



MINUTES

Hybrid Meeting Via Zoom
and at MVCA Office

Board of Directors Meeting

December 11, 2023

MEMBERS PRESENT

Paul Kehoe, Chair
Jeff Atkinson, Vice Chair
Allison Vereyken
Andrew Kendrick
Bev Holmes
Clarke Kelly (Virtual)
Dena Comley
Glen Gower (Virtual)
Janet Mason
Mary Lou Souter (Virtual)
Richard Kidd
Roy Huetl
Steven Lewis
Taylor Popkie

MEMBERS ABSENT

Allan Hubley
Cathy Curry
Cindy Kelsey
Helen Yanch

STAFF PRESENT

Sally McIntyre, General Manager
Stacy Millard, Treasurer
Juraj Cunderlik, Manager of Engineering
Alex Broadbent, I & CT Manager
Matt Craig, Manager of Planning & Regulations
Kelly Stiles, Biologist
Jennifer North, Water Resource Technologist
Krista Simpson, Administrative Assistant
Kelly Hollington, Recording Secretary

GUESTS

Marika Livingston, Program Manager Mississippi-Rideau Source
Protection Area

P. Kehoe called the meeting to order at 10:07 a.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. No declarations were received.

Agenda Review

P. Kehoe noted errors in the dates in item 17 in the consent agenda, they read 2023 rather than 2024.

BOD23/12/11-1

MOVED BY: R. Huetl

SECONDED BY: A. Vereyken

Resolved:

- 1. That item 17 in the consent agenda be amended as follows: The Annual General Meeting will be held April 8, 2024. All dates will be amended to read 2024.**
- 2. That the agenda for the December 11, 2023 Board of Directors Meeting be adopted as amended.**

“CARRIED”

MAIN BUSINESS

- 1. Approval of Minutes: Board of Directors Meeting, October 16, 2023**

BOD23/12/11-2

MOVED BY: J. Atkinson

SECONDED BY: B. Holmes

Resolved, that the minutes of the Board of Directors Meeting held on October 16, 2023 be received and approved as presented.

“CARRIED”

- 2. Receive Draft Minutes: Finance and Administration Advisory Committee Meeting Minutes, November 28, 2023 & Policy and Planning Advisory Committee Meeting Minutes, November 29, 2023.**

J. Atkinson noted an error in the draft minutes from the Finance and Administration Advisory Committee Meeting Minutes. S. McIntyre responded that this error would be corrected prior to its approval at the next Finance and Administration Advisory Committee Meeting. S. McIntyre asked if any items in the draft minutes required explanation. No questions were

asked. He asked if any items in the draft minutes from the Policy and Planning Committee meeting required further explanation. No questions were asked.

3. GM Update, Report 3376/23, (S. McIntyre).

S. McIntyre provided the following highlights:

The Town of Carleton Place considered cost sharing of the water and sewer extension at an in-camera meeting, and is not taking a decision until it receives legal council. The Town's Chief Administrative Officer indicates that the earliest a decision will be made is mid to late January. The Board of Directors will receive an update when new information is received.

The County of Lanark has begun to draft an agreement of purchase and sale, which may be structured similar to a lease-to-own agreement on behalf of itself and Renfrew and Frontenac Counties. MVCA has requested that the county provide the list of properties identified in the county's legal title search as requiring clarification/follow-up.

A court date has been scheduled for March 2024 for consideration of an easement issue on the K&P Trail for a property west of Wilbur Station.

Consultants working on the Kashwakamak Class Environmental Assessment (EA) are preparing documentation regarding their investigations and preliminary assessment of the different options. A Community Liaison Committee meeting is now planned for January 2024 with the results to follow mid-winter.

Capital repairs at various sites have been or are nearing completion at both dams and conservation areas. Improvements to dams were both to the structural integrity and to improve operational and public health and safety. Improvements to the conservation areas have made them more accessible and safer.

Board members were invited to the Kintail Country Christmas event on December 16, 2024.

