

# HOLLAND MARSH DRAINAGE SYSTEM JOINT MUNICIPAL SERVICES BOARD

---



## MINUTES

---

**MEETING DATE:** Monday, May 3, 2010

**TIME:** 7:00 p.m.

**LOCATION:** Treasury Bldg, 2<sup>nd</sup> Flr, 61 Holland St. E., Bradford, ON

**ATTENDANCE RECORD:**

**MEMBERS PRESENT:** John McCallum, Councillor – BWG  
Doug White, Mayor – BWG  
William Eek, Appointee  
Jack Rupke, Councillor – King  
Jim Verkaik, Member  
Dan Sopuch, Appointee -at-Large  
George Hoving, Appointee  
Brian Visser, Appointee  
Margaret Black, Mayor – King

**REGRETS:**

**STAFF PRESENT:** Frank Jonkman, Drainage Superintendent  
Sarah Murray, Secretary-Treasurer  
Jay Carrier, CAO – BWG  
Chris Somerville, Clerk – King

**REGRETS:** Scott Somerville, CAO – King

**OTHERS:** Michael Brinkos  
Ellen Schmarjie, MOE

1.	<b><u>Call to Order</u></b>	<i>John McCallum</i>
1.1	<b>HM-2010-019</b> Moved by: J. Rupke Seconded by: D. White  "That this meeting of the Holland Marsh Drainage System Joint Municipal Services Board come to order at 7:09 p.m." CARRIED.	
2.	<b><u>Declaration of Pecuniary Interest</u></b>	<i>John McCallum</i>
2.1	Chairman McCallum reminded Members of the Board of the Municipal Conflict of Interest legislation and requirements thereunder.	
3.	<b><u>Approval of Agenda / Changes</u></b>	<i>John McCallum</i>
	Chairman McCallum asked if there were any errors or omissions to the Agenda.	
3.1	Revisions to the Agenda included  4.1 To accommodate the Speaker, the Minutes were approved following the MOE deputation on the Lake Simcoe Protection Plan.  <b>HM-2010-020</b> Moved by: B. Visser Seconded by: D. Sopuch  "That the Board approve the Agenda, dated Monday, May 3, 2010, as amended." CARRIED.	
5.	<b><u>Comments by the Chairman</u></b>	<i>John McCallum</i>
	Chairman McCallum began by thanking everyone at the table for accommodating a Monday evening meeting time. The Chairman then welcomed and introduced Mrs. Schmarje from the ministry of Environment, she is here tonight to present and outline the Lake Simcoe Protection Plan.	
6.	<b><u>Presentations / Deputations</u></b>	<i>John McCallum</i>
6.1	Ms. Schmarje, Senior Program Advisor on the Lake Simcoe Project began by advising that her associate, Phill Brennan was scheduled to attend this evening but has extended his regrets.  Mrs. Schmarje then provided a slide presentation on the	

implementation of the Lake Simcoe Protection Plan and advised that the *Lake Simcoe Protection Act* became law in December 2008, the Lake Simcoe Protection Plan and the General Regulation in support of the Plan implementation (O.Reg 219/09) came into effect on June 2, 2009 and applies to the entire Lake Simcoe watershed. Ms. Schmarje overviewed the Lake Simcoe Protection Plan Policies, aquatic life and habitat, water quality, water quantity, shorelines and natural heritage, invasive species and climate change effects on Lake Simcoe. She advised that the implementation of the Plan will be through a partnership approach with the Province taking a leadership role supported by a Coordinating Committee and Science Committee

Board members asked a number of questions of Ms. Schmarje. Ms. Schmarje explained that the greatest amount of phosphorous in Lake Simcoe comes from airborne sources, erosion along streams and dust, and described how these could be reduced by minimizing the area of exposed soil during development, and decreasing soil loss through improved agricultural practices, and by improving storm water runoff plans.

Mrs. Schmarje advised that while the percentage of phosphorous coming from the Holland Marsh may seem small in comparison to other sources identified, the phosphorous which comes from the marsh is a more impactful type of phosphorous and therefore still requires our attention and mitigation efforts.

Chairman McCallum asked Mrs. Schmarje to elaborate on the phosphorous cap and trade opportunity. Mrs. Schmarje explained that this opportunity is still at the review stages however, further information will be available after the review stage is complete and comments have been provided. However, there are other ways to reduce phosphorous loading right now which include increased buffer strips to reduce erosion of soil along the river; covering crops to reduce dust and particulate matter which carries phosphorous to rivers and streams; and by collecting and reusing the runoff water from the tile drains.

