

BOARD OF DIRECTORS' MEETING

NO. BOD-11-13 – Friday, November 22, 2013

120 Bayview Parkway, Newmarket, ON

MINUTES

LSRCA Board Members Present:

Regional Councillor D. Bath, Chair

Councillor M. Baier

Regional Councillor J. Ballinger

Mr. E. Bull

Councillor P. Craig Mayor G. Dawe

Deputy Mayor B. Drew, Vice-Chair

Councillor A. Eek
Councillor D. Evans
Mayor V. Hackson
Councillor B. Haire
Councillor D. Kerwin
Councillor J. O'Donnell
Councillor S. Strangway
Councillor B. Ward

Regrets:

Councillor D. Crake Councillor K. Ferdinands Mayor R. Grossi, LOA Mayor A. Orsi

LSRCA Staff Present:

D. G. Wood, Chief Administrative Officer

B. Kemp, General Manager, Conservation Lands

R. Jarrett, General Manager, Communications & Education

J. Lee, General Manager, Corporate & Financial Services

M. Walters, General Manager, Watershed Management

R. Baldwin, Director, Planning & Development Services

T. Barnett, Coordinator, BOD/CAO, Project & Services

B. Booth, Manager – Planning, Regulations & Enforcement

K. Christensen, Manager, Human Resources

D. Lembcke, Manager, Environmental Science & Monitoring

K. Yemm, Manager Corporate Communications

Guests:

H. Behrend, Citizen of Georgina

J. Chisholm, Toronto

J. Gibson, Citizen of Georgina

J. Gibbons, NGFA

P. Harpley, South Lake Simcoe Naturalists

T. Kinnear, Citizen of Innisfil

E. McDougall, Citizen of Georgina

A. Mott, Citizen of Georgina

S. Mott, Citizen of Georgina

T. Usher, Anthony Usher Planning Consultant

L. Wells, NGFA, RSLC, SLSNC

I. DECLARATION OF PECUNIARY INTEREST

None noted for the record of this meeting.

II. APPROVAL OF THE AGENDA

Moved by: J. Ballinger Seconded by: P. Craig

BOD-182-13 RESOLVED THAT the content of the Agenda for the November 22, 2013 meeting of

the LSRCA Board of Directors be approved as amended to include in Correspondence, Item 1(h), an email from Mr. Jack Gibbons; in Item XII, Other Business, Staff Report 64-13-BOD and Staff Report 65-13-BOD; in Item XI e), Closed Session, an additional human resources matter; and a statement by Councillor Craig

prior to moving into Closed Session. CARRIED

Lake Simcoe Region Conservation Authority Board of Directors' Meeting BOD-11-13 November 22, 2013 – Minutes Page 2 of 11

III. ADOPTION OF THE MINUTES

a) Board of Directors

Moved by: J. O'Donnell Seconded by: G. Dawe

BOD-183-13 RESOLVED THAT the minutes of the Board of Directors' Meeting No. BOD-10-13 held

on Friday, October 25, 2013 be received and approved as amended to indicate that

Mr. E. Bull was in attendance. CARRIED

b) Special Meeting of the Board of Directors – November 1, 2013

Moved by: A. Eek Seconded by: V. Hackson

BOD-184-13 RESOLVED THAT the minutes of the Special Meeting of the Board of Directors held

on Friday, November 1, 2013 be received and approved as printed and circulated.