Alyson Simon will be retiring from MVCA after 23 years and will be missed. She highlighted her work on the Watershed Plan and other current MVCA projects. J. Mason noted that Alyson did an amazing job on the *Mississippi River Watershed Plan*, the background reports about the watershed and plan were highly regarded.

4. Watershed Conditions, Report 3379/23, (J. North)

J. North explained that we have had below average rainfall for the last three months which has caused lower than normal water levels and flows throughout the watershed. Specifically, flows in the main river have been at minimum target levels and below the historical average. She noted that the drawdown of all the upper lakes have been completed, except for Mazinaw Lake, which is expected to be completed over the next week. She explained that Crotch Lake is

being operated to build water levels through to early January, with planned draw down to provide maximum storage in the system by early to mid-March.

Due to the dry fall, Crotch Lake water levels are below the historical average for this time of year. She explained that the main goal for the next month will be to store as much water as possible in Crotch Lake to ensure there is enough water to maintain flows downstream from mid-January through to April.

The long-term forecast predicts a slightly drier and colder winter with predicted higher amounts of precipitation in February. Currently, the plan is to maintain levels on the upper lakes close to the upper end of their target range until there is more water in the system to alleviate concerns regarding our ability to fill lakes in the spring. If there is below average snowpack over the winter, the team may decide to install logs earlier than usual to capture as much run-off as possible.

R. Huetl noted public concern regarding lake levels in North Frontenac and asked if there is any correlation to aquifers. J. North replied that the MVCA Engineering department doesn't monitor ground water, and that groundwater levels would be a concern if there were drought-like conditions, which there are not. K. Stiles added that MVCA participates in the Provincial Groundwater Monitoring Network Program managed by the MECP in Toronto. The province determines the location, monitoring frequency, equipment and analysis and MVCA field staff download and maintain the loggers and ground truth the data. There are 8 monitoring wells throughout the watershed, which provides sparse coverage given the size of the watershed, however, the program is designed to monitor different eco-systems and pressures of development at a provincial scale.

P. Kehoe asked if the amount of water being released from Mazinaw Lake will be enough to fill Crotch Lake. J. North responded that currently there is enough, but stated that it will depend on the elevation that Mazinaw Lake is held at to mitigate below-average snowpack conditions. She noted that any rainfall or melt will replenish Crotch Lake water levels.

5. Budget Control Report – Up to October 31, 2023, Report 3380/23, (S. Millard).

S. Millard noted that MVCA is still on track for with the 2023 budget. She highlighted that MVCA is below budget under wages and benefits due to empty positions throughout 2023. She noted MVCA has been implementing the *10-Year Capital Plan* that was approved after the 2023 Budget. She highlighted delayed projects that have been pushed to 2024 including the IT Server Upgrades and the HQ Water and Sewer Connection. She explained that MVCA is anticipating being able to put ~\$200,000-\$220,000 into reserves at year-end.

6. 2023 Year-End Contribution to/from Reserves, Report 3381/23, (S. Millard).

P. Kehoe noted the discussion in regards to year-end contribution to reserves and asked if more elaboration is required for item 6 in the agenda. S. Millard noted that the recommendation for moving any excess or surplus funds to the Water Control Structure Reserve is due to it being the furthest below target.

P. Kehoe asked about the condition of the reserves. S. Millard answered that MVCA has been increasing the Capital Levy in order to increase the reserves. Most reserves are below the targets set in July 2022.

BOD23/12/11-3

MOVED BY: A. Vereyken

SECONDED BY: T. Popkie

Resolved, That the Board of Directors direct staff to:

- 1. Transfer any unspent levied capital dollars as of December 31, 2023 to the Water Control Structure Reserve.**
- 2. Transfer any operating surplus for the year ending December 31, 2023 to the Water Control Structure Reserve.**

“CARRIED”

7. Reserve Policy Update, Report 3370/23, (S. Millard)

S. Millard explained that when the reserve policy was approved by the Board of Directors in July 2022 it was noted that additional updates would be required with the introduction of Category 1, 2 and 3 Programs. She noted that Report 3370/23 addresses this introduction and looks to establishing Category 2 and 3 operating reserves and a category 3 capital reserve. She explained that in order to facilitate these reserves, the recommendation is to use the same basis for establishing the Municipal MOUs at 14% of the operating levy. She explained the various steps required to implement this and her rationale.

