

## BOARD OF DIRECTORS MEETING

Thursday, October 18, 2012

Ausable Bayfield Conservation Authority Boardroom  
Morrison Dam Conservation Area

### DIRECTORS PRESENT

Dave Frayne, Paul Hodgins, Lorie Scott, Bill Siemon, Don Shipway, Ute Stumpf, Mike Tam, Janisse Zimmerman

### DIRECTORS ABSENT

Jim Ginn

### OTHERS PRESENT

Rod Glenn, Municipality of Warwick

Scott Nixon, Exeter TA

Bob Montgomery, CKNX Radio

Ontario Wind Resistance - Susan Muller, Betty Vanhie, Dianne Waun, Susanne Strang, Jean Flynn, Anne Russell, Dave Hemingway, Ray Vlemmix, Laverne Flynn, Dianne Taylor, Carla Stachura, Michael Jardine, Bonnie Sitter, Nicholas Sitter, Richard Eisert, Michael Stachura, Doug Pedlar, Larry Cook, Daniel Dillon, Lesley Hallstone, Dave Parsons, Stan Franjkovic, Paul Marsh, John Clarke, Jody Laporte, Vern Postill, Shirley Postill, Thea Trick, Rose Vlemmix, Bonnie Roy, Bill Dinnin, Tim Westlake, Donna Lawson, Lyn Keyser

### STAFF PRESENT

Jenna Allain, Andrew Bicknell, Bev Brown, Geoff Cade, Brian Horner, Kate Monk, Judith Parker, Tom Prout, Alec Scott, Julie Stellingwerff

### CALL TO ORDER

Chair Dave Frayne called the meeting to order at 10:02 a.m. and welcomed everyone.

### ADOPTION OF AGENDA

**MOTION #BD 94/12**

**Moved by Lorie Scott**

**Seconded by Paul Shipway**

**“RESOLVED, THAT the agenda for the October 18, 2012 Ausable Bayfield Conservation Authority Board of Directors meeting be approved.”**

**Carried.**

DISCLOSURE OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest declared at this meeting or from the previous meeting.

ADOPTION OF MINUTES**MOTION #BD 95/12**

**Moved by Janisse Zimmerman  
Seconded by Don Shipway**

**“RESOLVED, THAT the minutes of the Board of Directors meeting held on September 20, 2012 and October 11, 2012 and the motions therein be approved as circulated.”**

**Carried.**

BUSINESS OUT OF THE MINUTESMiddlesex-Lambton Wind Action

As follow-up to the delegation at the September 20<sup>th</sup> Board or Directors meeting, Middlesex-Lambton Wind Action spokesperson Muriel Allingham, requested that the Board of Directors pass a resolution in support of a moratorium on industrial wind development in the watershed. She cited statistics on mortality rates of wildlife due to wind turbine developments and how society must stick together to preserve the biodiversity of the natural heritage.

Lambton Shores representative, Lorie Scott commented that the group must realize the Board of Directors could support the request, but have to follow through with provincial legislation as it is written.

Janisse Zimmerman stated that the Municipality of Bluewater Council recently passed a resolution moratorium on wind energy development until further study and put forth the following resolution:

**MOTION #BD 96/12**

**Moved by Janisse Zimemrman  
Seconded by Don Shipway**

**“RESOLVED, THAT the Ausable Bayfield Conservation Authority Board of Directors support a moratorium or further Industrial Wind Development in the conservation authority’s watershed jurisdiction, until such time as our natural environment is protected through independent and protective environmental assessments, and**

**FURTHER, THAT the watershed MPP’s and provincial government officials be notified of this resolution.”**

**Carried.**

Chair Frayne thanked the supporters of Ontario Wind Resistance for attending the meeting and the group left at 10:12 a.m.

Administration Centre Accessibility Project Options

Tom Prout, General Manager presented further information on the Administration Centre accessibility project. A meeting was held with the affected staff to ascertain comments on the two options presented by the architect, Randy Wilson. The Board discussed alternatives for funding the future accessibility requirements for the administration centre and the impacts of budgeting as a capital or project levy. At this time the cost estimates for both options are very preliminary with detailed drawings and more accurate costing needed. It was decided that this project would not be part of the 2013 budget year. Other improvements to the interior of the current building will proceed with the funding as already agreed upon in the 2012 budget.

**MOTION #BD 97/12**

**Moved by Lorie Scott**

**Seconded by Bill Siemon**

**“RESOLVED, THAT staff proceed with obtaining more detailed and accurate plans and cost estimates for the two accessibility and funding options presented.”**

**Carried.**

Proposed 2013 Budget

Brian Horner, Financial Services Supervisor gave a summary of the revisions made to the proposed 2013 budget. No change was made to the proposed general levy amount of \$868,624. However, revisions to the project levy were removal of the Watershed Hydrology Study as it was a low priority project. Reductions were also made to the medium priority so that the project levy was reduced from \$366,810 to \$305,810. Therefore the combined levy went from a 7.29% increase to 1.99%.

**MOTION #BD 98/12**

**Moved by Bill Siemon**

**Seconded by Mike Tam**

**“RESOLVED, THAT the proposed 2012 Budget be recommended by the Board of Directors for approval, and**

**FURTHER, THAT the member municipalities be advised of the 2012 proposed project levy, general levy and budget and provided with the supplementary information for review as the weighted vote will be held at the December 20, 2012 Board of Directors meeting.”**

**Carried.**

1. a) Development Review

Andrew Bicknell, Regulations Coordinator prepared and presented the Development Review report pursuant to *Ontario Regulation 147/06 Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*. Through the application process, proposed developments within regulated areas are protected from flooding and erosion hazards. Staff granted permission for five *Applications for Permission* and two *Minor Works Permits*.

