



Essex Region Conservation Authority

Board of Directors

Meeting Minutes

Meeting Date: Thursday, November 14, 2024

Time: 6:00 pm

Location and Details: Council Chambers, County of Essex Civic Centre
360 Fairview Avenue West, Essex, ON

Attendance

Members Present:

Jim Morrison (Chair)
Molly Allaire
Peter Courtney
Katie McGuire-Blais
Dennis Rogers
Thomas Neufeld
Tracey Bailey

Michael Akpata
Anthony Abraham
Larry Verbeke
Joe Bachetti
Tania Jobin
Angelo Marignani
Kieran McKenzie

Absent:

Regrets:

Jason Matyi
Ryan McNamara

Sue Desjarlais (Vice-Chair)
Dayne Malloch
Mark McKenzie

Staff Present

Tim Byrne, CAO/Secretary-Treasurer
Nicole Kupnicki, Corporate Services, Manager, HR & Council Services
Shelley McMullen, CFO/Director Finance and Corporate Services
Danielle Stuebing, Director Community and Outreach Services
Kevin Money, Director Conservation Services
James Bryant, Director Watershed Management Services
Dan Jenner, Regulations Coordinator

Others

Katie Stammer, Water Quality Scientist/Project Manager SWP
Norbert Bolger
Giulia Germani

1. Call to Order

Good evening and welcome to the November 14, 2024, meeting of the ERCA Board of Directors. I will call the meeting to order. Thank you all.

We have regrets this evening from:

- Councillor Jason Matyi, Essex
- Councillor Ryan McNamara, Lakeshore
- Councillor Sue Dejarlais, Lasalle
- Deputy Mayor, Dayne Malloch, Pelee
- Councillor Mark McKenzie, Windsor

2. Land Acknowledgement

I'd like to begin by acknowledging that this land is the traditional territory of the Three Fires Confederacy of First Nations, comprised of the Ojibway, the Odawa, and the Potawatomi Peoples.

We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island - North America who have been living and working on the land from time immemorial.

3. Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

4. Approval of Agenda

A. ERCA Board of Directors

Resolution 92/24 Moved by Angelo Marignani
Seconded by Joe Bachetti

THAT the Agenda of the November 14, 2024, meeting of the ERCA Board of Directors be approved. **Carried**

5. Hearings

A. Convene the Hearing Board

Resolution 93/24 Moved by Peter Courtney
Seconded by Dennis Rogers

THAT the Board of Directors sit as the Hearing Board in respect of an application(s) under Section 28.1 of the Conservation Authorities Act.

We are now going to conduct hearings under Section 28.1 of the *Conservation Authorities Act* in respect of four application(s).

We, as the Hearing Board, are unaware of the matters being brought forward and we are only now receiving and reviewing the information provided by staff this on this day.

The Authority administers regulations under Part 6 of the *Conservation Authorities Act*, which requires the permission of the Authority for development within an area regulated by the Authority in order to ensure no adverse affect on (the control of flooding, erosion, dynamic beaches or unstable soils or bedrock) or to permit alteration to a shoreline or watercourse or interference with a wetland. The Staff has reviewed the proposed works and a copy of the staff report has been given to the applicant.

The *Conservation Authorities Act* Section 28.1 subsection 3 provides that:

"An authority shall not refuse an application for a permit or attach conditions to a permit unless the applicant for the permit has been given an opportunity to be heard by the authority."

In holding these hearings, the Authority Board is to determine whether or not a permit is to be issued. In doing so, we can only consider the application in the form that is before us, the staff report, such evidence as may be given, and the submissions to be made on behalf of each applicant.

The proceedings will be conducted according to the *Statutory Powers Procedure Act*. Under Section 5 of the *Canada Evidence Act*, a witness may refuse to answer any question on the ground that the answer may tend to criminate the person, or may tend to establish his/her liability to a civil proceeding at the instance of the Crown or of any person.

The procedure in general shall be informal. However, this is a quasi-judicial process, and provides for evidence to be given in response to members' question. Therefore, staff and applicants will be asked to swear an oath or provide an affirmation to speak the truth.

In accordance with the Act, an applicant who has been refused permission or who objects to conditions imposed on a permission, may appeal the decision to the Ontario Land Tribunal who may refuse the permission, or grant permission with or without conditions.