CARRIED

c) Conservation Ontario

Moved by: G. Dawe Seconded by: D. Evans

BOD-185-13 RESOLVED THAT the minutes of the Conservation Ontario Council Meeting #3/13

held on Monday, September 30, 2013 be received for information. CARRIED

IV. ANNOUNCEMENTS

- a) General Manager, Watershed Management, Mike Walters, reminded the Board members of the upcoming Low Impact Development Workshop planned for Wednesday, December 4th, noting that invitations for this very informative workshop have been extended to municipal staff, including CAOs and Members of Council.
- b) General Manager, Watershed Management, Mike Walters, referenced the Lake Simcoe Watershed 2013 Environmental Monitoring Report, which was distributed to each of the Board members.
- c) General Manager, Communications and Education, Reneé Jarrett, referenced the new Lake Simcoe Watershed Map "Naturally Connecting Communities", which was distributed to each of the Board Members.
- d) CAO Gayle Wood referenced the 26th Annual Conservation Dinner brochure, which had been distributed to each of the Board members, noting the date has been set for Wednesday, June 11th and will once again take place at the Manor at Carrying Place Golf and Country Club in Kettleby.
- e) General Manager, Conservation Lands, Brian Kemp, provided Board members with a brief overview of the LSRCA Twinning Team's recent work in Mexico, noting that it was a very successful trip. A more informative presentation is planned for the December Board meeting.

Lake Simcoe Region Conservation Authority Board of Directors' Meeting BOD-11-13 November 22, 2013 - Minutes Page 3 of 11

٧. **DEPUTATIONS**

There were no deputations at this meeting.

VI. **HEARINGS**

There were no hearings at this meeting.

VII. **PRESENTATIONS**

a) <u>Lake Simcoe/South-eastern Georgian Bay Clean-up</u> Fund

Manager, Watershed Stewardship, Philip Davies, provided the Board with an update on the Lake Simcoe/South-eastern Georgian Bay Clean-up Fund, explaining that the formerly known Lake Simcoe Clean-up Fund (2007-2012) had been expanded to include South-eastern Georgian Bay for 2013-2017. LSRCA submitted eleven projects back in January 2013. After a number of program delays and resubmissions, LSRCA was awarded four projects in October 2013. Mr. Davies provided a brief overview of these projects; namely, the Maskinonge River Recovery Project - Phase 2; Oro-Medonte Best Management Practices - Phase 2; Scanlon Creek Pond Restoration - Design Phase; and CNSRVS. Total funding received is \$3,074,832, with some of the projects being funded through to 2017. For information on this fund, please click the following link: http://www.ec.gc.ca/eau-water/default.asp?lang=En&n=EBF944F0-1.

Moved by: M. Baier Seconded by: B. Haire

RESOLVED THAT the presentation by Manager, Watershed Stewardship, Philip BOD-186-13

Davies, regarding the update on the Lake Simcoe/South-eastern Georgian Bay

Clean-up Fund be received for information. CARRIED

Staff Report No. 55-13-BOD regarding the Lake Simcoe/South-eastern Georgina Bay Clean-up Fund was included in the agenda.

Moved by: B. Drew Seconded by: J. O'Donnell

RESOLVED THAT Staff Report No. 55-13-BOD regarding the Lake Simcoe/South-BOD-187-13

eastern Georgina Bay Clean-up Fund be received for information. CARRIED

DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION VIII.

The Board identified Agenda Items No. 1 c), d), e), g), h), 3, and 4 for separate discussion.

IX. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION

Moved by: Seconded by: P. Craig G. Dawe

RESOLVED THAT the following recommendations respecting the matters listed as BOD-188-13

"Items Not Requiring Separate Discussion" be adopted as submitted to the Board,

Lake Simcoe Region Conservation Authority Board of Directors' Meeting BOD-11-13 November 22, 2013 – Minutes Page 4 of 11

and staff be authorized to take all necessary action required to give effect to same. CARRIED

1. Correspondence

- a) Letter from Ministry of Natural Resources dated October 15, 2013 to Gayle Wood regarding Minister's Approval for Grant of Easement;
- Email from Ministry of the Environment dated October 17, 2013 to Gayle Wood regarding the Amendment to Include Rama First Nation in Source Protection Planning posted to Environmental Registry;
- f) Email from Conservation Ontario dated November 6, 2013 to Gayle Wood regarding Fisheries Act Amendments Coming into Force November 25th and December 10th for DFO Webinar;
- BOD-189-13 **RESOLVED THAT correspondence listed as items 1 a), b) and f) be received for information.** CARRIED

