



**Board of Directors Meeting
MEETING MINUTES**

MEETING DATE: November 15, 2022

TIME: 10:00 a.m.

LOCATION: Teams Meeting

1.

Call to Order

Elizabeth called this special meeting of the Board of Directors for the Drainage Superintendents Association of Ontario to order at 10:02 a.m.”

ATTENDANCE:

Board of Directors: Lu-Ann (Lu) Marentette
Elizabeth (Liz) Cummings
Ken McCallum
Frank Jonkman
David Moores
Lorne Franklin
Chris Dunn
Paul MacIntyre
Wray Wilson, Secretary

Others: Tim Brook, OMAFRA

Action by:

*Elizabeth
Cummings*

2.

Approval of Agenda

DS-2022-045 Moved: Frank Seconded: Lu

“That the Board approve the agenda, dated November 15, 2022 as printed and circulated.” **Motion Carried**

*Elizabeth
Cummings*

3.

Business

3.1

Email dated November 4, 2022 regarding sending letter from Paul Courey (Paul C.) out to the membership.

*Elizabeth
Cummings*

Liz provided some background information related to this correspondence. It was noted that:

- Paul C. sat in on a Rail Committee meeting at no direct cost to any municipality or organization
- He noted that some of the discussion revealed municipalities have outstanding invoices with CN Rail that are more than 2 years old
- Paul C. was concerned about the Statute of Limitations
- Discussed this with Liz and sent a letter to her municipality but was OK with the information going to all municipalities
- Paul C. noted that this was not to be construed as legal advice, only information
- Liz asked AMO if they would consider forwarding this letter to their member municipalities. AMO were concerned it could be considered legal advice
- Liz asked for opinions on sending the information contained in the letter out with the Law Firm information redacted

Comments

- Paul reiterated his opinion that collection of assessments for drainage work is not the Drainage Superintendent's job. This is a Treasury function.
- Tim was concerned that sending this out may flag, for the rail company, the timeline for the Statute. He also asked Liz for permission to allow OMAFRA's legal branch to have a look and advise Tim if their may be options available to them.
- Lu wondered if the clerks and treasurers are aware of the Statute.
- Frank thought it could be sent out as an opinion make sure it couldn't not be considered advice.

DS2022-046 Moved: Liz

Seconded: Frank

"That the Board prepare a communication for the DSAO to release information to the membership regarding the Statute of Limitation." **Motion Carried**

3.2

Email from Tim Brook dated October 31, 2022 requesting comments on the table of contents for the proposed Guide for Property Owners.

Tim was asking for comments on the Guide from the DSAO Board and from other stakeholders such as the Land Drainage Committee. The DSAO Board is generally supportive of the concept of this guide.

Comments

- Elizabeth suggested a section on what is allowed by a By-law for drain maintenance.
- Lu-Ann asked about the timelines; Should make mention of a drain requiring CA and DFO approval for work after it has been abandoned by the municipality.
- Lorne suggested that appeal costs should be noted in the appeals sections.
- Paul suggested a section on landowner's legal obligations for drainage.
- Tim indicated the November 18th date will be extended; OMAFRA will be using some of the existing Factsheets;

3.3

Membership Survey

Chris Dunn

Chris informed the Board that he and Elizabeth went over the final survey and are confident all the questions have been included. He would like to do a test run before sending it out to the membership. Frank indicated that Ruth Westlake would reply to the test and Lu-Ann said Shane from her office would also.

Chris set a January 1, 2023 deadline for receiving the surveys to allow time for review before the January board meeting.

3.4

Conference Topics

Lorne Franklin

Lorne noted that the topics would be confirmed by the end of the week and then he would forward them to Mel Lymes at LICO. Lorne suggested a Board virtual meeting later in December to confirm the final details. David volunteered to get the speakers gifts.

A discussion took place regarding a possible topic on changing an Engineer or firm after the appointment under Section 8. Questions related to how the appointment of a new firm or engineer is done (Section 39) and how does a municipality deal with the initial engineer's account.

DRAINAGE SUPERINTENDENTS ASSOCIATION OF ONTARIO

4.

Adjournment

*Elizabeth
Cummings*

4.1

DS-2022-047 Moved: Lu-Ann Seconded: Paul
"That this meeting of the Board of Directors for the Drainage
Superintendents Association of Ontario adjourns at 11:00 a.m."
Motion Carried