P. Kehoe summarized that this report is bringing MVCA in line with the establishment of Category 1, 2 and 3 that wasn't in place prior.

BOD23/12/11-4

MOVED BY: A. Kendrick

SECONDED BY: B. Holmes

Resolved, That the Board of Directors:

1. **Approve amendment of the Reserve Policy to provide for Category 2 and 3 reserves, as outline in Report 3370/23.**
2. **Approve transfer of reserve balances as set out in Report 3370/23.**

“CARRIED”

8. Draft 2024 Budget, Report 3377/23. (S. McIntyre & S. Millard)

S. McIntyre summarized the budget process to date and explained upon approval of the Board the draft budget will be circulated to member municipalities for comment.

S. McIntyre highlighted that the Operating Budget is similar to 2023 but the Capital Budget has increased due to significant projects in 2024. Overall, the Board has approved a 6.5% increase, which varies amongst municipalities according to their assessment value.

She explained that the majority of MVCA expenditures are for mandatory Category 1 services. The bulk of revenues are recovered through the municipal levy with a sizable amount recovered through fees. S. McIntyre explained the new budget format, is divided by program area and shows how the money is expended and the sources of revenues. Several mandatory studies are scheduled for 2024, including the Land Inventory and Conservation Area Strategy.

A. Kendrick noted that the maintenance of Conservation Areas budget is less than 75% of what it was in 2023, and asked if the difference means a change in service or moving budget around. S. McIntyre replied that there is no change in service. In general, where there are significant year-over-year deviations they are the result of implementing the new Categories, 1, 2 and 3.

B. Holmes asked if Category 2 expenses are entirely covered by Category 2 revenues. S. McIntyre replied yes, however, because most staff wages are covered under Category 1, member municipalities benefit from optimized use of staff resources.

S. McIntyre highlighted the stewardship program under Category 3, thanking the Board for approving its continuation under the consent agenda. She noted the education program is modest because it was agreed to move forward with a summer program, carrying over the education program analysis into 2024. She explained that the Board of Directors approved \$20,000 for the education program to be coming through the category 3 MOUs, if the targets for cost recovery are met the whole amount may not need to be used. S. McIntyre highlighted upcoming 2024 projects including Water & Erosion Control Infrastructure, Conservation Area improvements and other system improvements.

A. Kendrick asked if the moderate increase in debt repayment is due to renegotiations or taking on additional debt. S. Millard answered that it is taking on additional debt to cover the sewer

and water connection because costs are projected to be higher than originally estimated. A. Kendrick asked if the existing debts are fixed term. S. Millard confirmed that they all fixed term.

J. Mason commented that the new budget format is very easy to understand and navigate, she commended S. McIntyre and S. Millard for their work on improving the format.

P. Kehoe noted that Board members can notify member CAOs of the draft budget being circulated.

BOD23/12/11-5

MOVED BY: J. Mason

SECONDED BY: R. Huetl

Resolved, That the Board of Directors approve the draft 2024 Budget for circulation to member municipalities for comment.

“CARRIED”

9. 2024 Mileage, Per Diem & Honorarium Rates, Report 3378/23, (S. McIntyre)

S. McIntyre explained that the Board and staff have different mileage rates and how that came into being, and recommended that they be harmonized because the provincial *Travel meals and hospitalities expense directive* acts as a minimum and is well below the rates paid to staff and by their municipalities. She further explained that the Board per-diem and honorarium have not changed since 2020, and recommended that they and the mileage rate increase by 3.3%. Lastly, she recommended an honorarium for the Vice Chair set at 1/3 that of the Chair.