If the applicant has any questions to ask of the Hearing Board or of the Authority representative, they must be directed to the Chair of the board.

As a reminder, the Hearings will be conducted in accordance with the approved Hearing Guidelines. We, as the Hearing Board, will question, if necessary, both the staff and the applicant/agent.

Before I ask Dan Jenner, Regulations Coordinator to introduce the applications, I would ask that they swear an oath or provide an affirmation to speak the truth for the duration of the Hearing Board.

Dan Jenner, Regulations Coordinator, Watershed Management Services took an affirmation.

Dan Jenner introduced the applications and context for the application. The Chair asked applicant (or agents for applicant) to swear oath or provide affirmation to speak the truth (as above).

i. [Guilia Germani](#)

Resolution 94/24 Moved by Michael Akpata
Seconded by Tania Jobin

THAT the application from Guilia Germani, to request relief from access (ingress and egress) policy requirements to construct a dwelling at 202 St. Pierre Street, Town of Tecumseh, be approved. **Carried**

ii. [Hollie Rice & Steve Mitchell c/o Nor-Built Construction](#)

Resolution 95/24 Moved by Molly Alliare
Seconded by Tracey Bailey

THAT the application from Hollie Rice & Steve Mitchell c/o Nor-Built Construction, to request relief from access (ingress and egress) policy requirements to construct a dwelling at VL Willow Beach Road (Plan 1103 Block C)Town of Amherstburg, be approved. **Carried**

B. Hearing Board to Reconvene as the Board of Directors

Resolution 96/24 Moved by Angelo Marignani
Seconded by Joe Bachetti
THAT the Hearing Board reconvene as the Board of Directors. **Carried**

6. Adoption of Minutes

A. ERCA Board of Directors

Resolution 97/24 Moved by Kieran McKenzie
Seconded by Tania Jobin
THAT the Minutes of the September 12, 2024, meeting of the Board of Directors and the recommendations therein be approved as distributed. **Carried**

B. ERCA Executive Committee

Resolution 98/24 Moved by Larry Verbeke
Seconded by Anthony Abraham
THAT the Minutes of the September 26, 2024 and October 24, 2024, meetings of the Executive Committee and the recommendations therein be approved as distributed. **Carried**

C. Finance & Audit Advisory Board

Resolution 99/24 Moved by Angelo Marignani
Seconded by Katie McGuire-Blais
THAT the Minutes of the October 30, 2024, meeting of the Finance & Audit Advisory Board and the recommendations therein be approved as distributed. **Carried**

D. Conservation Services Advisory Board

Resolution 100/24 Moved by Molly Alliare
Seconded by Anthony Abraham
THAT the Minutes of the October 2, 2024, meeting of the Conservation Services Advisory Board and the recommendations therein be approved as distributed. **Carried**

7. Business Arising from the Previous Minutes

A. Update to 2025 Board Meeting Schedule

Due to a scheduling conflict with a County of Essex Council meeting, the May 8, 2025 meeting of the ERCA Board of Directors (at the Call of the Chair) has been changed to Thursday, May 15, 2025 to ensure available meeting space in Council Chambers. Calendar invitations will be sent out as placeholders for all Members of the Board of Directors for the 2025 calendar year.

8. Announcements

Good evening, and welcome. As members may have seen, in October, we were grateful to receive \$15 million in funding from the Ministry of Environment and Climate Changes' Great

Lakes Fresh Water Ecosystem Initiative to undertake a number of initiatives that will have a profound impact on the well-being of our local watershed region.

These include two significant wetland rehabilitation projects, and the region-wide Essex Region Nutrient Reduction Program to improve water quality through agricultural stewardship. We are most grateful to the Government of Canada for this generous support.

Fall tree planting has wrapped up, and in total this year, more than 66,000 trees were planted and distributed.

Members of the public attended two open houses yesterday, to provide feedback on the Conservation Areas Strategy. The final version of this document will come back to the Board with feedback incorporated at December's meeting.

Exterior construction at the John R. Park Homestead has concluded. The house will be open for the holiday season, while some interior finishes are ongoing. We look forward to celebrating a grand re-opening of the historic home this spring.