2. Budget Status Report – September 30th

BOD-190-13 RESOLVED THAT Staff Report No. 56-13-BOD regarding the Authority Budget Status for the nine month period ending August 30, 2013 be received for information. CARRIED

5. Scanlon Creek Conservation Area Management Plan Review Vision, Mission and Goals

BOD-191-13 RESOLVED THAT Staff Report No. 62-13-BOD regarding the Scanlon Creek Conservation Area Management Plan review and update be received for information; and

FURTHER THAT the proposed vision, mission and goals for Scanlon Creek Conservation Area be approved. CARRIED

6. <u>Durham Regional Forest</u>

BOD-192-13 RESOLVED THAT Staff Report No. 63-13-BOD regarding the Durham Region Forest Management Agreement Renewal be approved, and

FURTHER THAT the Chair and CAO be authorized to sign the Agreement for the period of 2014 to 2023. CARRIED

X. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

1. Correspondence

c) <u>Conservation Ontario Media Release dated October 21, 2013: Conservation Authorities Support New Ontario Children's Outdoor Charter by Providing Places to 'Step into Nature'</u>

Lake Simcoe Region Conservation Authority Board of Directors' Meeting BOD-11-13 November 22, 2013 – Minutes Page 5 of 11

Regional Councillor Ballinger enquired as to whether a portion of the Scanlon property could be tied to this Charter, so that it may be utilized by children. After some discussion, staff were directed to have the Scanlon Creek Steering Committee work with government agencies on opportunities in support of the new Ontario Children's Outdoor Charter.

Moved by: B. Drew Seconded by: S. Strangway

BOD-193-13 RESOLVED THAT correspondence listed as item 1 c) be received for information; and

FURTHER that the Scanlon Creek Steering Committee be directed to work the government agencies on opportunities in support of the Children's Outdoor Charter. CARRIED

d) Resolutions regarding Friends of the Ontario Ranger Program Request for Support

Regional Councillor Ballinger advised the Board that he had recently attended a rally in Huntsville regarding the Ontario Ranger Program where many individuals spoke about the impact this program has had on their lives. Regional Councillor Ballinger asked Board members for support of the resolutions distributed in the Agenda. Members expressed their support and requested copies of the resolutions for distribution to their respective municipalities.

Moved by: J. Ballinger Seconded by: D. Kerwin

BOD-194-13 RESOLVED THAT correspondence listed as item 1 d) be received for information; and

FURTHER THAT whereas in September 2012 the provincial government cancelled the 70 year old Ontario Ranger Program (ORP), formerly known as the Ontario Junior Ranger Program;

And whereas when the government cancelled the Ontario Ranger Program, it claimed the Stewardship Youth Ranger Program (SYP), an existing day program, would deliver the same experience and would offer more jobs;

And whereas this day program does not offer the same quality off experience youth gained under the previous ORP in respect to knowledge of resource management and without the distractions of daily life;

And whereas since 2012, 278 Ontario Ranger jobs have been eliminated;

And whereas in previous years more than half of the Ontario Rangers were students from large urban centres. By contrast, this year the current day program is just not accessible to those students in the urban centres;

And whereas when the government cancelled the ORP, many youths lost an opportunity for a once-in-a-lifetime experience because the ORP only required enrolment in an Ontario high school and acceptance into the program was based on a postal-code lottery system;

Lake Simcoe Region Conservation Authority Board of Directors' Meeting BOD-11-13 November 22, 2013 – Minutes Page 6 of 11

And whereas cancellation of the 70 year old ORP does a disservice to public services in Ontario to those who have come to admire and respect the natural beauty of our province;

And whereas conservation authorities encourage students to learn about the importance of conserving our shared natural environment and what they can do to make a positive impact;