P. Kehoe commented that it is reasonable to raise the mileage rates due to the distance that many Board members travel.

BOD23/12/11-6

MOVED BY: A. Kendrick

SECONDED BY: B. Holmes

Resolved, That the Board of Directors:

- 1. Approve the following rates to take effect January 1, 2024:**
 - a. A 3.3% increase in the mileage rate paid to MVCA employees.**
 - b. Re-alignment of the Board mileage rate to equal the employee’s mileage rate.**
 - c. A 3.3% increase to the Board member per diem.**
 - d. A 3.3% increase to the Chair’s honorarium**
 - e. A Vice Chair honorarium equal to one-third the Chair’s honorarium.**
- 2. Direct staff to amend MVCA’s Administrative By-Law to reflect the above decisions.**

10. Wetland Offsetting Policy Update, Report 3372/23, (K. Stiles & M. Craig)

K. Stiles explained that offsetting is a common practice throughout the province but with few standards especially in Eastern Ontario. She explained the “mitigation hierarchy” and the principle of “no net loss” and how it is achieved through application of “net gain” standards, specifically requiring offsets to be greater than the amount of land disturbed. She stated that proposed ratios align to those approved in the City of Ottawa, specifically: 2:1 for regulated wetlands; and 1:1 for regulated buffers around wetlands.

She highlighted challenges including complexity of systems like bogs and fens, long timelines, difficulty reaching the same level of biological/hydrological functionality, difficulty quantifying economic valuations, high costs and challenging/constrained sites.

S. Lewis asked for clarification on the process and gave an example, if ¼ acre of a property was developed, can ½ an acre on the other side of the same property be changed into a wetland. K. Stiles explained that it is ideal to do the offsetting on-site in conjunction with the feature.

B. Holmes if bogs and fens are off-limits to development. K. Stiles explained that bogs and fens cannot be offset due to their unique formation. B. Holmes asked if the policy states that bogs and fens are off-limits. K. Stiles responded that there is a clause/description that says this policy cannot be applied to bogs and fens.

A. Kendrick asked if the Conservation Authority is developing an inventory of potential offsetting sites. K. Stiles responded that a specific inventory has not been developed but information gathered through the Watershed Plan and Natural Systems plans highlights areas of high-risk for impact and where varied habitats exist. Programs like City Stream Watch, ALUS, and the Rural Clean Water program can be used to highlight potential areas.

A. Kendrick asked if off-site offsetting will be led by the developer or MVCA. K. Stiles explained that the offsetting policy is designed as a proponent-led system, paid for and designed by the developer, in consultation with MVCA. MVCA can prescribe limitations and opportunities but does not have the staff resources to design and direct the offsetting plan.

A. Kendrick asked who can override MVCA policy in this area. M. Craig explained that there is an appeal process, the Ontario Land Tribunal, depending on the nature of the application. When MVCA provides a permit with conditions, both the conditions and the decision can be appealed. S. McIntyre added that often the process begins with receipt of a land-use planning application to the municipalities. MVCA is circulated planning applications and is able to comment on matters of provincial policy on behalf of the Ministry of Natural Resources. MVCA would work with the municipality and the applicant to see how the hierarchy can be implemented. She added that it is the applicant’s responsibility to create a proposed plan that

meets the criteria set out in the policies. Within MVCA there is a regulations committee that can rule on disputed permit applications.

B. Holmes asked if other Conservation Authorities have implemented similar policies and if they've had any challenges and the outcomes. K. Stiles responded that in her research she referenced the guidelines, wording and processes of offsetting policies from other Conservation Authorities, such as TRCA, which implemented an offsetting policy in 2018. K. Stiles added that these policies are needed with the Provincial push for development on constrained sites. M. Craig commented that there is an example in Central Lake Ontario CA in the Oshawa area where a large warehouse was proposed in a wetland. The application was withdrawn due to the challenges of offsetting and meeting the conditions.

J. Atkinson commented that it is good to have a solid policy foundation. He added that an education process will be needed for member municipal planners and delicate communication to ensure this policy is not used as a guideline for "how to" develop on wetlands, rather only when it must happen. He noted that the Province changed the way wetlands are designated, he asked how wetlands are defined in the policy. K. Stiles answered that the definition of a wetland within the MVCA regulations is text based and includes more than Provincially significant wetlands.