With regard to improving buffer strips, the Conservation Authority does offer a program in which they provide the plantings and labour while the landowner provides the buffer lands. This is at a minimal cost to the landowner but greatly improves the bank along the watercourse. At which point the presentation was completed. Mrs. Schmarje left shortly thereafter.

**HM-2010-021**

Moved by: J. Rupke

Seconded by: D. White

“That the deputation made by Ellen Schmarje, Program Advisor for the Ontario Ministry of Environment, on the Lake Simcoe Protection Plan, be received, for information.”

HOLLAND MARSH DRAINAGE SYSTEM JOINT MUNICIPAL SERVICES BOARD

	CARRIED.	
4.	<b><u>Adoption of Board Minutes</u></b>	<i>John McCallum</i>
4.1	<p>Chairman McCallum asked if there were any errors or omissions to the Minutes. There were no changes and declared the Minutes adopted and signed same.</p> <p><b>HM-2010-022</b> Moved by: D. White Seconded by: J. Rupke</p> <p>"That the Minutes of the Holland Marsh Drainage System Joint Municipal Services Board meeting held on Thursday, February 11, 2010, be approved, as printed and circulated." CARRIED.</p>	
7.	<b><u>Correspondence</u></b>	
7.1	<p><b>HM-2010-023</b> Moved by: D. Sopuch Seconded by: B. Eek</p> <p>"That the written report of the Drainage Superintendent and Project Manager dated April 26, 2010, be received, for information." CARRIED.</p> <p>There was some discussion arising from the Drainage Superintendent's report regarding the bid results of the Jane Street Bridge Tender. It was advised that there was a significant gap between the approved budget from King Township for this bridge and the tender proposals received.</p> <p>As a result of this fact, the possibility to reject all tenders was also discussed and accordingly, a motion was passed. The Board will continue pursuing a bridge, or alternatives in the interim and report back to the Board Members.</p> <p><b>HM-2010-024</b> Moved by: B. Visser Seconded by: B. Eek</p> <p>"WHEREAS the Council of the Township of King (King) has established that the Holland Marsh Drainage System Joint Municipal Services Board (Board) is to manage the reconstruction of the Jane Street bridge at South Canal Bank Road;</p> <p>AND WHEREAS Tender proposals have been received by the Board to undertake the management of the works;</p>	<i>Frank Jonkman</i>

HOLLAND MARSH DRAINAGE SYSTEM JOINT MUNICIPAL SERVICES BOARD

AND WHEREAS a legal opinion has been obtained by the board confirming it has the authority to reject all Tender proposals received under this Contract; in accordance with Section A.3 of the Tender documents where it states "the Board reserves the right to reject any or all tenders and to waive formalities as the interests of the Board may require without stating reasons therefore and the lowest or any tender will not be necessarily accepted [page 31 and Section B.4(5) which states that "the Board may reject any or all Tenders without explanation [page 8];

AND WHEREAS all Tender proposals received under the Contract: JANE STREET BRIDGE REPLACEMENT OVER THE SOUTH CANAL OF THE HOLLAND MARSH DRAINAGE SYSTEM. RFT #1 were all significantly beyond the engineer's estimates for reconstruction;

NOW THEREFORE, this Board hereby seeks to not award any contract pursuant to this tender."  
CARRIED.

7.2

Deferred.

7.3

**HM-2010-25**  
**Moved by:** D. Sopuch  
**Seconded by:** G. Hoving

*Frank Jonkman*

"That the Decision of the Ministry of Agriculture, Food and Rural Affairs' Appeal Tribunal on the Holland Marsh Drainage System Canal Improvement Project, dated March 12, 2010, be received, for information."  
CARRIED.

7.4

**HM-2010-26**  
**Moved by:** G. Hoving  
**Seconded by:** B. Eek

*Frank Jonkman*

"That correspondence from the office of the Ontario Drainage Tribunal indicating that a Request has been made under Rule 29 of their Rules of Procedure to Review the Decision, be received, for information."  
CARRIED.

7.5

**HM-2010-27**  
**Moved by:** D. White  
**Seconded by:** J. Rupke  
"WHEREAS the Council of Township of King (King) have established the Holland Marsh Drainage System Joint Municipal Services Board to have control and manage the Holland Marsh Drainage System;

*Sarah Murray*

HOLLAND MARSH DRAINAGE SYSTEM JOINT MUNICIPAL SERVICES BOARD

AND WHEREAS each year repairs are undertaken to the Holland Marsh Drainage System, including Small Scheme, and interior drains;

AND WHEREAS it is necessary for the Council of BWG to establish levies for 2010 with respect to the cost of drainage works and the maintenance and repair thereof;

AND WHEREAS the Drainage Act, R.S.O., 1990 provides for the maintenance of drainage works and costs thereof;

NOW THEREFORE, this Board hereby recommends to the Council of BWG that the annual drain maintenance levy for the Holland Marsh Drainage System, including Small Scheme, and interior drains, remain unchanged for 2010, as set out in by-law #2008-056, enacted on May 20,2009."

