



SOUTH NATION
CONSERVATION
DE LA NATION SUD

38 rue Victoria Street, Finch, ON K0C 1K0 Tel: 613-984-2948 Fax: 613-984-2872 Toll Free: 1-877-984-2948 www.nation.on.ca

Board of Directors

Meeting Agenda

Date: January 23rd, 2020

Time: 9:00 am

Location: Watershed Room, SNC

Address: 38 Victoria Street, Finch, ON K0C 1K0



Board of Directors

Meeting Agenda

January 23rd, 2020 at 9:00 am

1. Chair's Remarks
2. Approval of SNC Board of Directors Agenda (Supplemental Agenda)
3. Declaration of Conflict of Interest
4. Recognition for Years of Service: Brent Harbers, 5 years: Michelle 4
5. SNC Project Update – Powerpoint Presentation: Staff
6. Request for Approval:
 - a. Board of Directors Meeting Minutes of December 19th, 2019 5-15
7. New Business:
 - a. Update: Municipal Joint and Several Liability: Angela 16
 - Attachment 1: AG Letter to Ontario's Municipal Councils 17-21
 - Attachment 2: AMO Submission to the Attorney General 22-39
 - b. Request for Approval: 2020 SNC Insurance: Carl 40
 - c. Request for Approval: Conservation Ontario Levy: Carl 41-42
 - d. Request for Approval: Annual Authority Approvals: Linda 43-44
 - e. Request for Approval: Low Impact Development Project: Sandra 45
 - f. Request for Approval: Agriculture and Agri-Food Canada Agreement: Sandra 46
 - g. Request for Approval: Funding Applications: Ronda/Michelle 47-48
 - h. Request for Approval: 2020 SNC Forest Harvest Schedule: Pat 49-50
 - i. Update: Oschmann Forest and Maple Program: John 51-52
 - j. Update: Flood Risk Mapping: Sandra 53-54
 - k. Update: Planning Activity: Alison 55-56
 - l. Request for Approval: Permits Issued: Geoff 57



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8. Financial Reports
 - a. Request for Approval: Monies Received and Disbursement Register
for December 2019: Simon 58-62
9. Supplemental Agenda
10. Correspondence
 - a. Letter: Minister of the Environment, Conservation, and Parks 63
 - b. SNC Letter of Support: Nation Municipality 64
11. Dates of Upcoming Meetings, third Thursday, at 9:00 a.m. unless indicated otherwise:
 - February 20th, 2020 (OGRA: February 23-25)
 - March 19th, 2020 (*Annual General Meeting – Board Member Photo*)
 - April 16th, 2020
 - May 21st, 2020
12. Future Motions of the Board and/or Discussion of SNC Issues
13. Adjournment

For
Angela Coleman,
General Manager/Secretary-Treasurer.

/dm



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To: Board of Directors
From: Michelle Cavanagh, Team Lead, Stewardship
Date: January 13th, 2020
Subject: Recognition for Years of Service: Brent Harbers, 5 Years

RECOMMENDATION:

The Board of Directors congratulate Brent Harbers for his years with South Nation Conservation.

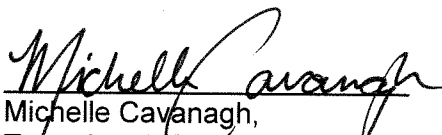
Brent Harbers, Watershed Biologist

A longtime resident of South Stormont, Brent's interest in the natural environment led him to the University of Guelph where he studied Environmental Science with a focus on Natural Resource Management. During his third year at university, Brent came to SNC as a summer student, working on invasive species monitoring and management through our partnership with the Ontario Federation of Anglers and Hunters. After completing his bachelor's degree, he returned in 2015 as a Science and Research Student and assisted with various monitoring programs and stewardship and restoration projects.

It was quickly recognized that Brent was a valuable addition to the SNC team where he moved from Student to Stewardship Technician in 2017, and then Watershed Biologist in 2018. During this time Brent also acquired an Ecological Restoration Professional Specialization Certificate from the University of Victoria. He readily applies his skills and knowledge with staff and partners to ensure success on any type of project.

Brent's strong work ethic, dedication and keen interest in environmental work combined with an open, genuine and congenial personality make him a wonderful colleague and asset for the Authority.

Congratulations Brent, we look forward to many more years working together.


Michelle Cavanagh,
Team Lead, Stewardship

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BOARD OF DIRECTORS MEETING

Meeting No. 10/19
Thursday December 19th, 2019 – 9:00 a.m.

Watershed Room, SNC

Directors Present:

Bill Smirle, Stormont Dundas Glengarry, Chair
George Darouze, City of Ottawa, Vice Chair
Doug Thompson, City of Ottawa, Past Chair
Michael Brown, City of Ottawa
Steve Densham, Stormont Dundas Glengarry
Gerrie Kautz, City of Ottawa
Daniel Lafleur, Prescott Russell
Peggy Taylor, Leeds Grenville

Regrets:

Stephen Blais, City of Ottawa
Dana Farcasiu, Leeds Grenville
Pierre Leroux, Prescott Russell
Archie Mellan, Stormont Dundas Glengarry
Stéphane Sarrazin, Prescott Russell

Staff Present:

Angela Coleman, General Manager/Secretary-Treasurer
Carl Bickerdike, Team Lead, Corporate Services
Cheyene Brunet, Forestry Technician
Taylor Campbell, Communications Specialist
Michelle Cavanagh, Team Lead, Stewardship
Chris Craig, Senior Forestry Technician
Laura Crites, Planning Assistant
Deborah Edwards, Accounting Assistant II
Brent Harbers, Watershed Biologist
James Holland, Watershed Planner
Carley Hutchinson, Stewardship Student
Linda Hutchinson, Director, Organization Effectiveness
Delaney Jacobs, GIS Technician
Omar Kana'n, Water Resources Specialist - Engineering
Tavish MacLeod, Property and Approvals Assistant II
Dianne MacMillan, Administrative Assistant II
Alison McDonald, Team Lead, Planning
Eric McGill, Corporate Counsel
Hannah McMillan, Accounting Analyst
Michael Melaney, Hydrogeologist
John Mesman, Team Lead, Communications and Outreach
Geoff Owens, Regulations Officer
Pat Piitz, Team Lead, Property



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Monique Sauve, Lead Inspector, Septic Systems
Jason Symington, Environmental Technologist
Simon Thibeault, Accountant
Katherine Watson, Water Resources Specialist - Monitoring
Bradley Wright, Watershed Planner
Michelle Yu, Engineering Assistant

Guests:

Murray Inch, Standing Committee Member
Jacqueline Kelly Pemberton, Chair, Clean Water Committee
Dave Robertson, Chair, Forestry Committee



CHAIRS REMARKS

Bill Smirle, Chair, called the SNC Board of Directors meeting of December 19th, 2019 to order at 9:00 a.m. The Chair updated the Members on the following items:

- 2020 County Wardens: Frank Prevost, United Counties of Stormont Dundas and Glengarry; and Pierre Leroux, United Counties of Prescott and Russell
- Year End Reports: Noted the number of projects and staff activity; thank you to staff for work well done
- Standing Committee Members and Chairs: Thank you for time and dedication throughout the year

APPROVAL OF SNC BOARD OF DIRECTORS AGENDA

RESOLUTION NO. BD-196/19

Moved by:

Michael Brown

Seconded by:

George Darouze

RESOLVED THAT:

The Board of Directors approve the December 19th, 2019 agenda as submitted.

CARRIED

DECLARATION OF CONFLICT OF INTEREST

There were no Declarations of Conflict of Interest.

RECOGNITION FOR YEARS OF SERVICE: ALISON MCDONALD, 5 YEARS

The Board of Directors congratulated Alison McDonald for her years with South Nation Conservation.

SNC PROJECT UPDATE – POWERPOINT PRESENTATION

Staff presented project and program updates.

REQUEST FOR APPROVAL:

A. BOARD OF DIRECTORS MEETING MINUTES OF NOVEMBER 28TH, 2019

RESOLUTION NO. BD-197/19

Moved by:

Peggy Taylor

Seconded by:

Steve Densham

RESOLVED THAT:

The Members approve the Board of Directors meeting minutes of November 28th, 2019 as submitted.

CARRIED



B. SNC COMMITTEE MEETING HIGHLIGHTS AND MINUTES OF:

- i. Clean Water Committee Meeting of November 25th, 2019
- ii. Forestry Committee Meeting of November 26th, 2019
- iii. Joint Occupational Health and Safety Committee Meeting of November 26th, 2019

RESOLUTION NO. BD-198/19 Moved by: Doug Thompson
Seconded by: Michael Brown

RESOLVED THAT: The Board of Directors approve the actions and recommendations of the Clean Water Committee meeting minutes of November 25th, 2019; the Forestry Committee meeting minutes of November 26th, 2019; and the Joint Occupational Health and Safety Committee meeting minutes of November 26th, 2019.

CARRIED

NEW BUSINESS

REQUEST FOR APPROVAL: 2019 AUDIT PLANNING

RESOLUTION NO. BD-199/19

Moved by: Doug Thompson
Seconded by: Peggy Taylor

RESOLVED THAT: The Board of Directors receive and file the Draft 2019 Audit Planning letter attached from Baker Tilly, and;

FURTHER THAT: The Chair sign the 2019 Audit Planning letter.

CARRIED

REQUEST FOR APPROVAL: 2020 BOARD AND COMMITTEE MEETING SCHEDULE

RESOLUTION NO. BD-200/19

Moved by: George Darouze
Seconded by: Michael Brown

RESOLVED THAT: The Board of Directors approve the 2020 Board of Directors and Standing Committee meeting dates as submitted; and



FURTHER THAT:

The Board of Directors contact staff if they wish to join a Standing Committee.

CARRIED

UPDATE: 2020 BOARD CONFERENCES

RESOLUTION NO. BD-201/19

Moved by: Daniel Lafleur
Seconded by: Gerrie Kautz

RESOLVED THAT:

The Board of Directors receive and file the 2020 Conference Listing; and

FURTHER THAT:

The Board of Directors coordinate their conference attendance with Dianne MacMillan.

CARRIED

REQUEST FOR APPROVAL: 2020 STUDENT AND RECENT GRADUATE HIRING PROGRAM

RESOLUTION NO. BD-202/19

Moved by: Peggy Taylor
Seconded by: Steve Densham

RESOLVED THAT:

The Board of Directors approve the student and recent graduate hiring program, at an approximate cost of \$103,000 (pending successful fundraising efforts); and

FURTHER THAT:

The Board of Directors approve applying for additional grants received in the past, including, but not limited to:

- Agriculture and Agri-Food Canada – Youth Employment and Skills Program: \$14,000
- Canada Parks and Recreation – Green Job Initiative Program: \$11,500
- ECO Canada – Internship Program: \$15,000
- ECO Canada – Student Work-Integrated Learning Program: \$10,000
- National Trust Canada – Young Canada Works program: \$8,000



Service Canada – Canada Summer
Jobs: \$1,500

CARRIED

REQUEST FOR APPROVAL: ONBASE ANNUAL LICENSE AND SUPPORT RENEWAL

RESOLUTION NO. BD-203/19

Moved by: Doug Thompson
Seconded by: Gerrie Kautz

RESOLVED THAT:

The Board of Directors approve the renewal of our annual OnBase software license and support with The OT Group at a cost of \$12,408 plus HST.

CARRIED

REQUEST FOR APPROVAL: TRANSFER OF CHESTERVILLE DAM FUNDS TO 2020

RESOLUTION NO. BD-204/19

Moved by: George Darouze
Seconded by: Peggy Taylor

RESOLVED THAT:

The Board of Directors approve the transfer of approximately \$40,000 in unused 2019 Chesterville Dam funds to SNC reserves; and

FURTHER THAT:

The Board of Directors approve the transfer of the same amount from SNC reserves to the 2020 budget to complete remaining Chesterville Dam work.

CARRIED

REQUEST FOR APPROVAL: BULK FLOODPLAIN DATA

RESOLUTION NO. BD-205/19

Moved by: Michael Brown
Seconded by: Steve Densham

RESOLVED THAT:

The Board of Directors approve current practice of providing small sections of floodplain maps and data using SNC's Digital Data License Agreement; and

FURTHER THAT:

Individual property owners have access to



floodplain information through the property inquiry service; and

FURTHER THAT:

Staff deny requests for bulk floodplain mapping and data unless there is a Board approved agreement, or legal obligation approves the release of this information.

CARRIED

UPDATE: DIGITAL DATA LICENSE AGREEMENTS ACTIVITY

RESOLUTION NO. BD-206/19

Moved by: Daniel Lafleur
Seconded by: Peggy Taylor

RESOLVED THAT:

The Board of Directors receive and file the Digital Data License Agreements Activity update.

CARRIED

UPDATE: FISHERIES MANAGEMENT PLAN: OTTAWA RIVER

RESOLUTION NO. BD-207/19

Moved by: Doug Thompson
Seconded by: George Darouze

RESOLVED THAT:

The Board of Directors receive and file the Fisheries Management Plan: Ottawa River update.

CARRIED

UPDATE: SOURCE WATER PROTECTION

RESOLUTION NO. BD-208/19

Moved by: Doug Thompson
Seconded by: Steve Densham

RESOLVED THAT:

The Board of Directors receive and file the Source Water Protection update.