Multiple capital projects have been completed, including resurfacing Maidstone Parking lot, cladding and upgrading insulation of our main workshop in Essex and the replacement of a greenway bridge earlier this year.

In addition to the important wetland works being completed at Hillman Marsh, highlighted in a board report this evening, staff have completed a habitat enhancing wetland project in partnership with Caldwell First Nation and work is well underway to build a permanent 40 acre wetland in Kingsville close to the mouth of Cedar Creek, with funding support from the Province of Ontario.

And finally, it's not too late to participate in Saturday's Super Santa Walk/Run/Wheel in Amherstburg this Saturday. Funds raised support the conservation projects we undertake. I'd especially like to extend my appreciation to Councillor Allaire who has been integral in helping the Foundation plan this event, which has more than 500 Santas participating!

9. Delegations

None

10. Presentations

None

11. Reports for Approval

A. BD26/24 Proposed 2025 Fee Schedule

Resolution 101/24 Moved by Kieran McKenzie
Seconded by Thomas Neufeld

THAT the proposed ERCA 2025 Fee Schedule, as described herein, be approved; and further,

THAT Administration post notice of the Fee Schedule in ERCA's Administrative offices, on ERCA's website and other social media, and be distributed to member municipalities. **Carried**

B. BD27/24 Clean Water~Green Spaces, 20 Year Environmental Investment Summary

Resolution 102/24 Moved by Kieran McKenzie

Seconded by Angelo Marignani

THAT the Clean Water~Green Spaces 20 Year Environmental Investment Summary be received for information; and further,

THAT ERCA Administration continue discussions with municipal administrations on renewing participation in the land acquisition component of municipal Cost Apportioning Agreements; and further,

THAT future negotiations to renew municipal Cost Apportioning Agreements include a proposal to support water quality and watershed stewardship programming. **Carried**

Resolution 103/24 Moved by Kieran McKenzie

Seconded by Angelo Marignani

THAT ERCA Administration redefine the land acquisition component of the historical CW~GS program to provide for additional accountability, clarity and transparency requested by regional municipal Administrators. **Carried**

Resolution 104/24 Moved by Tracey Bailey

Seconded by Molly Alliare

THAT ERCA Administration prepare a report to the Board related to the Terms of Reference for Clean Water~Green Spaces in mid-2025. **Carried**

12. Reports for Information

A. BD28/24 HMCA Shoreline Works and Hydrilla Project Updates

Resolution 105/24 Moved by Peter Courtney

Seconded by Larry Verbeke

THAT Report BD28/24 be received for Member's information. **Carried**

B. BD29/24 Watershed Management Services Activities Report for September 2024

Resolution 106/24 Moved by Kieran McKenzie

Seconded by Molly Alliare

THAT the review of Regulations and Planning Applications, as presented in Report BDXX/24 be received for Members' information. **Carried**

C. Environmental Registry Reports

None

D. Correspondence

- i. Letter from the Beef Farmers of Ontario regarding Conservation-owned land Available for Cattle Grazing dated September 12, 2024

Resolution 107/24 Moved by Angelo Marignani
Seconded by Dennis Rogers
THAT correspondence be received for Members' information. **Carried**

13. Committee of the Whole

None

14. New Business

A. A Regional Approach to Phragmites Mitigation

A discussion was held regarding coordinating efforts regionally to share information and resources on Phragmites. The Collavino Conservation Area is currently being studied as a site utilizing biological controls (Dr. Michael McTavish, University of Toronto) and once the study is complete, information will be provided back to the Board regarding results. Additionally, ERCA does have membership in the Drainage Society (working group of regional Drainage Superintendents) and will bring the issue forward for discussion.

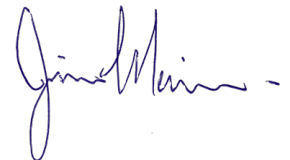
15. Other Business.

A. Next Meeting

The next meeting of the Board of Directors will be held on Thursday, December 12, 2024, at 6:00pm in Council Chambers at the Civic Centre in Essex, ON.

16. Adjournment

Resolution 108/24 Moved by Angelo Marignani
Seconded by Tania Jobin
THAT the November 14, 2024 meeting of the Essex Region Conservation Authority Board of Directors be adjourned. **Carried**



Jim Morrison, Chair



Tim Byrne, CAO/Secretary-Treasurer