



BOARD OF DIRECTORS
SECTION 30.4 HEARING AGENDA
STOP ORDER SO2024-01

Thursday, January 16th, 2025 - 9:45 a.m.

Watershed Room, SNC

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| | Directors Present: | Steve Densham, Stormont Dundas Glengarry, Chair
Linda Payant, City of Ottawa
Bill Smirle, Stormont Dundas Glengarry
Tom Smyth, Stormont Dundas Glengarry
François St. Amour, Prescott Russell
Mike Tarnowski, Prescott Russell
Deb Wilson, Leeds Grenville (<i>electronic participation</i>)
Adrian Wynands, Leeds Grenville, Vice Chair |
| | Regrets: | George Darouze, City of Ottawa, Past Chair
Catherine Kitts, City of Ottawa
Genevieve Lajoie, Prescott Russell
Matt Luloff, City of Ottawa |
| | Staff Present: | Carl Bickerdike, Chief Administrative Officer
Johanna Barkley, Director of Finance
Ronda Boutz, Secretary-Treasurer
Jennifer Boyer, Managing Director, Approvals
John Mesman, Managing Director, Property, Conservation
Lands and Community Outreach
Eric McGill, Corporate Council
Pat Piitz, Team Lead, Property
Gregory Payne, Permitting Officer
Monique Sauve, Chief Building Official Part 8 - Septic
Systems |
| | Persons subject to Stop Order: | Mark Scharfe
Nancy Scharfe
Albert Brunet, Caza Saikaley LLP (counsel) |
| | Guests: | Warren A. Leroy, Ault & Ault LLP |



ROLL CALL

<u>Members:</u>	<u>Present</u>	<u>Regrets</u>
Steve Densham	X	
George Darouze		X
Catherine Kitts		X
Genevieve Lajoie		X
Mathew Luloff		X
Linda Payant	X	
Bill Smirle	X	
Tom Smyth	X	
François St. Amour	X	
Mike Tarnowski	X	
Deb Wilson (<i>electronic participation</i>)	X	
Adrian Wynands	X	

CHAIRS REMARKS

Steve Densham, Chair, called the SNC Board of Directors Section 30.4 Hearing Agenda Stop Order S2O024-01 of January 16th, 2025 to order at 9:45 a.m.

Chair Densham stated the purpose of the hearing, the details of the stop order, and the following information regarding procedure:

- Following the hearing, the Directors must pass a resolution to confirm the order; amend the order; or remove the order, with or without conditions.
- Directors must be present during the full course of the hearing to deliberate and render a vote.
- The hearing is conducted in accordance with the *Statutory Powers Procedure Act* and the SNC Hearing Policy.
- Only information disclosed prior to the hearing may be presented at the hearing.
- The hearing is being recorded, and the recording will form part of the record of the hearing.
- Directors may ask questions, through the Chair, during and following the presentations.
- The protections afforded to witnesses under the *Evidence Act* and *Canada Evidence Act*.
- The Chair is entitled to make orders or directions to maintain order and prevent the abuse of the hearing processes.

DECLARATION OF CONFLICT OF INTEREST OR BIAS

No Declarations of Conflict of Interest or Bias.



PRESENTATION OF STAFF SUBMISSIONS AND MATERIALS:

Eric McGill, Corporate Counsel, presented the South Nation River Conservation Authority's submissions and materials.

PRESENTATION OF THE PERSONS SUBJECT TO THE STOP ORDER SUBMISSIONS AND MATERIALS:

Albert Brunet, Caza Saikaley LLP, presented Mark Scharfe and Nancy Scharfe's submissions and materials.

Mark Scharfe was called by Mr. Brunet to provide evidence. Chair Densham informed Mr. Scharfe that he was not being compelled to give evidence and that his evidence was not being provided under oath or affirmation. Mr. Scharfe stated he understood.

An officer of the Authority cautioned Mr. Scharfe to inform him of his right to silence. Mr. Scharfe stated he understood. Mr. Scharfe proceeded to provide evidence.

DELIBERATION AND DECISION

RESOLUTION NO. TRIB-001/25

Moved by:

Mike Tarnowski

Seconded by:

Adrian Wynands

RESOLVED THAT:

The Board of Directors confirm Stop Order SO-2024-01 for the reason that the evidence given at the hearing establishes reasonable grounds to believe that,

- a. Mark Scharfe and Nancy Scharfe have engaged in activity at 4890 Ramsayville Road, Ottawa and as a result are contravening subsection 28 (1) of the *Conservation Authorities Act*;
- b. the activity has caused, is causing, or is likely to cause significant damage and,
 - i. the damage affects or is likely to affect the control of flooding; or
 - ii. in the event of a natural hazard, the damage will or is likely to create conditions or circumstances that might jeopardize the health and safety of persons or result in damage or destruction of property; and
- c. the order will prevent or reduce the damage.

CARRIED UNANIMOUSLY



SOUTH NATION
CONSERVATION
DE LA NATION SUD

ADJOURNMENT

RESOLUTION NO. TRIB-002/25

Moved by: Linda Payant
Seconded by: Tom Smyth

RESOLVED THAT:

The Board of Directors Section 30.4 Hearing Agenda
Stop Order S2O024-01 of January 16th, 2025 be
adjourned at 11:05 a.m.

CARRIED UNANIMOUSLY

Steve Densham,
Chair.

Carl Bickerdike,
Chief Administrative Officer.

/rb