CARRIED



UPDATE: CLIENT SERVICE AND STREAMLINING INITIATIVE

RESOLUTION NO. BD-209/19

Moved by: Steve Densham
Seconded by: Daniel Lafleur

RESOLVED THAT:

The Board of Directors receive and file the Client Service and Streamlining Initiative update.

CARRIED

UPDATE: PLANNING ACTIVITY

RESOLUTION NO. BD-210/19

Moved by: Michael Brown
Seconded by: Peggy Taylor

RESOLVED THAT:

The Board of Directors receive and file the Planning Activity update.

CARRIED

REQUEST FOR APPROVAL: PERMITS ISSUED

RESOLUTION NO. BD-211/19

Moved by: Doug Thompson
Seconded by: George Darouze

RESOLVED THAT:

The SNC Board of Directors approve permits 200-211 issued under Ontario Regulation 170/06 Development, Interference with Wetlands and Alterations to Shorelines and Watercourses.

CARRIED

UPDATE: 2019 YEAR END REPORTS

i. Science and Research

RESOLUTION NO. BD-212/19

Moved by: Michael Brown
Seconded by: Doug Thompson

RESOLVED THAT:

The Board of Directors receive and file the 2019 Year End report update.

CARRIED



ii. Property and Approvals

RESOLUTION NO. BD-213/19

Moved by: George Darouze
Seconded by: Gerrie Kautz

RESOLVED THAT:

The Board of Directors receive and file the
2019 Year End report update.

CARRIED

iii. Organization Effectiveness

RESOLUTION NO. BD-214/19

Moved by: Doug Thompson
Seconded by: Daniel Lafleur

RESOLVED THAT:

The Board of Directors receive and file the
2019 Year End report update.

CARRIED

Daniel Lafleur, Prescott Russell, left the meeting at 10:35 a.m.

FINANCIAL REPORT

REQUEST FOR APPROVAL: MONIES RECEIVED AND DISBURSEMENT REGISTER
FOR NOVEMBER 2019

RESOLUTION NO. BD-215/19

Moved by: Doug Thompson
Seconded by: Peggy Taylor

RESOLVED THAT:

The Board of Directors receive and file the
monies received report for November 2019;
and

FURTHER THAT:

The Board approve the Disbursement
Register of \$762,392.99 for November 2019.

CARRIED

DATES OF UPCOMING MEETINGS, THIRD THURSDAY, AT 9:00 A.M., UNLESS
INDICATED OTHERWISE

January 23rd, 2020 – *Fourth Thursday* (ROMA: January 19-21, 2020)



- February 20th, 2020 – (OGRA: February 23-25, 2020)
- March 19th, 2020 (*Annual General Meeting*)
- April 16th, 2020

FUTURE MOTIONS OF THE BOARD AND/OR DISCUSSION OF SNC ISSUES

Steve Densham, North Stormont, requested a report for the January 2020 Board meeting regarding joint and several liability.

CLOSED SESSION

The Board of Directors meeting moved into Closed Session for the following report:

- External Request to Purchase SNC Lands
- Discussion: Upcoming Mediation Legal Matter

RESOLUTION NO. BD-216/19

Moved by: Doug Thompson
Seconded by: George Darouze

RESOLVED THAT:

The Board of Directors meeting move into Closed Session.

CARRIED

OPEN SESSION

RESOLUTION NO. BD-217/19

Moved by: George Darouze
Seconded by: Doug Thompson

RESOLVED THAT:

The Board of Directors meeting move into Open Session.

CARRIED

EXTERNAL REQUEST TO PURCHASE SNC LANDS

RESOLUTION NO. BD-218/19

Moved by: Peggy Taylor
Seconded by: Doug Thompson

RESOLVED THAT:

The Board of Directors decline the offer to purchase SNC land, Lot 19 Concession 4, North Stormont, at fair market value.

CARRIED



DISCUSSION: UPCOMING MEDIATION LEGAL MATTER

RESOLUTION NO. BD-219/19

Moved by: Michael Brown
Seconded by: Steve Densham

RESOLVED THAT:

The Board of Directors approve staff proceeding with upcoming mediation as discussed; and

FURTHER THAT:

The Board Members delegate authority to the Chair and General Manager to provide direction to counsel on the day of mediation

CARRIED

ADJOURNMENT

RESOLUTION NO. BD-220/19

Moved by: Gerrie Kautz
Seconded by: Doug Thompson

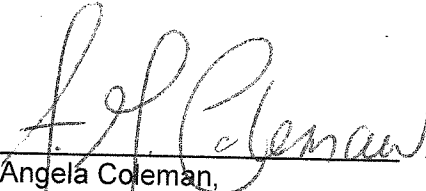
RESOLVED THAT:

The Board of Directors meeting of December 19th, 2019 be adjourned at 11:03 a.m.


CARRIED

Bill Smirle,
Chair.

/dm



Angela Coleman,
General Manager/Secretary-Treasurer.



Review by SNC



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To: Board of Directors
From: Angela Coleman, General Manager/Secretary-Treasurer
Date: January 16, 2020
Subject: Update: Attorney General's Municipal Consultation Regarding Joint and Several Liability

RECOMMENDATION:

The Board of Directors receive and file the Attorney General's letter to municipal councils regarding consultation on joint and several liability and municipal insurance costs; and

FURTHER THAT: The Board of Directors receive and file the Association of Municipalities Ontario response submission to the Attorney General.

DISCUSSION: At the December meeting, the Board of Directors requested an update on municipal joint and several liability. On July 12, 2019, Attorney General, Doug Downey, wrote to Ontario's municipal councils inviting participation in consultations regarding joint and several liability, insurance costs, and "liability chill" affecting delivery of municipal services. The consultation period closed on September 27, 2019.

Joint and several liability is where two or more defendants are liable for the entire obligation irrespective of their proportionate fault. Ontario's *Negligence Act* currently imposes joint and several liability on defendants in most injury tort and negligence claims.

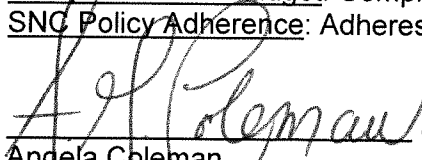
The Association of Municipalities Ontario (AMO) submitted a response to the Attorney General titled: *Towards a Reasonable Balance: Addressing growing municipal liability and insurance costs* (October 1, 2019). The report recognizes the challenges municipalities face as "insurers of last resort" under the joint and several liability model and the pressure high insurance premiums place on the property taxpayers. It further provides recommendations to lessen the burden to municipalities, including adoption of a proportionate liability model similar to other common law jurisdictions.

Staff will monitor this initiative for potential impacts to Conservation Authorities (i.e. advocating for similar protections for being targeted as "insurers of last resort").

FINANCIAL IMPLICATIONS/ADHERENCE TO SNC POLICY:

Compliance with Budget: Compliant with SNC Budget 2020.

SNC Policy Adherence: Adheres to SNC Policies.


Angela Coleman,
General Manager/Secretary-Treasurer

Attachments: (1) AG Letter to Ontario's Municipal Councils - July 12, 2019
(2) AMO Submission to the Attorney General - October 1, 2019

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Attorney General
McMurtry-Scott Building
720 Bay Street
11th Floor
Toronto ON M7A 2S9
Tel: 416-326-4000
Fax: 416-326-4007

Procureur général
Édifice McMurtry-Scott
720, rue Bay
11^e étage
Toronto ON M7A 2S9
Tél.: 416-326-4000
Téléc.: 416-326-4007



Ontario

JUL 12 2019

Our Reference #: M-2019-3638

Dear Head of Council,

Further to the Premier's announcement at the 2019 ROMA conference, I am writing to invite you to participate in the government's consultations regarding joint and several liability, insurance costs, and the 'liability chill' affecting the delivery of everyday public services.

In order to make this consultation process as effective as possible, the government needs to hear directly from you about your municipality's experiences. It is impossible to canvass possible solutions without understanding the actual problems faced by municipalities.

This will be an evidence-led consultation and policy development process. The first phase of the process will involve collecting background technical information. I therefore ask that you have your municipal officials respond in writing to the general questions noted below. We will also be establishing a Technical Table of provincial and municipal elected officials, building on AMO's existing Working Group, to make sure that we are all on the same page around the issues and evidence that need to be addressed.

Given the importance of hearing your experiences, there is no predetermined format or questionnaire for this consultation. We don't want to inadvertently limit you. We would ask, though, that your officials consider and address three broad questions so that there is some comparability among the responses.

First, please describe the nature of the problem as you see it. What are the problems that you need addressed to benefit your municipality. Is it increasing premiums? Rising deductibles? Being unfairly named in lawsuits? Being held to unreasonably strict standards (e.g., regarding road design or maintenance)? Feeling that you cannot offer certain services because of the liability risk? A general sense of unfairness that municipal taxpayers pay more than their fair share (e.g., because individuals are under-insured or were behaving irresponsibly)? Please have your officials describe all the specific problems that are directly affecting your municipality.

Second, please indicate what evidence leads you to your view of the problem. Without limiting the types of evidence you may wish to discuss, I have attached to this letter a list of potentially relevant facts and evidence that your officials may wish to address.

Finally, given your view of the problem and the supporting evidence, what solutions do you propose? In formulating your proposals, please keep in mind the need to ensure that catastrophically injured persons are fairly compensated and that costs are not simply transferred to the publicly funded health care system.

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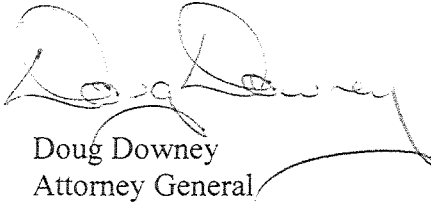
I will provide an update on the consultation process at AMO in August. I will also meet with interested delegations.

The second phase of the municipal consultation process will involve formal discussions in early Fall among elected officials about the evidence and the potential policy solutions. Once there is a provincial and municipal understanding on the key issues, the government will engage with other interested stakeholders.

The Ministry of the Attorney General has established a dedicated email address to receive the background technical information from your officials. Please have your officials respond by Friday, September 27, 2019 to magpolicy@ontario.ca. For further information, please have your officials reach out to MAG at the email address noted above.

Our goal must be meaningful and lasting reform. I encourage you to share your experiences on this important subject.

Sincerely,



Doug Downey
Attorney General

Attachment

Potentially Relevant Facts and Evidence

Nature of Insurance Coverage

- Does your municipality purchase liability insurance? If so, from what company?
- Do you use an insurance broker? If so, which company?
- Does your municipality self-insure against some or all liability risks? If so, please describe the program.

Premiums

- Municipal insurance premiums over time (both absolute dollars and percentage increases)
- Insurance premiums in other business lines over the same time period
- Typical ratio of premiums to claims payouts
- What triggers premium increases? Being named in a claim? Incurring defence costs? Paying on the claim?
- The secondary literature speaks of 'insurance cycles' or the market 'tightening' periodically such that premiums increase markedly in a relatively short period of time. Do you have any views on this topic?

Deductibles

- Amount
- Trigger for payment by municipality (being named, filing a defence?)
- Changes over time
- Comparison to changes in other business lines over time

Litigation Costs

- Amount
- Does joint and several liability ("JSL") impact costs?
- Changes over time
- Are municipal liability cases any more expensive to defend than other types of claims?
- Have any steps been taken, or are planned, to reduce defence costs?

Types of Claims

- Data regarding types of claims including road/auto, building inspections, other personal injury (e.g., tobogganing) – both volume and cost
- Number/ portion of cases that involve two or more defendants and thus raise JSL issues
- Changes over time

Settlement of Claims

- Data regarding JSL cases – and ideally the specific cases – where municipalities have settled for amounts disproportionate to their fault.
- Non-JSL cases where the municipality has paid amounts viewed as disproportionate to their level of fault (e.g., in the past some stakeholders have identified single vehicle collisions involving impaired drivers).

Adjudication of Claims

- Data regarding JSL cases – and ideally the specific cases – where municipalities have been required to pay amounts disproportionate to their degree of fault as determined by the court.
- Non-JSL cases where the municipality has been found liable and required to pay amounts viewed as disproportionate to their level of fault (e.g., in the past some stakeholders have identified single vehicle collisions involving impaired drivers).

Claim Costs

- Is the cost of individual claims raising, e.g. claims related to injuries in automobile accidents? If so, why?
- In 2016, the previous government reduced the cap for no fault catastrophic injury payments in automobile cases from \$2M to \$1M. Did that have any impact on municipal costs? If so, what savings are expected from the government's plan to increase the cap back to \$2M? Would a further increase to no fault benefits result in savings to municipalities?
- Are settlements ever for a sum less than or equal to the deductible?

Other

- How does JSL positively impact catastrophically injured plaintiffs? How would associated costs be distributed if JSL is abolished?
- What if any impact have road maintenance standards had on claims against municipalities?
- What types of everyday activities have been impacted by insurance costs and other liability risks? To what extent is JSL a factor in these situations? What steps have municipalities taken to mitigate these costs and risks?



Towards a Reasonable Balance:

Addressing growing municipal liability and insurance costs

Submission to the Attorney General of Ontario

October 1, 2019

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Sent via email to: doug.downeyco@pc.ola.org
magpolicy@ontario.ca

October 1, 2019

The Honourable Doug Downey
Attorney General of Ontario
McMurtry-Scott Building, 11th Floor
720 Bay Street
Toronto, Ontario
M7A 2S9

Dear Attorney General Downey,

Municipal governments accept the responsibility to pay their fair share of a loss. Always. Making it right and paying a fair share are the cornerstones of our legal system. Citizens expect nothing less of their local governments.

