



LAKE SIMCOE REGION CONSERVATION AUTHORITY
MEETING NO. BOD-05-09
Friday, May 22nd, 2009

Town of East Gwillimbury Municipal Offices
19000 Leslie Street
Sharon, ON

MINUTES

Board Members Present:

V. Hackson, Chair
Councillor B. Drew, Vice-Chair
Councillor S. Agnew
Mr. E. Bull
Councillor G. Campbell
Councillor K. Ferdinands
Mayor R. Grossi
Regional Councillor H. Herrema
Councillor B. Huson
Councillor J. McCallum
Councillor J. O'Donnell
Councillor J. Rupke
Regional Councillor J. Taylor
Deputy Mayor G. Wauchope

Regrets:

Regional Councillor J. Grant
Councillor E. MacEachern
Councillor A. Nuttall
Mayor R. Stevens
Mayor J. Young

Staff Present:

D. Gayle Wood, C.A.O./Secretary-Treasurer
B. Kemp, Director, Conservation Lands
K. Neale, A/Director, Corporate Services
M. Walters, Director, Watershed Management
B. Booth, Manager, Planning
J. Lee, Manager, Finance
J. Andersen, Senior Fisheries Biologist
G. Casey, Coordinator, Board/CAO, Projects & Services

Guests:

M. Geist, UDI Representative

Lake Simcoe Conservation Foundation Members (11:00 a.m.)

D. Blakey, President
D. Ouchterlony, Vice President
D. Beatty, Past President
E. Crossland, Lifetime Member
A. Chapple
A. Robinson
K. MacKenzie, Executive Director
J. Milner, Development Officer

I DECLARATIONS OF PECUNIARY INTEREST

None indicated for the record of this meeting.

II APPROVAL OF AGENDA

Mayor Grossi referenced Confidential Staff Report No. 31-09-BOD regarding the MNR Draft Protocol for Fish Die Off Response. Mayor Grossi indicated that the content of the Staff Report is not confidential and thus should be moved outside of Closed Session for discussion.

The Director, Watershed Management responded that staff requested this be discussed in Closed Session as it is in draft form and MNR requested it be kept confidential until such time as they release the report publicly.

Moved by: R. Grossi

Seconded by: S. Agnew

BOD-070-09 RESOLVED THAT Confidential Staff Report No. 31-09-BOD regarding the Ministry of Natural Resource's Draft Protocol for Fish Die Off Response be moved out of Closed Session for discussion.

(this motion superceded by following motion to defer)



Councillor Drew suggested that, because staff have been requested to keep the information confidential, the Staff Report be deferred to a future meeting, after such time as MNR have publicly released this report for review.

Moved by: B. Drew

Seconded by: J. Young

BOD-071-09 RESOLVED THAT Confidential Staff Report No. 31-09-BOD regarding the Ministry of Natural Resource's Draft Protocol for Fish Die Off Response be deferred until such time as MNR has publicly released the report.

8 - In favour

7 - Opposed

CARRIED

The CAO advised that it is the expectation that MNR may release this report for public review this date and requested that the Senior Fisheries Biologist contact MNR to inquire if this has been done. If the Report is released, the Board can deal with the report at this meeting.

Moved by: B. Drew

Seconded by: G. Campbell

BOD-072-09 RESOLVED THAT the content of the Agenda for the May 22nd, 2009, meeting of the Board of Directors be approved as amended to defer Item XII (a) Confidential Staff Report No. 31-09-BOD.

CARRIED

III ***ADOPTION OF MINUTES***

(a) Board of Directors

Moved by: J. Rupke

Seconded by: G. Wauchope

BOD-073-09 RESOLVED THAT the minutes of Board of Directors Meeting No. BOD-04-09, held on April 24th, 2009, be adopted and approved as printed and circulated.

CARRIED

IV ***ANNOUNCEMENTS***

- The CAO welcomed Mr. Marvin Geist to the Board Meeting advising that Mr. Geist has been appointed as the liaison between the LSRCA and UDI and will be attending various Board Meetings as an observer.
- The CAO welcomed Mr. Ken Neale to his first Board Meeting in his new position of A/Director, Corporate Services.



- Chair Hackson reminded the Board that their June 26th, 2009, meeting is a combined meeting of the Source Protection Authority and LSRCA Board of Directors. The meeting will be held at the Stephen Leacock Centre, Orillia beginning at 9:00 a.m.
- Councillor Sandy Agnew advised that the Township of Oro-Medonte will be holding a public meeting at their Council on May 27th, 7:00pm to hear comments related to the appeal to the Mining and Lands Commissioner regarding the NVCA budget levy and duplication of services between NVCA and SSEA in the Severn Sound watershed portion of the Township.

The LSRCA's CAO indicated that Authority staff will be in attendance as observers only.

V **PRESENTATIONS**

(a) Phoslock™ Results

The Director, Watershed Management, provided a presentation regarding the preliminary results noted with the use of Phoslock™. The product was applied at a stormwater pond (Newmarket) and an open water application within a confined water body (Scanlon Creek).