And whereas the provincial government committed \$295 million dollars in the 2013 provincial budget for youth employment;

THEREFORE, be it resolved that the Lake Simcoe Region Conservation Authority supports the Friends of the Ontario Ranger Program campaign to restore the Ontario Ranger Program in the 2014 provincial budget; and

Be it FURTHER resolved that the Lake Simcoe Region Conservation Authority shall send a letter to Premier Kathleen Wynne and the Minister of Natural Resources, David Orazietti, urging their government to restore the Ontario Ranger Program for future generations of young people; and

And be it finally resolved that the Lake Simcoe Region Conservation Authority forward this resolution for support to the other 35 conservation authorities. CARRIED

e) <u>Email from Ministry of the Environment dated October 17, 2013 to Gayle Wood regarding the</u> Launch of Source Protection Municipal Implementation Fund

Councillor O'Donnell asked who is eligible for funding and how to apply. Information on this Fund can be found on the website below:

http://www.ene.gov.on.ca/environment/en/subject/protection/STDPROD 109373

Moved by: D. Kerwin Seconded by: B. Drew

BOD-195-13 RESOLVED THAT correspondence listed as item 1 e) be received for information.

g) Anthony Usher Planning Consultant – Response to LSRCA Staff Report

CAO Wood explained that the Anthony Usher Planning Consultant report was included in the Agenda and that Mr. Leo Longo of Aird & Berlis has been granted deputation status for the December 2013 Board of Directors' meeting. CAO Wood also explained that Mr. John Olah, LSRCA's legal counsel from Beard Winter, was not available to attend the November meeting. Board members raised concerns about proceeding with any discussion on this report in the absence of Mr. Olah, in case questions arise. Board members wished to defer this matter to the December 13, 2013 meeting and requested that Mr. Olah be in attendance.

Moved by: D. Kerwin Seconded by: J. Ballinger

Lake Simcoe Region Conservation Authority Board of Directors' Meeting BOD-11-13 November 22, 2013 – Minutes Page 7 of 11

BOD-196-13 RESOLVED THAT correspondence listed as item 1 g) be received for information; and

FURTHER THAT the report by Anthony Usher Planning Consultant dated October 22, 2013 be considered at the December Board of Directors' meeting, along with the deputation by Mr. Longo.

h) Email from Mr. Jack Gibbons, Chair, North Gwillimbury Forest Alliance

CAO Gayle Wood referenced Mr. Gibbons' email which was included in the Agenda, noting his request that "the Board publicly release, or that we be provided with, a copy of your lawyer's legal opinion with respect to your staff's and Mr. Usher's recommendations about the LSRCA's Watershed Development Policies". CAO Wood reminded the Board that this confidential legal opinion is listed on the Agenda under Item XI, Closed Session, and asked for the Board's guidance on releasing this opinion to the North Gwillimbury Forest Alliance.

Vice Chair Drew expressed that she was not comfortable releasing this confidential advice prior to the Board seeing it themselves. Councillor Craig advised that he would like the process to be as transparent as possible but wished Mr. Olah to be present to respond to any questions the Board may have.

Granted permission by Chair Bath to speak, Mr. Gibbons advised that he would like Mr. Longo to see the confidential legal opinion so that he may have the opportunity to research and prepare a response.

There was further discussion amongst Board members on whether or not this confidential legal opinion should be released, and if so, would it be released to NGFA's lawyer rather than the entire group. Board members expressed concern with the information remaining confidential between the lawyers and suggested the request be deferred to the December Board of Directors' meeting, when both lawyers would be in attendance. The question was once again raised as to whether an application has actually been received from Maples Lake Estates, to which General Manager, Watershed Management responded that an application has not been received. Mayor Dawe reminded Board members about the recently passed resolution to call a special meeting should an application be received.