But what is a challenge for municipalities and property taxpayers alike, is being asked to assume someone else's responsibility for someone else's mistake. Municipal governments should not be the insurer of last resort. For municipalities in Ontario, however, the principle of joint and several liability ensures that they are just that.

Joint and several liability means higher insurance costs. It diverts property tax dollars from delivering public services. It has transformed municipalities into litigation targets while others escape responsibility. It forces municipal government to settle out-of-court for excessive amounts when responsibility is as low as 1%.

There must be a better way. There must be a better way to help ensure those who suffer losses are made whole again without asking municipalities to bear that burden alone. There must be a better way to be fair, reasonable, and responsible.

AMO welcomes the government's commitment to review joint and several liability. It is a complex issue that has many dimensions. Issues of fairness, legal principles, "liability chill", insurance failures and high insurance costs are all intertwined. Many other jurisdictions have offered additional protection for municipalities and AMO calls on the Ontario government to do the same.

What follows is a starting point for that discussion. Our paper reasserts key issues from AMO's 2010 paper, AMO's 2011 insurance cost survey, provides more recent examples, and details some possible solutions of which there are many options.

Municipalities are in the business of delivering public services. Municipal governments exist to connect people and to advance the development of a community. It is time to find a reasonable balance to prevent the further scaling back of public services owing to joint and several liability, "liability chill", or excessive insurance costs.

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Together with the provincial government, I am confident we can find a better way.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. McGarvey', is written over a horizontal line.

Jamie McGarvey
AMO President

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Executive Summary

AMO's advocacy efforts on joint and several liability in no way intends for aggrieved parties to be denied justice or damages through the courts. Rather, municipal governments seek to highlight the inequity of how much "deep pocket" defendants like municipalities are forced to pay, for both in and out of court settlements.

It is entirely unfair to ask property taxpayers to carry the lion's share of a damage award when a municipality is found at minimal fault or to assume responsibility for someone else's mistake.

Municipal governments cannot afford to be the insurer of last resort. The principle of joint and several liability is costing municipalities and taxpayers dearly, in the form of rising insurance premiums, service reductions and fewer choices. The *Negligence Act* was never intended to place the burden of insurer of last resort on municipalities.

As public organizations with taxation power and "deep pockets," municipalities have become focal points for litigation when other defendants do not have the means to pay. At the same time, catastrophic claim awards in Ontario have increased considerably. In part, joint and several liability is fueling exorbitant increases in municipal insurance premiums.

The heavy insurance burden and legal environment is unsustainable for Ontario's communities. Despite enormous improvements to safety, including new standards for playgrounds, pool safety, and better risk management practices, municipal insurance premiums and liability claims continue to increase. All municipalities have risk management policies to one degree or another and most large municipalities now employ risk managers precisely to increase health and safety and limit liability exposure in the design of facilities, programs, and insurance coverage. Liability is a top of mind consideration for all municipal councils.

Joint and several liability is problematic not only because of the disproportioned burden on municipalities that are awarded by courts. It is also the immeasurable impact of propelling municipalities to settle out of court to avoid protracted and expensive litigation for amounts that may be excessive, or certainly represent a greater percentage than their degree of fault.

Various forms of proportionate liability have now been enacted by all of Ontario's competing Great Lakes states. In total, 38 other states south of the border have adopted proportionate liability in specific circumstances to the benefit of municipalities. Many common law jurisdictions around the world have adopted legal reforms to limit the exposure and restore balance. With other Commonwealth jurisdictions and the majority of state governments in the United States having modified the rule of joint and several liability in favour of some form of proportionate liability, it is time for Ontario to consider various options.

There is precedence in Ontario for joint and several liability reform. The car leasing lobby highlighted a particularly expensive court award made in November of 2004 against a car leasing company by the victim of a drunk driver. The August 1997 accident occurred when the car skidded off a county road near Peterborough, Ontario. It exposed the inequity of joint and several liability for car leasing companies. The leasing companies argued to the government that the settlement had put them at a competitive disadvantage to lenders. They also warned that such liability conditions would likely drive some leasing and rental companies to reduce their business in Ontario. As a result, Bill 18 amended the *Compulsory Automobile Insurance Act*, the *Highway Traffic*

Act and the Ontario *Insurance Act* to make renters and lessees vicariously liable for the negligence of automobile drivers and capped the maximum liability of owners of rental and leased cars at \$1 million. While Bill 18 has eliminated the owners of leased and rented cars as “deep pocket” defendants, no such restrictions have been enacted to assist municipalities.

A 2011 survey conducted by AMO reveals that since 2007, liability premiums have increased by 22.2% and are among the fastest growing municipal costs. Total 2011 Ontario municipal insurance costs were \$155.2 million. Liability premiums made up the majority of these expenses at \$85.5 million. Property taxpayers are paying this price.

These trends are continuing. In August of 2019, it was reported the Town of Bradford West Gwillimbury faces a 59% insurance cost increase for 2019. This is just one example. AMO encourages the municipal insurance industry to provide the government with more recent data and trends to support the industry’s own arguments regarding the impact joint and several has on premiums.

Insurance costs disproportionately affect small municipalities. For 2011, the per capita insurance costs for communities with populations under 10,000 were \$37.56. By comparison, per capita costs in large communities with populations over 75,000 were \$7.71. Property taxpayers in one northern community are spending more on insurance than their library. In one southern county, for every \$2 spent on snowplowing roads, another \$1 is spent on insurance.

In 2016, the Ontario Municipal Insurance Exchange (OMEX), a not-for-profit insurer, announced that it was suspending reciprocal underwriting operations. The organization cited, a “low pricing environment, combined with the impact of joint and several liability on municipal claim settlements” as reasons for the decision. Fewer choices fuels premium increases.

Learning from other jurisdictions is important for Ontario. The Province of Saskatchewan has implemented liability reforms to support its municipalities. As a municipal lawyer at the time, Neil Robertson, QC was instrumental in laying out the arguments in support of these changes. Now a Justice of the Court of Queen’s Bench for Saskatchewan, AMO was pleased to have Neil Robertson prepare a paper and address AMO conference delegates in 2013. Much of the Saskatchewan municipal experience (which led to reforms) is applicable to the Ontario and the Canadian municipal context. Summarised below and throughout this paper are some of Robertson’s key findings.

Robertson found that, regardless of the cause, over the years municipalities in Canada have experienced an accelerating rate of litigation and an increase in amounts of damage awards. He noted these developments challenge municipalities and raise financial, operational and policy issues in the provision of public services.

Robertson describes the current Canadian legal climate as having placed municipalities in the role of involuntary insurer. Courts have assigned municipal liability where liability was traditionally denied and apportioned fault to municipal defendants out of proportion to municipal involvement in the actual wrong.

This increased exposure to liability has had serious ramifications for municipalities, both as a deterrent to providing public services which may give rise to claims and in raising the cost and reducing the availability of insurance. The cost of claims has caused insurers to reconsider not only

what to charge for premiums, but whether to continue offering insurance coverage to municipal clients.

Robertson also makes the key point that it is reasonable for municipal leaders to seek appropriate statutory protections. He wrote:

“Since municipalities exist to improve the quality of life for their citizens, the possibility of causing harm to those same citizens is contrary to its fundamental mission. Careful management and wise stewardship of public resources by municipal leaders will reduce the likelihood of such harm, including adherence to good risk management practices in municipal operations. But wise stewardship also involves avoiding the risk of unwarranted costs arising from inevitable claims.”

And, of course, a key consideration is the reality that insurance premiums, self-insurance costs, and legal fees divert municipal funds from other essential municipal services and responsibilities.

It is in this context that AMO appreciated the commitments made by the Premier and the Attorney General to review the principle of joint and several liability, the impact it has on insurance costs, and the influence “liability chill” has on the delivery of public services. Now is the time to deliver provincial public policy solutions which address these issues.

Recommendations

AMO recommends the following measures to address these issues:

1. The provincial government adopt a model of full proportionate liability to replace joint and several liability.
2. Implement enhancements to the existing limitations period including the continued applicability of the existing 10-day rule on slip and fall cases given recent judicial interpretations, and whether a 1-year limitation period may be beneficial.
3. Implement a cap for economic loss awards.
4. Increase the catastrophic impairment default benefit limit to \$2 million and increase the third-party liability coverage to \$2 million in government regulated automobile insurance plans.
5. Assess and implement additional measures which would support lower premiums or alternatives to the provision of insurance services by other entities such as non-profit insurance reciprocals.
6. Compel the insurance industry to supply all necessary financial evidence including premiums, claims, and deductible limit changes which support its, and municipal arguments as to the fiscal impact of joint and several liability.
7. Establish a provincial and municipal working group to consider the above and put forward recommendations to the Attorney General.

Insurance Cost Examples

The government has requested detailed information from municipalities regarding their insurance costs, coverage, deductibles, claims history, and out-of-court settlements. Municipalities have been busy responding to a long list of provincial consultations on a wide range of topics. Some of the information being sought is more easily supplied by the insurance industry. AMO's 2011 survey of insurance costs produced a sample size of 122 municipalities and assessed insurance cost increases over a five-year period. The survey revealed an average premium increase which exceeded 20% over that period.

All of the same forces remain at play in 2019 just as they were in 2011. Below are some key examples.

Ear Falls - The Township of Ear Falls reports that its insurance premiums have increased 30% over five years to \$81,686. With a population of only 995 residents (2016), this represents a per capita cost of \$82.09. This amount is a significant increase from AMO's 2011 Insurance Survey result. At that time, the average per capita insurance cost for a community with a population under 10,000 was \$37.56. While the Township has not been the subject of a liability claim, a claim in a community of this size could have significant and long-lasting financial and service implications. The Township has also had to impose stricter insurance requirements on groups that rent municipal facilities. This has had a negative impact on the clubs and volunteers' groups and as a consequence, many have cut back on the service these groups provide to the community.

Central Huron - For many years the municipality of Central Huron had a deductible of \$5,000. In 2014, the deductible was increased to \$15,000 to help reduce insurance costs. The municipality also increased its liability coverage in 2014 and added cyber security coverage in 2018. The combined impact of these changes represents a premium cost of \$224,774 in 2019, up from \$141,331 in 2010. Per capita costs for insurance alone are now \$29.67.

Huntsville - Since 2010, the Town of Huntsville reports an insurance premium increase of 67%. In 2019 this represented about 3.75% of the town's property tax levy. At the same time, Huntsville's deductible has increased from \$10,000 to \$25,000. The town also reports a reluctance to hold its own events for fear of any claims which may affect its main policy. Additional coverage is purchased for these events and these costs are not included above.

Ottawa - In August 2018, the City began working with its insurance broker, Aon Risk Solutions ("Aon"), to prepare for the anticipated renewal of the Integrated Insurance Program in April 2019. As the cost of the City's insurance premiums had risen by approximately 25% between 2017 and 2018, this early work was intended to ensure that any further increase could be properly accounted for through the 2019 budget process. Early indications of a possible further 10% premium increase prompted the City and Aon in late 2018 to explore options for a revised Program, and to approach alternative markets for the supply of insurance.

On January 11, 2019, an OC Transpo bus collided with a section of the Westboro Station transit shelter, resulting in three fatalities and numerous serious injuries. This was the second major incident involving the City's bus fleet, following approximately five years after the OC Transpo - VIA train collision in September 2013.

The January 2019 incident prompted insurance providers to re-evaluate their willingness to participate in the City Program. Despite Aon's work to secure an alternative provider, only Frank Cowan Company ("Cowan"), the City's existing insurer, was prepared to offer the City an Integrated Insurance Program. Cowan's offer to renew the City's Program was conditional on revised terms and limits and at a significant premium increase of approximately 84%, or nearly \$2.1 million per year. According to Cowan, these changes and increases were attributable to seven principle factors, including Joint and Several Liability:

1. Escalating Costs of Natural Global Disasters;
2. Joint and Several Liability;
3. Claims Trends (in the municipal sector);
4. Increasing Damage Awards;
5. Class Action Lawsuits;
6. New and/or Adverse Claims Development; and,
7. Transit Exposure.

Cowan also indicated that the primary policy limits for the 2019-2020 renewal would be lowered from \$25 million to \$10 million per occurrence, thereby raising the likelihood of increased costs for the City's excess liability policies.

Joint and Several in Action - Recent Examples

The following examples highlight joint and several in action. The following examples have occurred in recent years.

GTA Municipality – A homeowner rented out three separate apartments in a home despite being zoned as a single-family dwelling. After a complaint was received, bylaw inspectors and Fire Prevention Officers visited the property. The landlord was cautioned to undertake renovations to restore the building into a single-family dwelling. After several months of non-compliance, charges under the fire code were laid. The owner was convicted and fined. A subsequent visit by Fire Prevention Officers noted that the required renovations had not taken place. Tragically, a fire occurred which resulted in three fatalities. Despite having undertaken corrective action against the homeowner, joint and several liability loomed large. It compelled the municipality to make a payment of \$504,000 given the 1% rule.

City of Ottawa - A serious motor vehicle accident occurred between one of the City's buses and an SUV. The collision occurred at an intersection when the inebriated driver of the SUV failed to stop at a red light and was struck by the City bus. This collision resulted in the deaths of the SUV driver and two other occupants, and also seriously injured the primary Plaintiff, the third passenger in the SUV. The secondary action was brought by the family of one of the deceased passengers.