Preliminary monitoring results indicate that the product works well however the dramatic drop in *phosphorus* and *chlorophyll* noted in other studies were not observed. This could be due to the precautionary approach and low application rates as well as the late timing (seasonally) of the application.

Moved by: S. Agnew

Seconded by: J. O'Donnell

BOD-074-09 **RESOLVED THAT the presentation provided by the Director, Watershed Management, regarding the results achieved with the use of Phoslock™, be received.**

CARRIED

VI **HEARINGS**

There were no Hearings scheduled for this meeting.

VII **DEPUTATIONS**

There were no Deputations scheduled for this meeting.

VIII **DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

Items 5, 6, 8, and 9 were identified for separate discussion.



IX ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION

Moved by: R. Grossi Seconded by: B. Drew

BOD-075-09: RESOLVED THAT the following recommendations respecting the matters listed as "Items Not Requiring Separate Discussion" be adopted as submitted to the Board and staff be authorized to take all necessary action required to give effect to same.

CARRIED

1. Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation 179/06

Attached is the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation 179/06 Report.

(a) Schedule 1

BOD-076-09: RESOLVED THAT applications under Section 28 of the Conservation Authorities Act and Ontario Regulation 179/06 be received for information.

2. Correspondence

BOD-077-09: RESOLVED THAT the correspondence listed in the agenda as item 2(a) and (b) be received.

3. Monthly Communications Update

BOD-078-09: RESOLVED THAT the Monthly Communications Update - Summary, for the period April 1-30, 2009 be received for information.

4. Budget Status Update

BOD-079-09: RESOLVED THAT Staff Report No. 25-09-BOD regarding the Authority Budget Status for the four month period ending April 30, 2009, be received.

7. Quarterly Permit Report - Planning

BOD-080-09: RESOLVED THAT Staff Report No. 28-09-BOD regarding the monitoring of planning and development applications for the period January 1, 2009 to April 30, 2009 be received for information.

X CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION



5. Postponement of the Proposal Call for External Audit Services

The Board dealt with Staff Report No. 26-09-BOD regarding a recommendation to Postpone the Proposal Call for External Audit Services.

The Manager, Finance, advised that this recommendation is being put forward as the Authority's current Auditor, Grant Thornton has been actively involved in assisting the Authority with compliance under PSAB and it is important to maintain the continuity in order to meet the required timelines. The Manager added that the Call for Proposals for auditing services will be issued in 2010.

Moved by: J. Taylor

Seconded by: E. Bull

**BOD-081-09:RESOLVED THAT Staff Report No. 26-09-BOD regarding the Postponement of the Proposal Call for External Audit Services be approved; and
FURTHER THAT the firm of Grant Thornton be appointed to provide external audit services for the fiscal year 2009 at an annual fee not to exceed \$12,500 for the standard audit services plus the 5% administration charge, with the exception of unforeseen circumstances which could arise during the audit process. Additional fees related to Public Sector Accounting Board (PSAB) work, a new requirement, is to be quoted at a future time period.**

CARRIED

6. Phosphorus Loading Report

The Board dealt with Staff Report No. 27-09-BOD which provides information regarding the Report on the Phosphorus Loads to Lake Simcoe 2004-2007.

Staff reported that the recent loading as outlined in this report averaged just below 75 tonnes/year, which is also the existing interim phosphorus loading target established over twenty years ago.

The CAO congratulated the Director, Watershed Management, the A/Director, Corporate Services and their teams for developing this very "user friendly" report.

Moved by: S. Agnew

Seconded by: B. Huson

**BOD-082-09:RESOLVED THAT Staff Report No. 27-09-BOD regarding the Report on Phosphorus Loads to Lake Simcoe 2004-2007, be received; and
FURTHER THAT the report be circulated to municipal and community partners for their information.**

CARRIED



8. Memorandum of Understanding - City of Barrie

The Board dealt with Staff Report No. 29-09-BOD regarding the proposed Memorandum of Understanding Between the City of Barrie and the Lake Simcoe Region Conservation Authority.

Chair Hackson, in response to an inquiry from the Board, advised that the arrangement of having Authority Planners available at municipal offices is going to be communicated to all conservation authorities via Conservation Ontario as a model for their consideration.

Councillor Agnew advised that having an Authority Planner at the Township of Oro-Medonte is a very successful arrangement.

Moved by: J. Rupke

Seconded by: G. Campbell

BOD-082-09:RESOLVED THAT Staff Report No. 29-09-BOD regarding the Memorandum of Understanding Between the City of Barrie and the Lake Simcoe Region Conservation Authority (LSRCA) to Streamline the Circulation and Review Procedures for Site Plan Applications under the *Planning Act* be approved.

CARRIED

9. Lake Simcoe Clean Up Fund - Update

The Board dealt with Staff Report No. 30-09-BOD which provides an update on the Authority's participation in the Lake Simcoe Clean Up Fund, funding rounds 1 through 4.

