



## MINUTES

Minutes for the Board of Directors Meeting held **Thursday, October 8, 2020**, at 6:00 p.m. in Council Chambers, Essex County Civic Centre, 360 Fairview Avenue West, Essex, ON.

**Members Present**

Kieran McKenzie (Chair)	Drew Dilkens	Joe Bachetti
Tania Jobin (Vice-Chair)	Jim Morrison	John Jacobs
Chris Vander Doelen	Tracey Bailey	Larry Verbeke
Morley Bowman	Len Janisse	Sue Desjarlais
Marolyn Morrison	Dayne Malloch	Peter Courtney
Larry Patterson		
Laura Lucier		

**Member Regrets**      Mark Carrick                      Ed Sleiman

**Members Absent**      TBA, Windsor Member

**Staff Present**

Tim Byrne, Interim General Manager/Secretary-Treasurer  
Nicole Kupnicki, Corporate Services, Executive Assistant  
Shelley McMullen, Director, Finance & Corporate Services  
Kevin Money, Director, Conservation Services  
Danielle Stuebing, Director, Community Outreach Services  
James Bryant, Water Resources Engineer  
Dan Jenner, Regulations Coordinator  
Aaron Zimmer, Multimedia Specialist

**Guests**

## 1. Call to Order

Good evening and welcome to the October 8, 2000 meeting of the ERCA Board of Directors.

We will start by taking a roll call of all Board Members to confirm attendance. We do have regrets from:

- Councillor Mark Carrick, LaSalle
- Councillor Ed Sleiman, Windsor

We will begin in alphabetical order by municipality. Please be prepared to unmute your microphone when your name is called and return to mute after you have answered:

- Councillor Peter Courtney, Amherstburg
- Marolyn Morrison, Amherstburg
- Councillor Morley Bowman, Essex
- Councillor Chris Vander Doelen, Essex
- Councillor Laura Lucier, Kingsville
- Councillor Larry Patterson, Kingsville
- Deputy Mayor Tracey Bailey, Lakeshore
- Councillor Len Janisse, Lakeshore
- Councillor Sue Desjarlais, LaSalle
- Councillor John Jacobs, Leamington
- Deputy Mayor Larry Verbeke, Leamington
- Councillor Dayne Malloch, Pelee Island
- Deputy Mayor, Joe Bachetti, Tecumseh
- Councillor, Tania Jobin, Tecumseh
- Councillor James Morrison, Windsor

Thank you all.

## 2. Land Acknowledgement

I'd like to begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations, comprised of the Ojibway, the Odawa, and the Potawatomi <pa-te-wa-temi:> Peoples.

To recognize the land is an expression of gratitude and appreciation to those whose territory you reside on, and a way of honouring the Indigenous people who have been living and working on the land from time immemorial.

We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island - North America.

### 3. Declarations of Pecuniary Interest

None

### 4. Approval of Agenda

THAT the Agenda for the Thursday, October 8, 2020 Meeting of the Board of Directors be approved.

Resolution 73/20

Moved by Larry Verbeke

Seconded by Tracey Bailey

**-CARRIED**

### 5. Report from the Chair

Good Evening. I'd first like to extend my sincere appreciation to all members of the Board for their continued vigilance and support over this past difficult month.

As members know, in late August we discovered that the Conservation Authority was the victim of a complex and sophisticated social engineering crime, whereby fraudsters compromised one of our systems, impersonated a staff member, and forged documents.

Immediately upon detection of this crime, the police, our banks, and insurers were notified.

In addition to the police investigation, the Board launched a robust internal investigation, including a forensic audit of our IT systems. These investigations have concluded **without question** that this crime was perpetrated by individuals **outside** of the organization.

This investigation helped us identify how this security breach occurred, and we have immediately implemented measures to better protect the organization, and reduce vulnerabilities against future cyber attacks.

At this juncture, there continues to be discussions with our bank and insurers to determine, what, if any, of these funds are recoverable.

As you'll see tonight in our Financial Outlook, thanks to prudent financial management over the past number of years, we are financially positioned to weather this storm.