The Court ultimately concluded that the City was 20% liable for the collision, while the SUV driver was 80% at fault. Despite the 80/20 allocation of fault, the City was required to pay all of the approximately \$2.1 million in damages awarded in the primary case and the \$200,000 awarded in the secondary case, bringing the amount paid by the City to a total that was not proportionate to its actual liability. This was due to the application of the principle of joint and several liability, as well as the interplay between the various automobile insurance policies held by the SUV owner and

passengers, which is further explained below. Although the City appealed this case, the Ontario Court of Appeal agreed with the findings of the trial judge and dismissed it.

This case was notable for the implications of various factors on the insurance policies held by the respective parties. While most automobile insurance policies in Ontario provide for \$1 million in third party liability coverage, the insurance for the SUV was reduced to the statutory minimum of \$200,000 by virtue of the fact that the driver at the time of the collision had a blood alcohol level nearly three times the legal limit for a fully licensed driver. This was contrary to the requirements of his G2 license, which prohibit driving after the consumption of any alcohol. Further, while the Plaintiff passengers' own respective insurance provided \$1 million in coverage for underinsured motorists (as the SUV driver was at the time), this type of coverage is triggered only where no other party is in any way liable for the accident. As a result, the primary Plaintiff could only effectively recover the full \$2.1 million in damages if the Court attributed even a small measure of fault to another party with sufficient resources to pay the claim.

In determining that the City was at least partially responsible for the collision, the Court held that the speed of the bus – which according to GPS recordings was approximately 6.5 km/h over the posted limit of 60 kilometres an hour – and momentary inattention were contributing factors to the collision.

To shorten the length of the trial by approximately one week and accordingly reduce the legal costs involved, the parties had earlier reached an agreement on damages and that the findings regarding the primary Plaintiff would apply equally to the other. The amount of the agreement-upon damages took into account any contributory negligence on the part of the respective Plaintiffs, attributable to such things as not wearing a seat belt.

City of Ottawa, 2nd example – A Plaintiff was catastrophically injured when, after disembarking a City bus, he was struck by a third-party motor vehicle. The Plaintiff's injuries included a brain injury while his impairments included incomplete quadriplegia.

As a result of his accident, the Plaintiff brought a claim for damages for an amount in excess of \$7 million against the City and against the owner and driver of the third-party vehicle that struck him. Against the City, the Plaintiff alleged that the roadway was not properly designed and that the bus stop was placed at an unsafe location as it required passengers to cross the road mid-block and not at a controlled intersection.

Following the completion of examinations for discovery, the Plaintiff's claim against the Co-Defendant (the driver of the vehicle which struck the plaintiff) was resolved for \$1,120,000 comprising \$970,000 for damages and \$120,000 for costs. The Co-Defendant's policy limit was \$1 million. The claim against the City was in effect, a "1% rule" case where the City had been added to the case largely because the Co-Defendant's insurance was capped at \$1 million, which was well below the value of the Plaintiff's claim.

On the issue of liability, the pre-trial judge was of the view that the City was exposed to a finding of some liability against it on the theory that, because of the proximity of the bus stop to a home for adults with mental health issues, the City knew or should have known that bus passengers with cognitive and/or physical disabilities would be crossing mid-block at an unmarked crossing. This, according to the judge, could have resulted in a finding being made at trial that the City should

either have removed the bus stop or alternatively, should have installed a pedestrian crossing at this location.

The judge assessed the Plaintiff's damages at \$7,241,000 exclusive of costs and disbursements which he then reduced to \$4,602,930 exclusive of costs and disbursements after applying a reduction of 27.5% for contributory negligence and subtracting the \$970,000 payment made by the Co-Defendant's insurer.

Settlement discussions took place and the judge recommended that the matter be resolved for \$3,825,000 plus costs of \$554,750 plus HST plus disbursements.

Joint and Several Liability in Action - Other notable cases

Deering v Scugog - A 19-year-old driver was driving at night in a hurry to make the start time of a movie. She was travelling on a Class 4 rural road that had no centerline markings. The Ontario Traffic Manual does not require this type of road to have such a marking. The driver thought that a vehicle travelling in the opposite direction was headed directly at her. She swerved, over-corrected and ended up in a rock culvert. The Court found the Township of Scugog 66.7% liable. The at-fault driver only carried a \$1M auto insurance policy.

Ferguson v County of Brant - An inexperienced 17-year-old male driver was speeding on a road when he failed to navigate a curve which resulted in him crossing the lane into oncoming traffic, leaving the roadway, and striking a tree. The municipality was found to have posted a winding road sign rather than a sharp curve sign. The municipality was found 55% liable.

Safranyos et al v City of Hamilton - The plaintiff was leaving a drive-in movie theatre with four children in her vehicle at approximately 1 AM. She approached a stop sign with the intention of turning right onto a highway. Although she saw oncoming headlights she entered the intersection where she was struck by a vehicle driven 15 km/h over the posted speed limit by a man who had just left a party and was determined by toxicologists to be impaired. The children in the plaintiff's vehicle suffered significant injuries. The City was determined to be 25% liable because a stop line had not been painted on the road at the intersection.

Mortimer v Cameron - Two men were engaged in horseplay on a stairway and one of them fell backward through an open door at the bottom of a landing. The other man attempted to break the first man's fall and together they fell into an exterior wall that gave way. Both men fell 10 feet onto the ground below, one of whom was left quadriplegic. The trial judge determined both men were negligent, but that their conduct did not correspond to the extent of the plaintiff's injuries. No liability was attached to either man. The building owner was determined to be 20% and the City of London was found to be 80% liable. The Court awarded the plaintiff \$5 M in damages. On appeal, the City's liability was reduced to 40% and building owner was determined to be 60% liable. The City still ended up paying 80% of the overall claim.

2011 Review of Joint and Several Liability – Law Commission of Ontario

In February 2011 the Law Commission of Ontario released a report entitled, *"Joint and Several Liability Under the Ontario Business Corporations Act"*. This review examined the application of

joint and several liability to corporate law and more specifically the relationship between the corporation and its directors, officers, shareholders and stakeholders.

Prior to the report's release, AMO made a submission to the Law Commission of Ontario to seek to expand its review to include municipal implications. The Law Commission did not proceed with a broader review at that time, but the context of its narrower scope remains applicable to municipalities. In fact, many of the same arguments which support reform in the realm of the *Business Corporations Act*, are the same arguments which apply to municipal governments.

Of note, the Law Commission's¹ report highlighted the following in favour of reforms:

Fairness: "it is argued that it is unfair for a defendant, whose degree of fault is minor when compared to that of other defendants, to have to fully compensate a plaintiff should the other defendants be insolvent or unavailable."

Deep Pocket Syndrome: "Joint and several liability encourages plaintiffs to unfairly target defendants who are known or perceived to be insured or solvent."

Rising Costs of Litigation, Insurance, and Damage Awards: "Opponents of the joint and several liability regime are concerned about the rising costs of litigation, insurance, and damage awards."

Provision of Services: "The Association of Municipalities of Ontario identifies another negative externality of joint and several liability: municipalities are having to delay or otherwise cut back services to limit exposure to liability."

The Law Commission found that the principle of joint and several liability should remain in place although it did not explicitly review the municipal situation.

2014 Resolution by the Ontario Legislature and Review by the Attorney General

Over 200 municipalities supported a motion introduced by Randy Pettapiece, MPP for Perth-Wellington which called for the implementation a comprehensive, long-term solution in 2014. That year, MPPs from all parties supported the Pettapiece motion calling for a reform joint and several liability.

Later that year the Ministry of the Attorney General consulted on three options of possible reform:

1. The Saskatchewan Model of Modified Proportionate Liability

Saskatchewan has adopted a modified version of proportionate liability that applies in cases where a plaintiff is contributorily negligent. Under the Saskatchewan rule, where a plaintiff is contributorily negligent and there is an unfunded liability, the cost of the unfunded liability is split among the remaining defendants and the plaintiff in proportion to their fault.

¹ Law Commission of Ontario. "Joint and Several Liability Under the Ontario *Business Corporations Act*." Final Report, February 2011 Pages 22-25.

2. Peripheral Wrongdoer Rule for Road Authorities

Under this rule, a municipality would never be liable for more than two times its proportion of damages, even if it results in the plaintiff being unable to recover full damages.

3. A combination of both of the above

Ultimately, the government decided not to pursue any of the incremental policy options ostensibly because of uncertainty that insurance cost reductions would result. This was a disappointing result for municipalities.

While these reviews did not produce results in Ontario, many other common law jurisdictions have enacted protections for municipalities. What follows are some of the options for a different legal framework.

Options for Reform – The Legal Framework

To gain a full appreciation of the various liability frameworks that could be considered, for comparison, below is a description of the current joint and several liability framework here in Ontario. This description will help to reader to understand the further options which follow.

This description and the alternatives that follow are taken from the Law Commission of Ontario's February 2011 Report entitled, *"Joint and Several Liability Under the Ontario Business Corporations Act"* as referenced above.²

Understanding the Status Quo and Comparing it to the Alternatives

Where three different defendants are found to have caused a plaintiff's loss, the plaintiff is entitled to seek full payment (100%) from any one of the defendants. The defendant who fully satisfies the judgment has a right of contribution from the other liable parties based on the extent of their responsibility for the plaintiff's loss.

For example, a court may find defendants 1 (D1), 2 (D2) and 3 (D3) responsible for 70%, 20%, and 10% of the plaintiff's \$100,000 loss, respectively. The plaintiff may seek to recover 100% of the loss from D2, who may then seek contribution from D1 and D3 for their 70% and 10% shares of the loss. If D1 and/or D3 is unable to compensate D2 for the amount each owes for whatever reason, such as insolvency or unavailability, D2 will bear the full \$100,000 loss. The plaintiff will be fully compensated for \$100,000, and it is the responsibility of the defendants to apportion the loss fairly between them.

The descriptions that follow are abridged from pages 9-11 of the Law Commission of Ontario's report. These are some of the key alternatives to the status quo.

² Ibid. Page 7.

1. Proportionate Liability

a) Full Proportionate Liability

A system of full proportionate liability limits the liability of each co-defendant to the proportion of the loss for which he or she was found to be responsible. Per the above example, (in which Defendant 1 (D1) is responsible for 70% of loss, Defendant 2 (D2) for 20% and Defendant 3 (D3) for 10%), under this system, D2 will only be responsible for \$20,000 of the \$100,000 total judgement: equal to 20% of their share of the liability. Likewise, D1 and D3 will be responsible for \$70,000 and \$10,000. If D1 and D3 are unable to pay, the plaintiff will only recover \$20,000 from D2.

b) Proportionate Liability where Plaintiff is Contributorily Negligent

This option retains joint and several liability when a blameless plaintiff is involved. This option would cancel or adjust the rule where the plaintiff contributed to their loss. As in the first example, suppose the plaintiff (P) contributed to 20% of their \$100,000 loss. D1, D2 and D3 were responsible for 50%, 20% and 10% of the \$100,000. If D1 and D3 are unavailable, P and D2 will each be responsible for their \$20,000 shares. The plaintiff will remain responsible for the \$60,000 shortfall as a result of the absent co-defendants' non-payment (D1 and D3).

c) Proportionate Liability where Plaintiff is Contributorily Negligent with a Proportionate Reallocation of an Insolvent, Financially Limited or Unavailable Defendant's Share

In this option of proportionate liability, the plaintiff and remaining co-defendants share the risk of a defendant's non-payment. The plaintiff (P) and co-defendants are responsible for any shortfall in proportion to their respective degrees of fault.

Using the above example of the \$100,000 total judgement, with a shortfall payment of \$50,000 from D1 and a shortfall payment \$10,000 from D3, P and D2 must pay for the missing \$60,000. P and D2 have equally-apportioned liability, which causes them to be responsible for half of each shortfall - \$25,000 and \$5,000 from each non-paying defendant. The burden is shared between the plaintiff (if determined to be responsible) and the remaining defendants.

d) Proportionate Liability with a Peripheral Wrongdoer

Under this option, a defendant will be proportionately liable only if their share of the liability falls below a specified percentage, meaning that liability would be joint and several. Using the above example, if the threshold amount of liability is set at 25%, D2 and D3 would only be responsible for 20% and 10%, regardless of whether they are the only available or named defendants. However, D1 may be liable for 100% if it is the only available or named defendant. This system tends to favour defendants responsible for a small portion of the loss, but the determination of the threshold amount between joint and several liability and proportionate liability is arbitrary.

e) Proportionate Liability with a Reallocation of Some or All of an Insolvent or Unavailable Defendant's Share

This option reallocates the liability of a non-paying defendant among the remaining defendants in proportion to their respective degrees of fault. The plaintiff's contributory negligence does not

impact the application of this reallocation. Joint and several liability would continue to apply in cases of fraud or where laws were knowingly violated.

f) Court Discretion

Similar to the fraud exception in the option above, this option includes giving the courts discretion to apply different forms of liability depending on the case.

For example, if a particular co-defendant's share of the fault was relatively minor the court would have discretion to limit that defendant's liability to an appropriate portion.

2. Legislative Cap on Liability

Liability concerns could be addressed by introducing a cap on the amount of damages available for claims for economic loss.

3. Hybrid

A number of jurisdictions provide a hybrid system of proportionate liability and caps on damages. Co-defendants are liable for their portion of the damages, but the maximum total amount payable by each co-defendant is capped to a certain limit.