P. Kehoe commented that the policy should go to member municipality planners for review and consultation. He expressed concerns in regards to disputes over the cost of offsetting and the arbitration/appeal process. He suggested that disputes are handled internally to mitigate costs. S. McIntyre responded that MVCA plans to brief local municipal planners to ensure their understanding and how the policy will be applied. She noted that specifics of what is requested from applicants and financial calculations for offsetting are not included in the policy and could be developed in consultation with local planners. She explained that Board approval of the policy provides staff with the tools to properly apply the hierarchy structure of the offsetting policy. She commented that work is needed to make sure the guidelines produced for MVCA and applicants are fair and transparent and meet the needs and objectives of member municipalities. P. Kehoe highlighted the need for transparency of the policy with member municipalities prior to approval to capture any recommendations.

S. Lewis asked if the Municipality or MVCA would take the appeal process to the Ontario Land Tribunal. S. McIntyre responded that if a land division/severance application is submitted it is under municipal authority, which is circulated to MVCA under the Planning Act for comment for matters of provincial interest. MVCA would be able to convey any concerns to the municipal planners in regards to the application; and potential CA permitting requirements so that the municipal planner could make an informed decision on whether or not to recommend approval of the application. She explained that if the municipal council approves an application and the applicant is unsuccessful in obtaining a permit from MVCA, the applicant can appeal to MVCA's

Regulations Committee. The Committee would determine whether or not staff appropriately applied the offsetting policy. The Regulations Committee is the arbitrator for permit applications. P. Kehoe expressed concern over the costs in the case of mediation. He added that the support of member municipalities should be obtained before the policy is adopted.

A. Kendrick asked if any neighbouring Conservation Authorities are adopting offsetting policies.

K. Stiles responded that Cataraqui and Rideau Valley Conservation Authorities are currently drafting a similar policy and the City of Ottawa has Offsetting policies in its Official Plan.

C. Kelly asked if there have been discussions with member municipal planners in regards to the policy. M. Craig responded that discussions with City of Ottawa staff have occurred because MVCA's policy mirrors the City's policy. C. Kelly expressed concerns over passing the policy prior to discussions with local municipal planners. He asked the Chair if a deferral may be had until discussions are had with local planners. P. Kehoe responded that he is suggesting the decision be deferred until discussions are had with member municipalities and in particular the planning departments.

R. Kidd asked if the municipal planners should take the policy to council. P. Kehoe responded that the policy would go to local planners to then be approved by council. S. McIntyre expressed concerns over the timeline for approval at council and suggested that the policy be circulated to member municipalities with a deadline for comment, with findings brought to the April 8, 2023 Board of Directors meeting. P. Kehoe noted that members of the Board should ensure that this matter be dealt with in a timely manner with their individual municipalities to ensure all comments are submitted prior to the meeting.

BOD23/12/11-7

MOVED BY: C. Kelly

SECONDED BY: A. Vereyken

Resolved, That this matter be deferred until the April 8, 2024 Board of Directors meeting to enable consultation with member municipalities.

“CARRIED”

11. Lower Clyde Floodplain Mapping Study, Report 3382/23

J. Cunderlik explained that the Clyde River valley is a major flood damage centre within the watershed and the Clyde River has had several flood events, including the 1:100 event in 2019 and almost a 1:500 event in 1998. He noted that most of the Lower Clyde River has no previous regulatory hazard mapping. MVCA conducted a flood risk assessment study in 2022, confirming the Clyde River as a high priority hazard mapping area. Funding from NRCan's FHIMP program was secured for the study. MVCA collaborated with Lanark County on the project.

He explained that the study mapped over 45 km of the river from the outlet of Joe's lake to the confluence of the Mississippi river including both flooding and erosion hazards. He highlighted that this project is the first to use the newly acquired Lidar data and that the entire river channel was surveyed. He explained that a Federal requirement was a climate change study of the area, which will help to develop a future climate mapping scenario. The findings correspond well with what municipalities use and adopt as a worst-case climate change scenario.