However, the investigation also highlighted that running an organization so leanly comes with an element of risk. ERCA's Annual Revenues for programs and services ranks consistently in the top 10 of all 36 Conservation Authorities. At the same time, ERCA's operational levy funds less than 40%

of its operations, placing ERCA in the bottom five of all Conservation Authorities, and well below the provincial average of approximately 50%. As well, the epic Lake levels we are experiencing have triggered a higher demand for development approvals than anywhere else in the province, with a much smaller staff complement to respond to this demand. These are matters the Board will be further considering as part of budget deliberations.

I'd also like to express my sincere appreciation to Tim Byrne, who has accepted the demanding role of Interim General Manager. Knowing the workload that Tim was already shouldering in this period of record high water levels, I certainly appreciate his willingness to accept this highest level of responsibility.

As you know, Richard Wyma resigned from this role last week. Richard led the organization with vision, dedication and compassion, and we certainly wish him every success as he pursues new opportunities.

The Executive Committee has established a hiring committee to identify a new General Manager to continue to implement the important conservation work that's needed to ensure the Windsor-Essex region remains one of the best places in Canada to live, work, invest, and raise a family.

Finally, I express my appreciation to the staff. Despite the difficulties and uncertainties experienced during this cyber attack, you have continued to move forward with professionalism, ensuring the continuity of the critically important watershed-based work we undertake to maintain our region as the Place for Life.

**That the Board of Directors receive this report.**

Resolution 74/20

Moved by

Laura Lucier

Seconded by

Joe Bachetti

## 6. **Hearings**

None



## 11. Presentations

None

## 12. Reports for Approval

- (a) BD 30/20 Clarification of building and structure renovation vs. reconstruction

THAT staff continue to develop a Reconstruction Matrix to clarify renovation versus reconstruction projects; and further

THAT staff circulate the Reconstruction Matrix to Conservation Ontario, Municipal Partners and local professionals for further review and comment; and further

THAT ERCA Administration report back to the Board of Directors regarding the final Reconstruction Matrix for consideration as 'Board Approved' policy.

Resolution BD 77/20 Moved by Len Janisse

Seconded by Peter Courtney

- (b) BD 31/20 Water and Erosion Control Infrastructure (WECI) Projects 2020-21 Professional Services Agreement

THAT ERCA enter into a Professional Services Agreement with Landmark Engineers Inc. to complete WECI Project No.'s S.20.33 and R.20.045.

Resolution BD 78/20 Moved by Len Janisse

Seconded by Tracey Bailey

- (c) BD 32/20 Unaudited Statement of Operating Activities for the Seven (7) Months Ended July 31, 2020 and Financial Outlook

THAT Report BD 30/20, Unaudited Statement of Operating Activities for Seven Months Ended July 31, 2020, be received as distributed, for Member's information and

THAT the projected year end deficit of \$209,000 be funded with a combination of the Revenue Stabilization reserve of \$146,000 and \$63,000 of the previous years' accumulated surplus and

THAT additional expenses associated with any operational changes, as a result of the loss investigation and ensuing recommendations be funded with the residual accumulated surplus of \$55,000 and

THAT any recoveries from any source, including insurance, be redirected to the Revenue Stabilization reserve and

THAT upon receipt of the consultants' recommendations, that expenses related to addressing network security and server upgrades, including hardware and software, be funded with the Office, Hardware/Software, Network reserve.

Resolution BD 79/20	Moved by	John Jacobs
	Seconded by	Morley Bowman

### 13. Reports for Information

(a) BD 33/20                      Watershed Management Services Activities Report for September 2020

THAT the review of Regulations and Planning Applications, as presented in Report BD33/20 be received for Members' information.

Resolution BD 80/20	Moved by	Larry Verbeke
	Seconded by	Dayne Malloch

(b) Environmental Registry Reports (None)





## 17. Adjournment

THAT the October 8, 2020 Meeting of the Essex Region Conservation Authority Board of Directors be adjourned.

Resolution BD 84/20

Moved by

Larry Patterson

Seconded by

Dayne Malloch



**Kieran McKenzie**  
Chair



**Tim Byrne**  
Interim General Manager/Secretary-Treasurer

## UPCOMING EVENTS

November 12, 2020 Board of Directors Meeting Essex Civic Centre

December 10, 2020 Board of Directors Meeting Essex Civic Centre