The Saskatchewan Experience

As referenced earlier in this paper, the Province of Saskatchewan responded with a variety of legislative actions to assist municipalities in the early 2000s. Some of those key developments are listed below which are abridged from *"A Question of Balance: Legislative Responses to Judicial Expansion of Municipal Liability – the Saskatchewan Experience."* The paper was written by Neil Robertson, QC and was presented to the annual conference of the Association of Municipalities of Ontario in 2013. Two key reforms are noted below.

1. Reforming joint and several liability by introducing modified proportionate liability: "The Contributory Negligence Act" amendments

The *Contributory Negligence Act* retained joint and several liability, but made adjustments in cases where one or more of the defendants is unable to pay its share of the total amount (judgement). Each of the parties at fault, including the plaintiff if contributorily negligent, will still have to pay a share of the judgement based on their degree of fault. However, if one of the defendants is unable to pay, the other defendants who are able to pay are required to pay only their original share and an additional equivalent share of the defaulting party's share.

The change in law allows municipalities to reach out-of-court settlements, based on an estimate of their degree of fault. This allows municipalities to avoid the cost of protracted litigation.

Neil Robertson provided the following example to illustrate how this works in practise:

"...If the owner of a house sues the builder for negligent construction and the municipality, as building authority, for negligent inspection, and all three are found equally at fault, they would each be apportioned 1/3 or 33.3%. Assume the damages are \$100,000. If the builder has no funds, then the municipality would pay only its share (\$33,333) and a 1/3 share of the builder's defaulting share." 00036

(1/3 of \$33,333 or \$11,111) for a total of \$44,444 (\$33,333 + \$11,111), instead of the \$66,666 (\$33,333 + \$33,333) it would pay under pure joint and several liability.”

This model will be familiar to municipal leaders in Ontario. In 2014, Ontario’s Attorney General presented this option (called the Saskatchewan Model of Modified Proportionate Liability) for consideration. At the time, over 200 municipal councils supported the adoption of this option along with the “Peripheral Wrongdoer Rule for Road Authorities” which would have seen a municipality never be liable for more than two times its proportion of damages, even if it results in the plaintiff being unable to recover full damages. These two measures, if enacted, would have represented a significant incremental step to address the impact of joint and several to Ontario municipalities.

2. Providing for uniform limitation periods while maintaining a separate limitation period for municipalities: “The Limitations Act”

This act established uniform limitation periods replacing many of the pre-existing limitation periods that had different time periods. The Municipal Acts in Saskatchewan provide a uniform one-year limitation period “from time when the damages were sustained” in absolute terms without a discovery principle which can prolong this period. This helps municipalities to resist “legacy” claims from many years beforehand. This act exempts municipalities from the uniform two-year discoverability limitation period.

Limitation periods set deadlines after which claims cannot be brought as lawsuits in the courts. The legislation intends to balance the opportunity for potential claimants to identify their claims and, if possible, negotiate a settlement out of court before starting legal action with the need for potential defendants to “close the books” on claims from the past.

The reasoning behind these limitations is that public authorities, including municipalities, should not be punished by the passage of time. Timely notice will promote the timely investigation and disposition of claims in the public interest. After the expiry of a limitation period, municipalities can consider themselves free of the threat of legal action, and continue with financial planning without hurting “the public taxpayer purse”. Municipalities are mandated to balance their budgets and must be able to plan accordingly. Thus, legacy claims can have a very adverse affect on municipal operations.

Here in Ontario, there is a uniform limitations period of two years. Municipalities also benefit from a 10-day notice period which is required for slip and fall cases. More recently, the applicability of this limitation deadline has become variable and subject to judicial discretion. Robertson’s paper notes that in Saskatchewan, courts have accepted the one-year limitations period. A further examination of limitations in Ontario may yield additional benefits and could include the one-year example in Saskatchewan and/or the applicability of the 10-day notice period for slip and fall cases.

Other Saskatchewan reforms

Saskatchewan has also implemented other reforms which include greater protections for building inspections, good faith immunity, duty of repair, no fault insurance, permitting class actions, and limiting nuisance actions. Some of these reforms are specific to Saskatchewan and some of these currently apply in Ontario.

Insurance Related Reforms

Government Regulated Insurance Limits

The April 2019 provincial budget included a commitment to increase the catastrophic impairment default benefit limit to \$2 million. Public consultations were led by the Ministry of Finance in September 2019. AMO wrote to the Ministry in support of increasing the limit to \$2 million to ensure more adequate support those who suffer catastrophic impairment.

In 2016, the government lowered this limit as well as third-party liability coverage to \$200,000 from \$1 million. This minimum should also be increased to \$2 million to reflect current actual costs. This significant deficiency needs to be addressed.

Insurance Industry Changes

In 1989 the Ontario Municipal Insurance Exchange (OMEX) was established as a non-profit reciprocal insurance provider for Ontario's municipalities. It ceased operations in 2016 citing, "[a] low pricing environment, combined with the impact of joint & several liability on municipal claim settlements has made it difficult to offer sustainable pricing while still addressing the municipalities' concern about retro assessments."³ (Retro assessments meant paying additional premiums for retroactive coverage for "long-tail claims" which made municipal budgeting more challenging.)

The demise of OMEX has changed the municipal insurance landscape in Ontario. That joint and several liability is one of the key reasons listed for the collapse of a key municipal insurer should be a cause for significant concern. Fewer choices fuels cost. While there are other successful municipal insurance pools in Ontario, the bulk of the insurance market is dominated by for-profit insurance companies.

Reciprocal non-profit insurers are well represented in other areas across Canada. Municipalities in Saskatchewan, Alberta, British Columbia are all insured by non-profit reciprocals.

The questions for policy makers in Ontario:

Are there any provincial requirements or regulations which could better support the non-profit reciprocal municipal insurance market?

What actions could be taken to better protect municipalities in Ontario in sourcing their insurance needs?

How can we drive down insurance costs to better serve the needs of municipal property taxpayers?

³ Canadian Underwriter, August 11, 2016 <https://www.canadianunderwriter.ca/insurance/ontario-municipal-insurance-exchange-suspends-underwriting-operations-1004098148/>

Conclusion

This AMO paper has endeavoured to refresh municipal arguments on the need to find a balance to the issues and challenges presented by joint and several liability. It has endeavoured to illustrate that options exist and offer the reassurance that they can be successfully implemented as other jurisdictions have done.

Finding solutions that work will require provincial and municipal commitment. Working together, we can find a better way that is fair, reasonable, and responsible. It is time to find a reasonable balance.



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38 rue Victoria Street, Finch, ON K0C 1K0 Tel: 613-984-2948 Fax: 613-984-2872 Toll Free: 1-877-984-2948 www.nation.on.ca

To: Board of Directors
From: Carl Bickerdike, Team Lead, Corporate Services
Date: January 14th, 2020
Subject: Request for Approval: 2020 SNC Insurance

RECOMMENDATION:

The Board of Directors approve the renewal of the Authority's insurance with Marsh Canada Limited at an upset limit of approximately \$88,700 including HST.

DISCUSSION:

SNC is part of Conservation Ontario's group insurance program. The insurance provider is Marsh Canada Limited. The SNC insurance premium for April 1, 2019 to April 1, 2020 was \$78,043, including HST. This was a 6.3% increase from 2018-2019 when the premium was \$73,403.04 including HST.

The large increases seen in 2017, 2018, and 2019 were attributable to a reapportionment of the Commercial General Liability (CGL) and Errors and Omissions (E&O) premiums between the Conservation Authorities by Conservation Ontario (CO) in 2016. This led to a three-year phased in increase for some CA's, in 2017, 2018 and 2019. SNC has been warned that due to a challenging insurance market, premiums could increase by 10% this year.

As our insurance broker, Marsh went to market prior to the 2019 renewal to ensure the rates paid by the Conservation Authorities are competitive. SNC also performed our own due diligence on the premiums. At this time staff are confident that SNC's continued participation in the Conservation Ontario group insurance program offers the best value to the Authority.

FINANCIAL IMPLICATIONS/ADHERENCE TO SNC POLICY:

Compliance with Budget:

Total 2020 Budget allocation for insurance is \$88,700 including:

- \$82,000 under Corporate Administration, pages 80-81
- \$1,200 under Sewage Systems Review, pages 52-53
- \$5,500 under Vehicles and Equipment, pages 40-41

SNC Policy Adherence:

SNC Purchasing Policy will be followed with a Purchase Order signed by two Signing Officers.

Carl Bickerdike,
Team Lead, Corporate Services.

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38 rue Victoria Street, Finch, ON K0C 1K0 Tel: 613-984-2948 Fax: 613-984-2872 Toll Free: 1-877-984-2948 www.nation.on.ca

To: Board of Directors
From: Carl Bickerdike, Team Lead, Corporate Services
Date: January 14th, 2020
Subject: Request for Approval: Conservation Ontario Levy

RECOMMENDATION:

The Board of Directors approve the payment of the 2020 Conservation Ontario Levy of \$35,509, payable in two installments of \$17,754.50.

DISCUSSION:

Each year SNC must pay a levy to Conservation Ontario (CO). CO helps to further the work of Conservation Authorities (CA) at the provincial level.

CO levy is determined by placing all CAs on a mathematical regression curve, using a three-year average of gross revenues to determine placement. The larger a CA's revenue, the larger their levy payment, but at a lower marginal rate.

SNC's 2020 levy apportionment of \$35,509 represents a 0.29% increase over 2019, whereas CO's overall budget increased by 1.97% from 2019 to 2020.

FINANCIAL IMPLICATIONS/ADHERENCE TO SNC POLICY:

Compliance with Budget:

Total levy of \$37,000 is included in the 2020 Budget, Page 80-81.

SNC Policy Adherence:

SNC Purchasing Policy will be followed with a Purchase Order Signed by two Signing Officers.

Carl Bickerdike,
Team Lead, Corporate Services

Attachment: Levy Apportionment Schedule from Conservation Ontario Council Meeting of September 30, 2019

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Conservation Authority	3 Year Average	2018	2017	2016	2019 Levy	2020 Levy
Ausable Bayfield	3,808,786	3,490,348	3,786,036	4,149,973	27,268	27,354
Cataraqui Region	3,825,512	4,008,310	3,905,127	3,563,099	26,908	27,403
Catfish Creek	1,293,908	1,347,848	1,351,297	1,182,580	19,644	19,797
Central Lake Ontario	6,033,615	6,346,901	6,060,603	5,693,340	32,550	33,797
Credit Valley	30,154,603	32,514,439	30,437,348	27,512,021	86,282	89,130
Crowe Valley	884,040	1,029,487	836,901	785,733	18,158	18,538
Essex Region	8,511,130	10,005,846	8,215,526	7,312,019	37,702	40,707
Ganaraska Region	3,235,871	3,304,383	3,201,958	3,201,273	25,105	25,658
Grand River	30,414,076	31,297,181	29,879,526	30,065,522	88,446	89,581
Grey Sauble	2,820,528	2,673,198	2,724,999	3,063,388	24,118	24,419
Halton (Cons. Halton)	28,044,228	31,018,481	27,656,366	25,457,837	81,041	85,351
Hamilton	15,719,825	15,118,074	16,246,021	15,795,381	59,420	59,214
Kawartha	3,032,813	3,173,240	2,958,683	2,966,515	24,631	25,053
Kettle Creek	2,534,662	2,651,631	2,556,385	2,395,969	22,982	23,561
Lake Simcoe Region	13,856,015	14,251,280	13,466,783	13,849,982	53,516	54,657
Lakehead Region	1,885,442	2,168,284	1,748,574	1,739,469	22,898	21,601
Long Point Region	5,036,510	5,837,541	4,768,855	4,503,134	29,072	30,937
Lower Thames Valley	3,610,907	3,199,490	4,306,269	3,326,961	26,118	26,769
Lower Trent	1,979,100	2,076,480	2,025,334	1,835,486	21,386	21,885
Maitland Valley	3,114,563	3,106,241	3,062,264	3,175,185	24,622	25,296
Mattagami Region	716,716	722,799	704,396	722,954	17,942	18,022
Mississippi Valley	3,628,438	3,793,509	3,547,130	3,544,674	26,485	26,821
Niagara Peninsula	12,184,154	12,117,216	12,385,130	12,050,116	49,975	50,433
Nickel (Cons. Sudbury)	1,628,086	1,779,378	1,758,075	1,346,804	20,232	20,818
North Bay-Mattawa	2,119,723	2,095,740	2,131,087	2,132,343	22,461	22,310
Nottawasaga Valley	5,105,943	5,040,588	4,963,784	5,313,457	30,733	31,138
Otonabee	3,446,156	5,044,922	2,993,386	2,300,161	23,496	26,282
Quinte	3,712,809	3,860,978	3,702,699	3,574,750	28,428	27,070
Raisin Region	2,025,870	2,191,462	2,075,649	1,810,499	21,710	22,026
Rideau Valley	9,983,456	10,286,819	9,450,919	10,212,629	44,169	44,680
Saugeen	4,305,788	4,199,116	5,141,834	3,576,413	28,013	28,813
Sault Ste Marie	705,305	750,482	695,469	669,964	17,695	17,987
South Nation	6,638,261	6,257,866	7,032,997	6,623,919	35,407	35,509
St. Clair Region	4,778,440	5,867,773	4,125,449	4,342,098	29,609	30,190
Toronto and Region*	73,816,667	128,696,000	119,706,000	101,744,000	115,787	117,001
Upper Thames River	15,296,392	13,666,446	14,321,572	17,901,157	57,994	58,192

1,322,000 1,348,000

* TRCA Cap based on an increase of 1.97% from 2019

000042



To: Board of Directors
From: Linda Hutchinson, Director, Organization Effectiveness
Date: January 13th, 2020
Subject: Request for Approval: Annual Authority Approvals

RECOMMENDATION:

For banking purposes, the Authority signing officers be one of: Chairman; Vice-Chairman; or Past Chairman; and one of: General Manager/Secretary-Treasurer; Director, Organization Effectiveness; or Team Lead, Corporate Services. For all other purposes, that fall within their signing limit and/or there is a Board Resolution, any of the above; and

FURTHER THAT:

1. The signing officers are authorized to borrow up to \$1,000,000 for the operation of the South Nation River Conservation Authority, if required.
2. Staff be authorized to continue the use of alternative signatures, such as the signature stamp for signing cheques up to \$10,000, or other limits requested by the Board of Directors, or any other electronic signatures introduced in conjunction with our accounting software. These tools are in the custody of the Director, Organization Effectiveness. The Director may delegate the use of these tools to his/her delegate.
3. Staff continue to utilize various banking features to make payments more cost efficient for SNC, for example: the use of internet banking, electronic fund transfer (EFT) and/or by other electronic means. All payments are presented regularly to the Board of Directors for approval in the "Monies Received and Disbursement Register for the period".
4. The law firm of Ault & Ault, Winchester be appointed as solicitor for general Authority business, and that Emond Harnden, Ottawa be appointed the Authority's Human Resource legal counsel, at a total approximate cost of \$40,000 plus HST. Where in the best interest of the Authority, staff may engage other specialized legal services.
5. The Chartered Accountants Firm of Baker Tilly REO LLP, Winchester be appointed Auditors at an approximate cost of \$24,500 plus HST and Management sign engagement letter.
6. The Royal Bank, Winchester Branch, be the Authority Bank.