Moved by: B. Drew Seconded by: P. Craig

BOD-197-13 RESOLVED THAT correspondence listed as item 1 h) be received for information; and

FURTHER THAT Mr. Gibbons' request for the release of LSRCA's lawyers' opinion be deferred to the December 13, 2013 meeting and that Mr. Olah of Beard Winter be requested to be in attendance.

3. Budget Status Report – October 31st

Mayor Hackson noted that she was pleased with the bottom line and asked General Manager, Corporate and Financial Services, Jocelyn Lee, if there was anything that needed to be addressed. GM

Lake Simcoe Region Conservation Authority Board of Directors' Meeting BOD-11-13 November 22, 2013 – Minutes Page 8 of 11

Lee advised that the \$100,000 to \$200,000 surplus expected at year end is based on the increase in fees and nothing unusual.

Moved by: V. Hackson Seconded by: B. Haire

BOD-198-13 RESOLVED THAT Staff Report No. 60-13-BOD regarding the Authority Budget Status

for the ten month period ending October 31, 2013 be received for information.

7. <u>Approval of Comparators for the 2013 Compensation Management Review for the Lake Simcoe</u> <u>Region Conservation Authority</u>

In response to a question from Councillor Craig on how the list of comparators was arrived at, Manager, Human Resources, Keri Christensen explained that staff worked with a consultant to choose six municipalities and six conservation authorities. Some of the criteria used included geographic area, as well as employee and budget sizes.

Moved by: P. Craig Seconded by: J. Ballinger

BOD-199-13 RESOLVED THAT Staff eport No. 61-13-BOD regarding Comparators for consideration in the LSRCA 2013 Compensation Management Review be approved and adopted to meet the requirements of the 2013 Compensation process. CARRIED

A Statement by Councillor Craig

Councillor Craig shared some thoughts regarding electronically generated email; specifically, the mass emails Board members received recently by the North Gwillimbury Forest Alliance representatives asking for consideration of their requests for changes in the handling of Section 28 applications. Councillor Craig went on to advise that last week he received a press release with a link to his email account, which resulted in his receiving hundreds of emails. Councillor Craig, while supportive of saving the forest, requested Mr. Gibbons remove him from this distribution list.

XI. CLOSED SESSION

The Board moved to Closed Session to deal with confidential land, legal and human resources matters.

Moved by: B. Drew Seconded by: J. Ballinger

BOD-200-13 RESOLVED THAT the Board move to Closed Session to deal with confidential land,

legal and human resources matters, and

FURTHER THAT the Chief Administrative Officer, Members of the Executive Management Team, the Land Securement Officer, the Manager - Planning, Regulations and Enforcement, and the Coordinator BOD/CAO remain in the meeting for the discussion on Items a) and c); and

Lake Simcoe Region Conservation Authority Board of Directors' Meeting BOD-11-13 November 22, 2013 – Minutes Page 9 of 11

FURTHER THAT the Chief Administrative Officer, Members of the Executive Management Team, and the Coordinator, BOD/CAO remain in the meeting for the discussion on Item b); and

FURTHER THAT the Chief Administrative Officer and the General Manager, Watershed Management remain in the meeting for the discussion on Item e). CARRIED

Moved by: V. Hackson Seconded by: P. Craig

BOD-201-13 RESOLVED THAT the Board rise from Closed Session and report findings. CARRIED

a) Lake Simcoe Conservation Foundation Board of Directors

Moved by: E. Bull Seconded by: B. Ward

BOD-202-13 RESOLVED THAT Confidential Staff Report No. 57-13-BOD regarding the Lake Simcoe

Conservation Foundation be received; and

FURTHER THAT the recommendations contained within Confidential Staff Report

No. 57-13-BOD be approved. CARRIED

b) <u>Human Resources Matter</u>

Moved by: G. Dawe Seconded by: A. Eek

BOD-203-13 RESOLVED THAT Confidential Staff Report No. 58-13-BOD regarding a human

resources matter be received; and

FURTHER THAT the recommendations contained within Confidential Staff Report

No. 58-13-BOD be approved. CARRIED

c) Confidential Land Matter

Moved by: M. Baier Seconded by: J. Ballinger

BOD-204-13 RESOLVED THAT Confidential Staff Report No. 59-13-BOD regarding a confidential

land matter be received; and

FURTHER THAT the recommendations contained within Confidential Staff Report

No. 59-13-BOD be approved. CARRIED

d) Confidential Legal Matter

The confidential legal matter was deferred to the December 13, 2013 Board of Directors' meeting.