1. b) Violation/Appeals Update

There were no updates on any violations or appeals.

**MOTION #BD 99/12**

**Moved by Bill Siemon  
Seconded by Ute Stumpf**

**“RESOLVED, THAT the Board of Directors affirm the approval of applications as presented in Program Report # 1 - Development Review.”**

**Carried.**

2. SWI Rural Stormwater Management Model Project

Alec Scott, Water & Planning Manager presented the results of the tender requesting expressions of interest to create the Rural Stormwater Management Model using information from the five priority watersheds along the shores of Lake Huron. There were fourteen consultants respond to the advertisement for Expressions of Interest. The Technical Committee selected five companies to submit a full proposal based on the Terms of Reference developed by the Technical Committee.

**MOTION #BD 100/12**

**Moved by Lorie Scott  
Seconded by Paul Hodgins**

**“RESOLVED, THAT the proposal submitted by Emmons & Olivier Resources inc and Computational Hydraulics International at a total cost of \$224,741 plus HST be accepted and that staff proceed with entering into an agreement with Emmons & Olivier Resources inc and Computational Hydraulics International to complete the project.”**

**Carried.**

3. Quarterly Financial Statement

For the Board’s information, Brian Horner, Financial Services Supervisor provided the statement of profit and loss to September 30, 2012.

PRESENTATION

Geoff Cade, Supervisor of Water & Planning made a presentation on the ABCA’s regulatory roles and responsibilities regarding wind power projects. The ABCA staff have a regulatory role to review renewable energy projects with regard to natural hazards pursuant to the *Conservation Authorities Act*, Ont. Reg. 97/04 and Ont. Reg 147/06. He noted that Section 28.1 of the *Conservation Authorities Act* states: “Subject to the approval of the Minister, an authority may make regulations applicable in the area under its jurisdiction, (c) prohibiting, regulating or requiring the permission of the authority for development if, in the opinion of the authority, the control of flooding, erosion, dynamic beaches or *pollution* or the *conservation of land* may be affected by the development.” Pollution is defined in the *Conservation Authorities Act*, and ‘conservation of land’ is defined through decisions of the Mining and Lands Commission.

Following the enactment of the *Green Energy Act*, Section 28 of the *Conservation Authorities Act* was amended by adding the following subsection 13(1). “If the permission that the person requests is for development related to a renewable energy project, as defined in section 1 of the *Green Energy Act, 2009*, the authority or executive committee, as the case may be, (a) shall not refuse the permission unless it is necessary to do so to control pollution, flooding, erosion or dynamic beaches, and (b) shall not impose conditions unless they relate to controlling pollution, flooding, erosion or dynamic beaches.”

The addition of this subsection leaves the Authority with reviewing proposals only with respect to the impacts on flooding and erosion. The typical activities in a renewable energy project which would be reviewed and require approval of the ABCA are turbines, access roads, transmission lines, transmission substations and contractor ‘lay down’ yards.

A map of the renewable energy projects proposed within the ABCA watershed jurisdiction was shown as well as an aerial view of a farm demonstrating the location of a turbine and the potential crossings over regulated areas such as creeks. Bill Siemon requested a report be brought back to the Board with a review of the current fee schedule for land use planning as it will pertain to the volume of renewable energy projects proposed for the watershed.

Don Shipway left the meeting at 11:25 a.m.

#### GENERAL MANAGER’S REPORT

Tom Prout provided a written report with a brief update on the progress of various projects, staff training and development, upcoming meetings, events or activities over the previous month.

#### COMMITTEE REPORTS

##### **MOTION #BD 101/12**

**Moved by Paul Hodgins  
Seconded by Bill Siemon**

**“RESOLVED, THAT the minutes from the Arkona Lions Museum Management Committee meeting held October 4, 2012 be approved as presented.”**

**Carried.**

#### CORRESPONDENCE

- a) Reference: AON Insurance  
File: A.24.1  
Brief: The Authority’s insurance provider is requesting whether the ABCA would like to purchase additional umbrella coverage in the amount of \$5M at a cost of \$1500 per year. The Board requested that staff bring a recommendation back to the next meeting.
- b) Reference: SWCS Conservogram Newsletter  
File: A.5.1

Brief: Copy of an article submitted by ABCA staff Ross Wilson and Jessica Schnaithmann to the Soil and Water Conservation Society newsletter about the *Green Fire* screening event held in Bayfield to inspire conservation within the community. The full length documentary film is about legendary environmentalist Aldo Leopold tracing how he influenced the modern environmental movement.

c) Reference: Thank you

File: A.5.1

Brief: Appreciation to Hope Brock, ABCA Healthy Watershed Technician, from Sharon Callan of Huron Woods subdivision at Grand Bend, for the presentation on snapping turtles to residents along the Old Ausable Channel.

### NEW BUSINESS

None

### ADJOURNMENT

The meeting was adjourned at 12:16 p.m.

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Dave Frayne  
Chair

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Judith Parker  
Corporate Services Coordinator

*Copies of Program Reports are available upon request.  
Contact Judith Parker, Corporate Services Coordinator.*