DISCUSSION:

The South Nation River Conservation Authority Administrative By-law requires annual resolutions for the appointment of the Authority's auditor and financial institution and the



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borrowing resolution.

Also included are resolutions for the Authority's signing officers, confirming the use of alternate signing tools and the appointment of Authority solicitors including approximate cost.

The Authority's general counsel, Ault & Ault, will be consulted and advice sought when selecting specialized legal services.

FINANCIAL IMPLICATIONS/ADHERENCE TO SNC POLICY:

Compliance with Budget: The dollar amounts noted have been included in the 2020 budget under Corporate Services, pages 80 to 83.

SNC Policy Adherence: The above resolutions are in accordance with SNC's Administration By-law, Sections 22, 24, 25, and 26. Sections 22 and 24 must be in place by, or before, the SNC Annual General Meeting. Section 26 must be in place by March 31st, 2020.

According to the Purchasing Policy, section E) Non-Competitive Purchasing, '*The Board of Directors must approve any Non-Competitive purchasing over \$10,000, when professional or special services are required, such as: auditors or accounting fees, legal fees, appraiser fees, banking fees, or any other special service*'.

Linda Hutchinson,
Director, Organization Effectiveness.

000044



To: Board of Directors
From: Sandra Mancini, Team Lead, Engineering
Date: January 15th, 2020
Subject: Request for Approval: Low Impact Development Project

RECOMMENDATION:

The Board of Directors approve entering into a Funding Agreement with the United Counties of Prescott and Russell to complete the Larose Forest low impact development project at an approximate value of \$22,000; and

FURTHER THAT: The Board of Directors approve undertaking the project.

DISCUSSION:

The United Counties of Prescott and Russell (UCPR) approached South Nation Conservation (SNC) to develop a Low Impact Development (LID) demonstration project for one of the Larose Forest's parking lots. The objective is to address flooding and erosion at the site.

SNC secured \$21,000 Special Projects funding from the Eastern Ontario Water Resources Program for the project. UCPR has budgeted \$22,000 for the project to date. UCPR is requesting that SNC undertake the following activities:

- Site Assessment
- Selection of LID options
- Conceptual design of LID measures and cost estimates
- Site survey
- Pre-construction field testing (infiltration, test pits, soil analysis)
- Contract services for final site design
- Coordinate external funding submission for project implementation

Staff is requesting Board approval to enter into a funding agreement with UCPR to undertake the above noted work.

FINANCIAL IMPLICATIONS/ADHERENCE TO SNC POLICY:

Compliance with Budget: This project was included in the 2020 SNC Budget under Department of Resource Management, pages 23 to 24.

SNC Policy Adherence: Project expenditures will adhere to SNC's Purchasing Policy, including seeking three quotes and required authorizations according to purchasing limits. Field work to complete the projects will adhere to SNC's Health and Safety Policy.


Sandra Mancini,
Team Lead, Engineering.



To: Board of Directors
From: Sandra Mancini, Team Lead, Engineering
Date: January 13th, 2020
Subject: Request for Approval: Agriculture and Agri-Food Canada Agreement

RECOMMENDATION:

The Board of Directors approve entering into an agreement with Agriculture and Agri-Food Canada, to support updates to the flood forecasting model, at an approximate amount of \$10,000.

DISCUSSION:

South Nation Conservation's (SNC) flood forecasting model is a 3-dimensional surface water/ groundwater HydroGeoSphere model developed by Aquanty Inc, out of Guelph, Ontario.


The Board of Directors approved expenditures for calibration of the flood forecasting model at the October 17th, 2019 meeting (Resolution No. BD-174/19). Aquanty Inc. has been retained to complete the work (BD-187/19).

Agriculture and Agri-Food Canada will provide \$10,000 towards the model updates, as this work supports the *Joint Experiment for Crop Assessment and Monitoring* (JECAM) initiative. Data from the local JECAM site will be used for model calibration.

FINANCIAL IMPLICATIONS/ADHERENCE TO SNC POLICY:

Compliance with Budget: The model calibration is included in the 2020 Budget under Projects: City of Ottawa – Floodplain Mapping, pages 58-59. The \$10,000 contribution from Agriculture and Agri-Food Canada is not included in the 2020 Budget; this revenue will help offset SNC's levy contribution to the project.

SNC Policy Adherence: Not applicable.



Sandra Mancini,
Team Lead, Engineering.



To: Board of Directors
From: Ronda Boutz, Team Lead, Special Projects
Michelle Cavanagh, Team Lead, Stewardship
Date: January 13, 2020
Subject: Request for Approval: Funding Applications

RECOMMENDATION:

The Board of Directors approve the submission of the following funding applications:

1. **Ontario Power Generation (OPG) Regional Biodiversity Program:** requesting up to \$225,000, over 3 years, for biodiversity enhancement projects on South Nation Conservation properties.
2. **RBC Tech for Nature:** requesting up to \$75,000, over 2 years, for the York Creek Catchment Study.

DISCUSSION:

External funding programs have been identified by staff as potential sources of revenue for South Nation Conservation (SNC) projects. The following grant applications have been, or will be submitted; SNC is seeking approval from the Board:

1. **Ontario Power Generation (OPG) Regional Biodiversity Program:**
 - **Project:** SNC OPG Biodiversity Project
 - **Request:** up to \$225,000
 - **Program will fund:** Up to \$225,000 (maximum of \$75,000/year for 3 years), no matching funds required
 - **Purpose:** To enhance biodiversity on several SNC properties, including J. Henry Tweed Conservation Area and two Ottawa properties (Gamble and Garland Side Road). Activities include shoreline stabilization, instream habitat creation, removal of invasive species (e.g. buckthorn) and replanting of native species.
 - **Deadline:** January 17, 2020, retro-active approval of submission
2. **RBC Tech for Nature:**
 - **Project:** York Creek Catchment Study
 - **Request:** Up to \$75,000
 - **Program will fund:** Up to 50% of a program or project budget
 - **Purpose:** To undertake a detailed study of the baseline water resources and natural heritage features within the York Creek Catchment. Work will include headwater drainage feature delineation, water quality analysis, biological community sampling, natural heritage feature investigation, and identification of stewardship and restoration opportunities.
 - **Deadline:** February 3, 2020



FINANCIAL IMPLICATIONS/ADHERENCE TO SNC POLICY:

Compliance with Budget:

1. OPG Regional Biodiversity Program:

Funding for biodiversity enhancements is not specifically included in the 2020 Budget, however, an amount was budgeted under Resource Management: Projects: Federal and Provincial Grants, pages 28-29 for new external grants secured in 2020.

2. RBC Tech for Nature:

This grant was not specifically included in the 2020 Budget; however, an amount was budgeted under Resource Management: Projects: Federal and Provincial Grants, pages 28-29 for new external grants secured in 2020. Matching funds are included in the 2020 Budget under Approvals: Projects: Subwatershed Studies, pages 68-69.

SNC Policy Adherence:

All expenditures will adhere to SNC's Purchasing Policy, including seeking three quotes and required authorizations according to purchasing limits. All work undertaken to complete the projects will adhere to SNC's Health and Safety Policies and Procedures.

Ronda Boutz,
Team Lead, Special Projects.

Michelle Cavanagh,
Team Lead, Stewardship.



To: Board of Directors
From: Pat Piitz, Team Lead Property
Date: January 14, 2020
Subject: Request for Approval: 2020 SNC Forest Harvest Schedule

RECOMMENDATION:

The SNC Board of Directors approve the 2020 SNC Forest Harvest Schedule

DISCUSSION:

Softwood Sales

The 2020 SNC Forest Harvest Schedule is attached to this report. In 2020, SNC will harvest 9,309 m³ of softwood from 137.1 hectares of forest with an approximate value of \$150,000. Markets remain good.

Hardwood Sales

Markets for hardwoods remains uncertain. The harvest schedule includes approximately 9,436 m³ of hardwood for a potential revenue of \$70,000.

A logging contractors meeting has been scheduled for March 25, 2020 to assist in resolving market issues and generate interest in SNC forest resources


FINANCIAL IMPLICATIONS/ADHERENCE TO SNC POLICY:

Compliance with Budget:

Revenues associated with forest operations are included in the 2020 SNC Budget under Community Lands: SNC Forest \$150,000.00 pages 38 and 39.

SNC Policy Adherence:

Complies with SNC Forest Policy and SNC Purchasing Policy: Section H: Disposal of Authority Asset estimated to \$8,000 or more to be brought to the Board of Directors for their approval prior to disposition.


Pat Piitz,
Team Lead Property.

Attachments: 2020 SNC Forest Harvest Schedule



2020 SNC Forest Harvest Schedule

Comp.	Municipality	Area (ha.)	Estimated Volume (m³)	Estimated Revenue (\$)	Schedule	
					Tender Award	Harvest Completion
Softwood						
SNC 2/3	South Dundas	28.2	2,176		21/02/19	28/02/20
SNC 5	South Dundas	21.0	1,620		20/02/20	28/08/20
SNC 7	South Dundas	18.3	1,413		20/02/20	28/08/20
SNC 8	Edwardsburgh-Cardinal	20.0	1,178		18/06/20	25/09/20
SNC 29	North Stormont	29.4	1,732		18/06/20	15/11/20
SNC 46	Nation	20.2	1,190		17/09/20	31/12/20
Sub-total		137.1	9,309	\$150,000		
Hardwood						
SNC 45	Clarence-Rockland	42.5	3,018		17/09/20	31/12/20
SNC 51/52	North Stormont	57.6	4,089		18/06/20	31/12/20
SNC 54/55	North Stormont	32.8	2,329		18/06/20	31/12/20
Sub-Total		132.9	9,436	\$70,000		

January 14, 2020

000050



To: Board of Directors
From: John Mesman, Team Lead, Communications and Outreach
Date: January 14, 2020
Subject: Update: Oschmann Forest and Maple Program

RECOMMENDATION:

The Board of Directors receive and file the update on the Oschmann Forest property development and the Maple Education Program; and

FURTHER THAT: The Board of Directors approve launching an Expression of Interest for maple sap collection and sale at Oschmann Forest to area maple syrup producers.

DISCUSSION:

SNC's Maple Program was developed in 2000 through a partnership between funding partners and the Mohawk Council of Akwesasne. The Authority's annual flagship education program had been offered at a partner site hosting over 1,000 students each year to learn more about forest ecology, ecosystem management, indigenous knowledge and traditions and the production of maple syrup.

The program was suspended in January 2018 to provide time for a review on the program, partnerships and venue (BD-124/17).

A review of existing SNC Properties (SNC 16, 21, 110, 157 and 160) identified the Oschmann Forest as the suitable location for the demonstration of maple syrup production (BD-043/18, BD-084/18).

The 18-acre Oschmann Forest located in the Township of North Dundas was donated to SNC in 2017 and was identified in the May 2018 "Oschmann Forest Maple Education Plan" as the new suitable home of the Maple Education Program (BD-094/18).

Between May 2018 and January 2019, property management plans were created, partnerships and funding were secured, and work was undertaken by SNC staff to create a Conservation Area at the Oschmann Forest fit to support location recreation and provide a new home for the program.

The property was officially opened to the public through the launch of the new Community Lands Geopassport in July 2018. The Township of North Dundas marked the future partnership by naming the site the "New Home of the Maple Education Program".



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Nearly \$60,000 in funding was secured through partners including:

- Ontario's Heritage Organization Grants, TD Friends of the Environment, TD Tree Days, Counties of SDG Regional Incentives Program, and the Township of North Dundas.