Lake Simcoe Region Conservation Authority Board of Directors' Meeting BOD-11-13 November 22, 2013 – Minutes Page 10 of 11

e) <u>Confidential Human Resources Matter</u>

Moved by: G. Dawe Seconded by: S. Strangway

BOD-205-13 RESOLVED THAT Confidential verbal update from CAO Gayle Wood regarding Mike

Walters letter dated November 20, 2013 be received; and

FURTHER THAT Mike Walters be given the highest commendation and support from

the LSRCA Board of Directors. UNANIMOUSLY CARRIED

XII. **OTHER BUSINESS**

Watershed Development Policy

Staff Report No. 64-13-BOD was deferred to the December 13, 2013 Board of Directors' meeting.

b) Signing Officer Resolution

General Manager, Corporate and Financial Services, Jocelyn Lee, explained that as a result in the recent changes in Board officers, the signing officers required updating.

Moved by: J. O'Donnell Seconded by: V. Hackson

BOD-206-13 RESOLVED THAT Staff Report No. 65-13-BOD regarding the Signing Officer

Resolution be received; and

FURTHER THAT an account in the name of Lake Simcoe Region Conservation Authority (hereinafter called the "Organization") is kept at the Bank of Nova Scotia (hereinafter called the "Bank"; and

FURTHER THAT the Authority's Chair Debbie Bath, Vice Chair Roberta (Bobbie) Drew, Chief Administrative Officer/Secretary-Treasurer, D. Gayle Wood, General Manager, Corporate and Financial Services, Jocelyn Lee, or any two of them are hereby authorized to sign, make, draw, accept, endorse and deliver cheques, promissory notes, bills of exchange, orders for the payment of money and such agreements and instruments as may be necessary or useful in connection with the operation of the said account; and

FURTHER THAT any one of the above-mentioned officers is hereby authorized for and in the name of the Organization to endorse and transfer to the Bank for deposit or discount with or collection by the Bank (but for the credit of the Organization only) cheques, promissory notes, bills of exchange, orders for the payment of money and other instruments, to arrange, settle, balance and certify all books and accounts with the Bank and to sign receipts for vouchers. CARRIED

Lake Simcoe Region Conservation Authority Board of Directors' Meeting BOD-11-13 November 22, 2013 – Minutes Page 11 of 11

c) <u>Distribution of Confidential Staff Reports and Information</u>

Councillor Ward questioned the process for the distribution of confidential Staff Reports and other confidential Board related materials, noting that he would like to receive confidential information prior to meetings in order to properly review them.

CAO Wood explained that the current process was the result of a very serious breach of confidentiality, and if the Board wished for this process to be reviewed, staff could bring suggestions back to the next meeting. The Board agreed they would like this process reviewed, and staff was directed to bring back recommendations for the Board's review. Board members noted that in the meantime, they would like to receive the Confidential legal opinion (Item XI (d) above which was deferred to the December meeting) in advance of the meeting.

Councillor Craig left the meeting at this time.

In closing, Chair Bath thanked the General Manager, Communications and Education, Reneé Jarrett and her team for the wonderful job they did on the Annual Conservation Awards, noting what a wonderful evening it was.

XIII. ADJOURNMENT

The meeting was adjourned at 11:52 a.m. on a motion by G. Dawe.

Regional Councillor Debbie Bath

Chair

D. Gayle Wood

Chief Administrative Officer