Chair Hackson advised that, with the CAO, she has met with three area MPs to review the projects led by the LSRCA and to discuss the LSCUF program.

The Board indicated their concern regarding the approval process They were also concerned that after two funding rounds only approximately \$6M of the \$30M allocated has been spent.

Moved by: G. Wauchope

Seconded by: H. Herrema

BOD-083-09:RESOLVED THAT Staff Report No. 30-09-BOD which provides an update on the Federal program Lake Simcoe Clean Up Fund be received for information.

CARRIED

XII ***CLOSED SESSION***



(a) **Ministry of Natural Resources -
Draft Fish Die Off Response Protocol**

As the Ministry of Natural Resources had not released this Report for public review, Confidential Staff Report No. 31-09-BOD regarding the Draft Fish Die-off Response Protocol as established by the Ministry of Natural Resources is deferred to a future meeting (see Item II).

Moved by: J. O'Donnell

Seconded by: J. McCallum

BOD-084-09 RESOLVED THAT the Authority's Board of Directors move to Closed Session to discuss confidential legal issues.

CARRIED

Moved by: J. Taylor

Seconded by: R. Grossi

BOD-085-09 RESOLVED THAT the Authority's Board of Directors will rise from Closed Session and report their progress.

CARRIED

(b) **LSRCA Enforcement Activity - Update**

The Board dealt with Confidential Staff Report No. 32-09-BOD which provided and update on the Authority's enforcement activities within the Lake Simcoe watershed.

Moved by: S. Agnew

Seconded by: K. Ferdinands

BOD-086-09: RESOLVED THAT Confidential Staff Report No. 32-09-BOD which provides an update on the Authority's enforcement activities within the Lake Simcoe watershed be received; and FURTHER THAT staff be directed to continue to enforce Regulation 179/06 throughout the watershed using the enforcement procedure as outlined in this report.

CARRIED

XI ***OTHER BUSINESS***

Water Levels - Lake Simcoe

Mayor Grossi expressed concern regarding the continued high water levels for Lake Simcoe inquiring if there is any indication the levels will be lowered in the near future. There is concern around property/roadway damage.



Councillor McCallum also expressed concern on behalf of the Holland Marsh area residents related to the high water levels and their further concern regarding property damage.

The Director, Watershed Management responded that the rain curve has been above normal for this time of year and that the Trent Severn Waterways (TSW), who are managing the water levels, continue to struggle with maintaining the levels.

The CAO advised that staff will continue to dialogue with the TSW to monitor the Lake levels and will bring a detailed report to the Board in June.

At approximately 11:00 a.m. the members of the Lake Simcoe Conservation Foundation's Board of Directors joined the LSRCA Board for the remainder of this meeting agenda.

(a) **2008 LSCF Funding & Accomplishments**

The A/Director, Corporate Services provided a presentation regarding the funding presented to the Authority by the Foundation to support projects in the Lake Simcoe watershed, as well as the Authority's accomplishments with this funding.

In 2008, the Lake Simcoe Conservation Foundation provided the LSRCA with funding support in the amount of \$438,000. These funds were used for projects in Watershed Science, Stewardship Projects, the Creation of a Turtle Habitat, Sunoco Earth Day, Scanlon Creek Education Centre and Sheppard's Bush Summer Day Camp.

Moved by: G. Wauchope

Seconded by: J. Rupke

BOD-086-09:RESOLVED THAT the LSRCA Board of Directors receive the presentation the 2008 Accomplishments regarding the Lake Simcoe Conservation Foundation projects; and FURTHER THAT the Foundation be thanked for their partner and funding support.

CARRIED

The Chair, on behalf of the Board of Directors and staff thanked the Foundation for their continued partnership and support.

(b) **2009 Funding Priorities**

The Board received Staff Report No. 33-09-BOD regarding the funding priorities Authority staff have identified for support by the Foundation which was complemented with a presentation by the A/Director, Corporate Services.

The priority areas were identified in Watershed Science, Stewardship Projects, Education Program, Scanlon Creek, Sheppard's Bush, Social Marketing and Watershed Showcase for a total funding amount of \$233,000.



The 2009 funding priorities were established in consultation with the Foundation's Executive Director and were presented to the Authority's Board for endorsement and recommendation to the Foundation's Board for approval.

Moved by: J. Taylor

Seconded by: E. Bull

BOD-087-09:RESOLVED THAT Staff Report No. 33-09-BOD regarding the Conservation Authority's 2009 Corporate Funding Priorities be received; and THAT the Authority's Board of Directors approve the recommendations for program funding priorities; and FURTHER THAT LSRCA staff request that the Lake Simcoe Conservation Foundation(LSCF) Board of Directors consider the recommendations for funding support in 2009.

CARRIED

(b) Announcements & Updates

Nothing identified for the record of this meeting.

XIII ***ADJOURNMENT***

Meeting adjourned at 12:20 p.m. on a motion by Councillor Huson.

original signed by:

Councillor Virginia Hackson
Chair

original signed by:

D. Gayle Wood, CMM III
Chief Administrative Officer