Property upgrades included:

- Parking lot construction, interpretive trail creation (trail and signage), demonstration seating area (by old pumphouse), construction of new pumphouse, infrastructure to support maple sap collection (equipment and pipelines).

Stats from the Spring 2019 Pilot Program (BD-068/19):

- \$4,440 in revenue collected from 7,330 gallons of sap
- Nearly 500 participants across 13 tours from 9 schools
- Fees were \$5 per participant

Program review identified the following actions for Spring 2020:

- Maple Education Program Fees maintained at \$5 per participant (fees were previously \$7/participant)
- Launch of an Expression of Interest for local maple syrup producers to establish a 3-year partnership for the maintenance of maple syrup infrastructure and purchase of sap

FINANCIAL IMPLICATIONS/ADHERENCE TO SNC POLICY:

Compliance with Budget: The Maple Education Program is included in the 2020 SNC Budget under Communications and Outreach: Education and Events, pages 90 and 96.

SNC Policy Adherence: All expenditures will adhere to SNC's Purchasing Policy. For purchases from \$200 - \$5,000, competitive quotes will be obtained where practical.

John Mesman,
Team Lead, Communications.

000052



To: Board of Directors
From: Sandra Mancini, Team Lead, Engineering
Date: January 13, 2020
Subject: Update: Flood Risk Mapping

RECOMMENDATION:

The Board of Directors receive and file the South Castor River and Shaw's Creek Flood Risk Mapping reports and associated maps; and

FURTHER THAT: The final report, with feedback received at the January 29th and 30th open houses, be brought to the February Board of Directors meeting for approval.

DISCUSSION:

The flood risk mapping has been completed for Shaw's Creek and South Castor River within the City of Ottawa

- The South Castor River is one of the three upper branches of the Castor River which also includes the North Castor River and Middle Castor River. The South Castor River starts south west of the intersection of Boundary Road and Highway 43 and ends at the confluence with the North Castor River. The North Castor River continues flowing due east through the towns of Embrun and Russell and is then joined by the East Castor River and is then just referred to as the Castor River.

The total study reach of the South Castor River for hydrologic deterministic evaluation is approximately 29.3 km in length and the catchment has a total approximate area of 199 km² at its confluence with the North Castor.

- The Shaw's Creek Flood Mapping study area is situated just west of Vars in the rural eastern portion of the City of Ottawa. The study area starts at Burton Street just west of Frontier Road and east of North Russell Road in Concession 10, Lot 28 and outlets into Bear Brook just east of Trim Road in Concession 8, Lot 17 in the former Municipality of Cumberland. The watercourse itself is roughly 13.8 km in length and has a drainage area of approximately 3,520 hectares (ha).

The project was completed in accordance with the following technical guidelines: Technical Guide – River and Stream Systems: Flooding Hazard Limit, Ministry of Natural Resources and Forestry (MNRF) (2002) and Guidelines for Developing Schedules of Regulated Areas - Conservation Ontario and Ministry of Natural Resources and Forestry (October 2005).

The 1:100 year flood lines delineated for these reaches are suitable for use in South Nation Conservation's (SNC) regulation limits mapping (referred to in Section 2 of Ontario Regulation 170/06, *Conservation Authorities Act*) and in municipal land use planning and development approval processes under the *Planning Act*.



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In accordance with the requirements for updating the Section 28 Regulation Mapping, two open houses will be hosted by SNC:

- South Castor River: On January 29, 2020 at Kenmore Community Centre, 3246 York's Corners Rd, Kenmore, Ontario, from 6:30 pm to 8:30 pm.
- Shaw's Creek: On January 30th, 2020 at École élémentaire catholique Saint-Guillaume, 5750 chemin Buckland, Vars, Ontario, from 6:30 pm to 8:30 pm.

The open houses feedback will be considered in the final delineation of the regulation line and mapping will be presented to the Board.

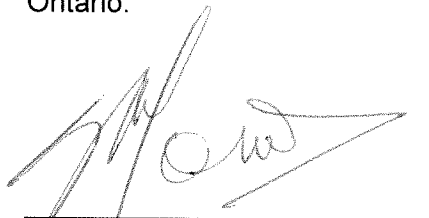
Upon Board approval, the mapping will be sent to MNRF and the City of Ottawa and will be used in the planning advisory and regulations program.

FINANCIAL IMPLICATIONS/ADHERENCE TO SNC POLICY:

Compliance with Budget:

This project was included in the 2020 SNC Budget under Property and Approvals Projects, pages 58 to 59.

SNC Policy Adherence: MNRF's Natural Hazards Technical Guide (MNRF, 2002, Conservation Ontario Guidelines (2005), and SNC policies regarding Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation – Ontario Regulation 170/06 Pursuant to Section 28 of the *Conservation Authorities Act* of Ontario.



Sandra Mancini,
Team Lead, Engineering.

000054



To: Board of Directors
From: Alison McDonald, Team Lead, Approvals
Date: January 13th, 2020
Subject: Update: Planning Activity

RECOMMENDATION:

The Board of Directors receive and file the Planning Activity update.

DISCUSSION:

SNC staff provide comments on planning applications and technical reviews to support planning applications. Applications are sent to SNC by local Municipalities; costs are recovered according to the Board approved fee schedule.

The list below includes planning applications received in December. Pre-consultations are not included in this list.

#	SNC Number	Landowner Name	Former Municipality	Application
1	SNC-1057-2019	Alain Lapensée	North Plantagenet	Official Plan Amendment
2	SNC-6672-2019	Elicor Developments	Russell	Subdivision
3	SNC-5473-2017	11034936 Canada Inc.	Cambridge	Subdivision
4	SNC-1056-2019	William and Kelly Lewis	Matilda	Severance
5	SNC-4937-2017	Leitrim South Holdings Inc	Osgoode	Subdivision
6	SNC-1046-2019	John Daniel Kirby	East Hawkesbury	Severance
7	SNC-1055-2019	Battleshield Property Group	Russell	Site Plan Control
8	SNC-1054-2019	Brad Rivington	Oxford on Rideau	Zoning By-Law Amendment
9	SNC-1048-2019	Club Santé St-Isidore	South Plantagenet	Severance
10	SNC-1067-2019	2533892 Ontario Inc.	South Plantagenet	Site Plan Control
11	SNC-1061-2020	La Fromagerie Coopérative de St-Albert	Cambridge	Severance
12	SNC-1064-2020	François and Hélène Blanchard	Russell	Severance
13	SNC-1065-2020	Ménard-Patenaude Itée.	Cambridge	Severance
14	SNC-1058-2019	Not provided	Augusta	Zoning By-Law Amendment



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#	SNC Number	Landowner Name	Former Municipality	Application
15	SNC-6504-2019	6076874 Canada Inc.	Russell	Site Plan Control
16	SNC-6234-2018	Ewald Zieger	Cumberland	Site Plan Control
17	SNC-6672-2019	Elicor Developments	Russell	Subdivision
18	SNC-1060-2019	Jaqueline Susan Pilon	Winchester	Severance
19	SNC-1026-2019	Hortense Lavigne	Clarence	Severance
20	SNC-1032-2019	Brian Brown	Osgoode	Site Plan Control

Technical Reviews

SNC offers professional and technical review services in engineering, hydrogeology, biology, and private servicing. The following table includes the technical reviews completed in December.

#	SNC Number	Development Size	Review Type
1	SNC-6162-2018	Area ≤ 2ha	Hydrogeological Report
2	SNC-6162-2018	Area ≤ 2ha	Environmental Impact Study
3	SNC-6163-2018	Area ≤ 2ha	Geotechnical Investigation
4	SNC-1055-2019	Area ≤ 2ha	Stormwater Management
5	SNC-1062-2019	Area > 2ha	Stormwater Management
6	SNC-1067-2019	Area > 2ha	Stormwater Management
7	SNC-6504-2019	Area < 0.5ha	Stormwater Management

Staff will continue to track applications and associated timelines to ensure timely reviews.

Alison McDonald,
Team Lead, Approvals.



To: Board of Directors
From: Geoff Owens – Regulations Officer
Date: January 10, 2020
Subject: Request for Approval: Permits Issued

RECOMMENDATION:

The SNC Board of Directors approve permits 1 – 4 issued under Ontario Regulation 170/06 Development, Interference with Wetlands and Alterations to Shorelines and Watercourses.

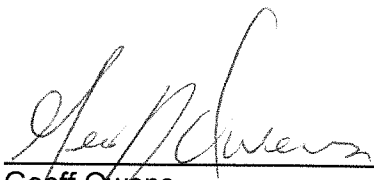
DISCUSSION:

SNC staff issue permits in accordance with SNC policies and then presents them to the Board for approval at each Board meeting. The list below indicates the permits that have been issued since December 6, 2019.

#	Permit No.	Landowner	Former Municipality	Project
1	2019-RUS-R253	Pierre Lalonde	Russell	Replace Septic System
2	2019-SDU-R254	Enbridge Pipelines	Williamsburg	Enbridge Integrity Dig
3	2019-NAT-R255	United Counties of Prescott & Russell	Caledonia	Culvert Replacement
4	2020-SDU-R005	Michael McGuire	Matilda	Replace Septic System

Complaints/Issues: Sites visited in 2020 through the regulatory program: 0

Staff will continue to track complaint site visits and will provide a memo email to the Clerk of the municipalities where future visits take place.


Geoff Owens,
Regulations Officer.



SOUTH NATION
CONSERVATION
DE LA NATION SUD

38 rue Victoria Street, Finch, ON K0C 1K0 Tel: 613-984-2948 Fax: 613-984-2872 Toll Free: 1-877-984-2948 www.nation.on.ca

To: Board of Directors
From: Simon Thibeault, Accountant
Date: January 7, 2020
Subject: Request for Approval: Monies Received and Disbursement Register for December 2019

RECOMMENDATION:

The Board of Directors receive and file the money received report for December 2019; and

FURTHER THAT: The Board approve the Disbursement Register of \$ 705,795.59 for December 2019.

BACKGROUND: The list of major money receipts by customers are shown below:

Received From:

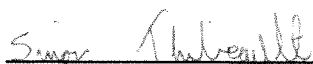
City of Ottawa	343,539.67
City of Clarence-Rockland	41,514.67
Septic Revenue	23,031.55
United Counties of Stormont, Dundas and Glengarry	14,291.73
Ministry of the Environment and Climate Change	13,560.00
Planning Revenue	10,044.20
Royal Bank of Canada	6,110.70
Donation	2,700.00
Ontario Heritage Trust	1,545.00
Communication	1,503.00
Other	4,811.42
Total: \$	462,651.94

Disbursements:

Accounts Payable Cheques	122,966.12
Internet Banking	50,018.68
Payroll	385,876.81
Electronic Funds Transfer Payment	146,933.98
Total: \$	705,795.59

FINANCIAL IMPLICATIONS/ADHERENCE TO SNC POLICY:

SNC has approved Policies for cheques, internet banking and electronic funds transfer.



Simon Thibeault,
Accountant

Attachment

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Number	Code	Accounts Payable checks	Amount
19070	ATRE0128	2019-EAB-081	5,000.00 Ash Tree Grant
19071	ATRE0129	2019-EAB-031	500.00 Ash Tree Grant
19072	DUPU1545	DUPUIS FORD LINCOLN MERCURY	212.44
19073	ECCA2100	E.C. CARRUTHERS & SONS	180.80
19074	EXTR0050	407 ETR EXPRESS TOLL ROUTE	100.90
19075	GAAU2950	GARY'S AUTO BODY	1,259.95
19076	LALE5015	LAURENT LEBLANC LIMITED	5,085.00 Install Concrete pad
19077	MAEX5050	MALYON EXCAVATION LETD.	618.34
19078	MOTI5525	MOREWOOD TIRE SERVICES	2,273.56
19079	OTCW0318	05-19-2283-DDA	243.00 ORCW Program
19080	PAGE6810	PAPETERIE ALEXANDRIA STATIONERY GLE	406.80
19081	PEPR1041	ATREL ENGINEERING LTD	1,850.00
19082	RARE7503	RAISIN REGION CONSERVATION AUTHORIT	4,013.00 Environmental Tour
19083	SDGF9038	2019-SDGWAS-022	500.00 MFTIP - SDG Grant
19084	SDGF9039	2019-SDGWAS-026	500.00 MFTIP - SDG Grant
19085	SNCW0410	2019-NAT-CW15	1,000.00 Clean Water - Grant
19086	SNCW0411	2019-APL-CW 05 A&B	5,375.00 Clean Water - Grant
19087	SNCW0412	2019-NAT-CW16 A&B	6,000.00 Clean Water - Grant
19088	SNCW0413	2019-NST-CW14	850.00 Clean Water - Grant
19089	UCPR1152	2019-UCPRWAS-023	500.00 MFTIP - UCPR Grant
19090	UNOT8100	UNIVERSITY OF OTTAWA	6,000.00 Wastewater Project
19091	VENU7510	VERBINNEN'S NURSERY LTD	725.12
19092	VIDA8990	VINCENT DAGENAIS GIBSON LLP	5,194.33 Professional Services, Legal
19093	ATRE0130	2019-EAB-045	3,113.38 Ash Tree Grant
19094	BUSI0578	DESJARDINS CARD SERVICES (STAPLES)	793.04
19095	DDPR1500	D&D MARKET	123.65
19096	JRAD4004	J&R ADAMS LTD.	258.00
19097	LATR5065	LATREMOUILLE	839.20
19098	SAEN8005	SANCHEZ ENGINEERING INC.	29,815.05 Casselman & Russell Weir Safety reviews
19099	SNCW0414	2019-NAT-CW19	1,000.00 Clean Water - Grant
19100	MATR5650	MANOTICK TREE MOVERS INC	11,548.60 Tree Purchase for 2020
19101	ABWO0090	A BETTER WORLD	1,465.61
19103	CRVA1170	CREDIT VALLEY CONSERVATION	4,237.50 CAU Registraton
19104	MOKI5455	MOREWOOD KITCHENS	11,469.50 Kitchen
19105	CIOT0270	CITY OF OTTAWA	26.58
19106	EXTR0050	407 ETR EXPRESS TOLL ROUTE	98.37
19107	JAME3850	JACQUES MEILLEUR	105.30
19108	MOTI5525	MOREWOOD TIRE SERVICES	1,057.68
19109	OTTO6500	OTTAWA TOURISM	350.30
19110	RON57545	782324 ONTARIO INC.	2,260.00 Repairs to ATVs
19111	TEME5660	TECHNO METAL POST CASSELMAN/1658684	1,197.80
19112	TRTO8830	TREE TOP SERVICES	4,818.32 Removal of trees - High Falls
			Stump grinding - Jessup's Falls
			122,966.12
		Internet Banking	
20191205	BAMO0650	THE BANK OF MONTREAL	7,806.32
20191219	BAMO0650	THE BANK OF MONTREAL	7,914.42
20191231	BAMO0650	THE BANK OF MONTREAL	7,914.42
10004567	BELL0510	BELL CANADA	1,031.69
10006140	BELL0510	BELL CANADA	54.14
10006143	BELL0510	BELL CANADA	195.40
10006144	BELL0510	BELL CANADA	80.21
10008910	FIFE2505	FINCH FEED & SEED LTD. PURINA	176.37
10001867	HYDR3560	HYDRO ONE	27.87