CARRIED.

7.6

With regard to the Mill funds, a separate bank account has been arranged for in order to keep the funds detached from the general operating and drain maintenance funds.

*John McCallum*

**HM-2010-28**

**Moved by:** D. Sopuch

**Seconded by:** B. Eek

"That the Royal Bank of Canada's Deposit Interest Agreement, be received, for information."

CARRIED

A discussion arose from this motion resulting in the fact that this Board will likely end up operating in a deficit position for at least the duration of the Project, if not longer. Therefore a motion was passed as follows:

7.7

**HM-2010-29**

**Moved by:** J. Verkaik

**Seconded by:** D. Sopuch

"That staff be directed to prepare a report on the appropriate collection of assessments to be reviewed at a future meeting."

CARRIED.

*Jay Currier*

7.8

**HM-2010-30**

**Moved by:** D. White

**Seconded by:** J. Rupke

"That this Board now move in-camera under the provisions of the Municipality Act, 2001, Subsection 239(2)(d) at 8.15 p.m."

CARRIED.

*John McCallum*

At this point, the HMDSJMSB staff and public attendees vacated the room.

7.9

**HM-2010-31**

**Moved by:** J. Rupke

"That this Board now rise from in-camera at 9:06 p.m. without report."

CARRIED.

At this point the HMDSJMSB staff and public attendees reentered the room.

7.10

**HM-2010-32**

**Moved by:** D. Sopuch

**Seconded by:** G. Hoving

"Approve move one-step increment for both employees, approve COL increase for both."

CARRIED.

7.11

**HM-2010-33**

**Moved by:** B. Visser

**Seconded by:** B. Eek

"The Board retain a part-time senior project accounting personnel to assist the HMDSJMB on a contract basis."

CARRIED.

8.

**New Business**

8.1

Due to the revisions to regulation PS3150 and requirements as set out by the Public Sector Accounting Board regarding the accounting and reporting of tangible capital assets, this board needs to decide whether it will adopt the Town of BWG's policy on same.

*Jay Currier &  
Sarah Murray*

After some further discussion on the purpose and implications of this policy adoption, it was decided that the Board would assume ownership of the structures and equipment used in the Holland Marsh, and the Town of BWG would remain the owner of the lands situate in the Holland Marsh, which are currently in the Town's possession. As a result of this discussion a motion was drafted

**HM-2010-034**

**Moved by:** J. Verkaik

**Seconded by:** J. Rupke

WHEREAS the Councils of the Township of King (King) and Town of Bradford West Gwillimbury (BWG) have established the Holland Marsh Drainage System Joint Municipal Services Board to have control and manage the Holland Marsh Drainage System;

HOLLAND MARSH DRAINAGE SYSTEM JOINT MUNICIPAL SERVICES BOARD

AND WHEREAS in 2006, the Public Sector Accounting Board (PSAB), the principal body which sets the standards for financial reporting for municipalities, approved revisions to standard PS3150 on accounting and reporting of tangible capital assets;

AND WHEREAS the Town of BWG has adopted a policy on Tangible Capital Assets;

AND WHEREAS Section 3 of this policy states that it applies to all departments, boards and commissions, agencies and other organizations falling within the reporting entity of the Town of BWG;

AND WHEREAS this Board falls within the reporting entity of the Town of BWG;

NOW THEREFORE, this Board hereby approves the Town of BWG Policy on Tangible Capital Assets, for adoption."  
CARRIED.

9.1

**HM-2010-035**

Moved by: J. Verkaik  
Seconded by: J. Rupke

"The next meeting of the Holland Marsh Drainage System Joint Municipal Services Board be scheduled at the call of the Chair."  
CARRIED.

*John McCallum*

10.

**Adjournment**

10.1

**HM-2010-036**

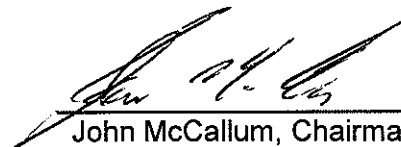
Moved by: B. Visser  
Seconded by: B. Eek

"That this meeting of the Holland Marsh Drainage System Joint Municipal Services Board adjourn at 9:35 p.m."  
CARRIED.

*John McCallum*



Sarah Murray, Secretary Treasurer



John McCallum, Chairman