He explained that findings were reviewed by MVCA staff, the consultant and the federal technical staff. Flooding of the Clyde River was surveyed in the spring to take precise flood elevations throughout the watershed. He added that the drone was used for the first time to take aerial surveying of the flooding extent. Long-term stream flow data and 4 monitoring gauge locations were also used to validate the model.

MVCA did a number of ground-truthing trips to identify culverts and take elevations to ensure the model and mappings accuracy. Once the maps were finalized all affected properties and infrastructure were identified, with the majority being within Lanark and Cedardale.

He noted that MVCA met with Township of Lanark Highlands municipal planners to present the project and that all affected landowners were contacted by direct mail. A Public Open House was held at the Lanark Civitan on Thursday December 7th, 2023, with 19 people attending. All comments received were recorded, the majority related to the development of vacant properties and inquiries about the existing versus new regulation lines and limits. A comment in regards to the meander belt line was further discussed internally and with the consultant and was adjusted in response. Many comments from the public confirmed the new flood lines accuracy.

J. Mason asked if any results from the study were surprising or if any significant comments from residents were received. J. Cunderlik responded that the majority of comments were inquiries into the new lines and limitations for their specific property.

BOD23/12/11-8

MOVED BY: D. Comley

SECONDED BY: A. Vereyken

Resolved, That the Board of Directors:

- 1. Adopt the report *Lower Clyde River Floodplain Mapping*, dated December 2023, and the associated GIS-based Regulation Limit and floodplain maps as the delineation of areas along the Lower Clyde River that are susceptible to flooding during the regional flood standard as defined in Schedule 1 of Ontario Regulation 153/06 and;**

2. Direct that reports, maps and Regulation Limit be used in the implementation of Ontario Regulation 153/06.

“CARRIED”

CONSENT ITEMS

12. IT Asset Management Plan, Report 3367/23m (A. Broadbent)

BOD23/12/11-9

Resolved, That the Board of Directors approve the IT Asset Management Plan as set out in Report 3367/23.

13. Fleet Management Plan, Report 3368/23, (S. Lawryk)

BOD23/12/11-9

Resolved, That the Board of Directors approve the Fleet Management Plan as set out in Report 3368/23.

14. 2024 Fee Schedule Update, Report 3369/23 (S. Millard & M. Craig)

BOD23/12/11-9

Resolved, That the Board of Directors approve the 2024 Fee Schedule as set out in Report 3369/23.

15. Stewardship Program Review & Update Report 3373/23, (M. Craig & M. Okum)

BOD23/12/11-9

Resolved, That the Board of Directors endorse continued delivery of a year-round Stewardship Program until December 31, 2028.

16. Museum Advisory Committee: Membership and Terms of Reference, Report 3383/23 (S. McIntyre)

BOD23/12/11-9

Resolved, That the Board of Directors:

- a) Approve appointment of the following community members to the Mill of Kintail**

Museum Advisory Committee:

- | | |
|------------------|------------------|
| • Wendy Bridges | • Kathy McNenly |
| • Lucy Carleton | • Wayne Morrison |
| • Diana Jackson | • Sarah More |
| • Sara Chatfield | • Darcy Moses |

b) Approve amendments to the Museum Advisory Committee Terms of Reference contained in MVCA’s Administrative By-Law as set out in Attachment 1 in Report 3383/23.

17. 2024 Board Meeting Schedule, Report 3379/23, (S. McIntyre)

BOD23/12/11-9

Resolved, That the Board of Directors approve the proposed meeting schedule as set out in Report 3379/23.

18. Action Plan to Mitigate Stress Update, Report 3384/23, (A. Broadbent)

Received.

ADJOURNMENT

BOD23/12/11-9

MOVED BY: A. Vereyken

SECONDED BY: T. Popkie

Resolved, That the Board of Directors meeting be adjourned.

“CARRIED”

The meeting adjourned at time 11:51 a.m.

K. Hollington, Recording Secretary