added to the agenda package, and that they had attended and presented to the Finance and Administration meeting on October 2nd, 2023; and therefore a request by the landowners to present to the Board had been denied.

S. Lawryk explained that MVCA has been in a long-standing dispute with the owners of a property adjacent to the K&P trail. The matter went before a judge in 2017 and the court judgement was in MVCA's favour including award of costs. In July 2023, staff were informed by legal council that the landowners contested the survey provided to Frontenac County in 2019 and intended to obtain their own survey, but with no target date for completion. To minimize delays, legal council has recommended that MVCA return to court to resolve the matter.

P. Kehoe noted that the letter provided by the landowners counters the staff report on several points and, as such, it is a matter that is going to have to take the legal route to be sorted out.

B23/10/16-10

MOVED BY: J. Mason

SECONDED BY: R. Huetl

Resolved, that the Board of Directors authorize staff to return to court regarding the K&P (Wilbur) property dispute.

"CARRIED"

10. Budget Control Report – Year End Outlook, Report 3363/23, (S. Millard)

S. Millard explained that the 2023 Budget is on track. A year-end projection based upon the end-of-August numbers indicates a potential surplus of \$100,000. This is due to vacancies and associated salary savings, and higher revenues than projected for items such as permit fees and interest on reserves. This could lead to not having to use ~\$300,000 in operating reserves.

On the capital side, S. Millard explained that there is roughly \$400,000 that will not be spent in 2023 but that will most likely be rolled over into projects in 2024. In regards to the reserves, she stated that roughly \$660,00 will not be used in 2023 that will remain in the balances that will support work in future years.

S. Millard provided further details regarding salary allocations in the Administrative and Flood Forecasting and Dam Operations departments, and noted that insurance costs generally came in under budget.

11. Cost of Service Study, Report 3359/23, (S. McIntyre & S. Millard)

S. McIntyre explained that the Cost of Service study builds on the analysis of programs and services carried out for the purpose of drafting Category 2 and 3 cost-sharing agreements. The Cost of Service study used business process maps for each service and estimated the hours spent by specific employees on those tasks to calculate all-in costs.

There were challenges using the new on-line time-sheet system, which is being updated to allow for more accurate time-allocation analysis; and that there was no pro-rating of the applications to reflect the high degree of variability in time required to process (e.g. some applications are in the far reaches of MVCA's jurisdiction.)

She noted that MVCA will be comparing business processes and costs to other CAs to identify opportunities to improve efficiency. Once completed and opportunities for improvement implemented, discussions regarding fees can occur bearing in mind that MVCA, RVCA, and SNC have consistent fees within the City of Ottawa. SNC's Board has already approved a 3% increase in fees for 2024 and MVCA management plans to request the same. A fee review is proposed for 2024 for implementation of potential changes in 2025.

G. Gower noted that the background of the document says that there is an expectation to employ user fees and other sources of funding where appropriate. He asked if the policy speaks to a certain level or ratio of user fees versus other funding sources and how it is generally applied. S. McIntyre responded that the new regulation required the Board to approve a Fee Policy, which does not have a specific percentage but has various goals and objectives including to cost recover as much as possible but also balance equity and affordability. G. Gower noted that when it comes to planning applications, the City of Ottawa pushes toward a cost-recovery

and hopes for an increase in cost-recovery in regards to MVCA planning applications as the City's levy pays most of the balance.

J. Mason asked for details on the plan for implementation of time-sheet data and how much time worth of data is needed in order to get an accurate base of information for cost estimates. S. McIntyre responded that the time-sheet system has been in place since March/April of 2023 and MVCA is in the process of adjusting the system to improve its efficacy. The goal is to work with at least 9 months of solid data, recognizing the variances in individual applications.

R. Kidd added that efficiencies and ways to reduce costs should be looked into and compared to other Conservation Authorities. Cost recovery should be as close to 100% as possible. S. McIntyre replied that MVCA will benchmark itself against Quinte and Cataraqui CAs and other willing CAs.

P. Kehoe commented that the charge-out rate for services is over \$100.00 per hour. S. McIntyre responded that it is dependent on the service but for engineering staff it is essential.

ITEMS RECEIVED BY CONSENT AGENDA

12. Timeline Reporting for Section 28 Applications, Report 3364/23, (M. Craig)
13. Permit Activity Report, Report 3365/23, (M. Craig)
14. MNRF Agreement – Amendment, Report 3366/23, (J. North)

ADJOURNMENT

B23/10/16-11

MOVED BY: R. Huetl

SECONDED BY: H. Yanch

Resolved, That the Board of Directors meeting be adjourned.

“CARRIED”

The meeting was adjourned at 2:35 p.m.

K. Hollington, Recording Secretary