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10002448	HYDR3560	HYDRO ONE	30.52
10002453	HYDR3560	HYDRO ONE	1,676.42
10007828	HYDR3560	HYDRO ONE	300.90
10002451	MACE5505	MACEWEN PETROLEUM INC.	1,745.20
20191205	PAYW0139	Payworks	118,724.94 Pay 25
20191219	PAYW0139	Payworks	129,817.63 Pay 26
20191231	PAYW0139	Payworks	8,215.82 Board
20191231	PAYW0139	Payworks	129,118.42 Pay 1
20191202	ROBA7530	ROYAL BANK OF CANADA	1,483.83 WISKI
20191204	ROBA7530	ROYAL BANK OF CANADA	4,874.29 CivilGEO
20191204	ROBA7530	ROYAL BANK OF CANADA	432.97
10006147	TELU8550	TELUS MOBILITY	1,419.28
10007829	UNIO9003	UNION GAS LIMITED	1,012.93
20191204	VISA7601	VISA	11,841.50
			<u>435,895.49</u>

EFT Payment

8807	OMER6450	OMERS	27,679.14
8808	BESE0590	BEGG-SEGUIN HARDWARE LIMITED	0.00
8809	BESE0590	BEGG-SEGUIN HARDWARE LIMITED	0.00
8810	BESE0590	BEGG-SEGUIN HARDWARE LIMITED	1,515.46
8811	BS508100	BILL SMIRLE	0.00
8812	BS508100	BILL SMIRLE	715.44
8813	BW409200	BRAD WRIGHT	1,544.89
8814	CHRE1051	ETCETERA PUBLICATIONS (CHESTERVILLE)	406.07
8815	COAU1115	COOTER'S AUTOMOTIVE	371.13
8816	DT308550	DOUG THOMPSON	320.16
8817	GAUD3008	GAUDET MACHINING AND WELDING	2,004.24
8818	GD301520	GEORGE DAROUZE	151.51
8819	INLI4280	INDEPENDENT LINEN SERVICE	29.12
8820	JH403536	JAMES HOLLAND	683.21
8821	JM405530	JOHN MESMAN	788.37
8822	JS408060	JASON SYMINGTON	999.29
8823	KS408030	KELSEY SMITH	84.11
8824	KW409005	KATHERINE WATSON	594.39
8825	LANN5020	LANNIN'S GARAGE	923.27
8826	MIBL8450	M.R. BLAIS SALES & SERVICES INC	220.59
8827	MS408050	MARTIN STREIT	20.00
8828	NL404015	NAOMI LANGLOIS-ANDERSON	39.48
8829	PIRI7030	PIERRE RICHER PLUMBING INC.	54.22
8830	ROMA7450	RURAL ONTARIO MUNICIPAL CONFERENCE	1,389.90
8831	SIBA8020	SIMPLY BAKED CATERING INC	661.05
8832	SM405455	SANDRA MANCINI	380.57
8833	TC400750	TAYLOR CAMPBELL	105.56
8834	TM404005	TAVISH MACLEOD	150.66
8835	WISP8055	WINCHESTER SPRINGS MOBILE WASH	395.50
8836	AP511501	ANDRE POMMAINVILLE, P.AG.	393.24
8837	BUFF0576	BUFFETT TAYLOR & ASSOCIATES INSURAN	13,955.89
8838	CONU2010	CONNOR NURSERIES	5,233.03 Trees - J. Henry Tweed Park
8839	INLI4280	INDEPENDENT LINEN SERVICE	82.95
8840	LANN5020	LANNIN'S GARAGE	161.97
8841	LC401200	LAURA CRITES	105.25
8842	LOAU1000	LOCAL AUTHORITY SERVICE LTD	470.60
8843	NOVA6200	NOVA NETWORKS	111.87
8844	NS206050	TOWNSHIP OF NORTH STORMONT	375.36
8845	OMER6450	OMERS	28,376.28 Pension Plan

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8846	RB400512	RONDA LYNNE BOUTZ	173.31
8847	TRCA8650	TRADUCTIONS CATMAC TRANSLATIONS	1,167.54
8848	AM405500	ALISON McDONALD	634.62
8849	FERG3000	FERGUSON FOREST CENTRE	21,981.28 25% deposit for Tree Plant 2020
8850	LANN5020	LANNIN'S GARAGE	216.20
8851	LEVA5032	LEVAC PROPANE INC	521.55
8852	MISE8651	MISTER SEW & SEW	11.30
8853	CORN1089	CORNWALL CITY PRESS	66.44
8854	DF402060	DAVID FITCH	262.52
8855	EM405490	ERIC MCGILL	395.50
8856	KS408030	KELSEY SMITH	145.00
8857	LANN5020	LANNIN'S GARAGE	116.50
8858	LC401200	LAURA CRITES	125.00
8859	MCHR5580	McCONNELL HR CONSULTING INC.	830.55
8860	PIRI7030	PIERRE RICHER PLUMBING INC.	688.17
8861	PP407015	PATRICK PIITZ	46.75
8862	RASE7421	RANGARD SECURITY	189.84
8863	SACO8000	BONGARDE HOLDINGD INC	787.61
8864	VAHO7505	VAN HOUTTE COFFEE SERVICES INC	269.04
8865	OTMA6560	1311339 ONTARIO LIMITED O/A OT MANAGE	14,021.50 Renewal Onbase software
8866	AB500700	ALAIN BERTRAND	41.76
8867	AD501060	ACHILLE DROUIN	37.12
8868	AK300800	ALAN KRUSZEL	17.40
8869	AM305650	ARCHIE MELLAN	95.12
8870	BC501025	BRUCE CLARKE	80.74
8871	BS508100	BILL SMIRLE	0.00
8872	BS508100	BILL SMIRLE	429.05
8873	BV510500	BYRON VIENNEAU	83.52
8874	CH503570	CYRIL HOLMES	92.80
8875	CS507990	CINDY SAUCIER	35.96
8876	DF304830	DANA FARCASIU	66.70
8877	DL305000	DANIEL LAFLEUR	62.18
8878	DR507570	DAVID ROBERTSON	162.40
8879	DT308550	DOUG THOMPSON	698.20
8880	EF502130	EDWARD FIELDS	42.80
8881	FA501250	FRANCOIS ALLARD	69.60
8882	FP506010	FRAN PATENAUDE	35.38
8883	FS301100	FRED SCHUELER	150.80
8884	FS308320	FRANCOIS ST AMOUR	53.36
8885	GB500450	GERRY BOYCE	46.98
8886	GD301520	GEORGE DAROUZE	324.80
8887	GK504160	GERHARD KAUTZ	215.76
8888	GM305150	GLENN MACKEY	155.44
8889	GP506040	GIBSON PATTERSON	69.60
8890	GR301300	GLEN RUNIONS	47.56
8891	KM505350	KIRK MYELDE	75.40
8892	KS508210	KAREN SWITZER-HOWSE	69.60
8893	LB500650	LLOYD BENEDICT	52.78
8894	LL302050	LAWRENCE LEVERE	162.40
8895	MB302060	MICHAEL BROWN	212.28
8896	MC501030	MAURICE CHABOT	77.72
8897	ML504930	MARC LAFLECHE	26.68
8898	NR507563	NORMAND RIOPEL	89.90
8899	NT308510	NORM TINKLER	46.40
8900	PL505200	PIERRE LEROUX	153.12
8901	PT308500	MARGARET TAYLOR	348.00

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8902	RB500500	RAY BEAURGARD	30.16
8903	RB508040	RUSSELL BENNETT	81.20
8904	SD301050	STEVEN DENSHAM	38.28
8905	SD501080	STEPHANE DUBUC	40.48
8906	SS301140	STEPHANE SARRAZIN	131.31
8907	TJ503700	TIM JACKSON	151.96
8908	TV308900	TOM VANDUSEN	40.60
8909	AM405500	ALISON McDONALD	94.52
8910	CYSO1420	CYAN SOLUTIONS LTD	5,543.22 Literature Displays - Forest Cover
8911	JH403536	JAMES HOLLAND	52.91
8912	LANN5020	LANNIN'S GARAGE	654.14
8913	MI303650	MURRAY INCH	647.17
8914	PL505200	PIERRE LEROUX	162.60
8915	SIBA8020	SIMPLY BAKED CATERING INC	692.13
			<u>146,933.98</u>

Board of Directors

January 23, 2020

Correspondence

Ministry of Natural
Resources and Forestry

Office of the Minister
Room 6630, Whitney Block
99 Wellesley Street West
Toronto ON M7A 1W3
Tel: 416-314-2301

Ministère des Richesses
naturelles et des Forêts

Bureau du ministre
Édifice Whitney, bureau
6630
99, rue Wellesley Ouest
Toronto (Ontario) M7A 1W3
Tél.: 416-314-2301



354-2019-1635

December 20, 2019

His Worship Stephane Sarrazin, Mayor, Township of Alfred and Plantagenet
His Worship Pierre Leroux, Mayor, Russell Township
Mr. Bill Smirle, Chair, South Nation River Conservation Authority
Ms. Angela Coleman, General Manager, South Nation River Conservation Authority

Dear Mayor Sarrazin, Mayor Leroux, Mr. Smirle and Ms. Coleman:

Thank you for meeting with me at the 2019 Association of Municipalities of Ontario Conference. I understand that flooding and forestry are of great concern to your community.

The safety of the public and the protection of our communities is our number one priority. That is why our government sought the expertise of Mr. Doug McNeil, a respected authority on flood mitigation, to review Ontario's current approach to flood mitigation and advise on opportunities to improve our resilience to flooding. In his report, Mr. McNeil found that this year's flooding was caused by natural events and that government and its partners were effective at reducing and mitigating flood risks, but that more could be done.

We are working with our partners to consider the report's recommendations, which focus on lowering future risks through stronger policies and governance as well as enhancing communication and coordination between agencies. Increasing resiliency is a shared responsibility - all levels of government, agencies, developers and property owners have an important role to play.

If you have further concerns about flooding, I encourage you to contact Jennifer Keyes, Manager, Water Resources Section, at jennifer.keyes@ontario.ca or (705) 761-4831.

I understand that you are seeking support to complete a marketing strategy to explore local, domestic and international markets for wood harvested in Eastern Ontario. For questions related to forestry marketing, please contact Wayne Barnes, Director, Business Development Branch, at wayne.barnes@ontario.ca or (705) 257-8128.

I look forward to working together into the future.

Sincerely,

John Yakabuski
Minister of Natural Resources and Forestry

c: Jennifer Keyes
Wayne Barnes

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January 15, 2020

The Nation Municipality
958 Route 500 West
Casselman ON K0A 1M0

Attention: Mayor François St. Amour

Dear François:

Re: Letter of Support for Cheney-Limoges Water Supply Project

On behalf of South Nation River Conservation Authority, I am writing in support of the Nation Municipality and the City of Clarence-Rockland's joint project to establish a new connection between the Clarence-Rockland and Limoges water systems.

We strongly support the proposed project as it will provide a reliable water supply for the community of Limoges and provides potential opportunity to service other communities in the region which are currently experience water quality issues.

As documented in the Official Plan for the United Counties of Prescott and Russell, water supply problems exist in the area involving both quality and quantity of ground water supply. Ground water contamination from bacteria, nitrates, petroleum and chemicals, salt, pesticide use, and naturally present contaminants are documented in the area.

We will support and participate in discussions during design related to future servicing and expansion to better serve other communities in the region. We look forward to working with The Nation Municipality and the City of Clarence-Rockland to provide safe and clean drinking water for residents in the region.

Yours very truly,

Angela Coleman,
General Manager/Secretary-Treasurer.

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