

NIAGARA PENINSULA CONSERVATION AUTHORITY

WELLAND

NOVEMBER 21, 2007

7:00 p.m.

MINUTES

MEMBERS PRESENT

D. Ransom, (Chairman)
B. Baty (Vice-Chairman)
B. Bentley
G. Burroughs
B. Butters
T. Dalimonte
C. D'Angelo
A. Fevez
D. Goulbourne
B. Greenwood
B. Heit
B. Henderson
N. Johnson
B. Steckley

MEMBERS ABSENT:

D. DiFruscio (with regrets)

STAFF PRESENT:

A.L. Burt, General Manager
L. Sawatzky, Recording Secretary
T. McDougall, Executive Director Conservation Foundation
M. Stack, Director Communications
T. D'Amario, Director, Water Management
D. Baker, Director, Land Management

DELEGATIONS:

Rick Brady
John & Austin Kirkby
Dave & Grace Malinowski
Ron Tripp
Rene Landry
Brett Ruck
Dean Pedro

OTHERS PRESENT:

Mark Neufeld, Chair, Source Protection Committee
Chad Kizlyk
John Whyte

BUSINESS:

The Chairman called the meeting to order at 7:05 p.m. He welcomed everyone in attendance and then requested that if anyone had a conflict of interest to declare it. Brian Heit declared a conflict with any items that included Telus or Talk Wireless.

(1) **MINUTES - FULL AUTHORITY MEETING –OCTOBER 17, 2007**

There were no errors or omissions. The following resolution was presented.

FA-137-07

MOVED BY: B. Greenwood

SECONDED BY: T. Dalimonte

THAT: the Minutes of the Full Authority meeting held October 17, 2007, be received and approved as printed.

"CARRIED"

(2) **BUSINESS ARISING FROM MINUTES**

There was no business arising from the Minutes.

(3) **DELEGATIONS**

The Chairman advised that there were several delegations in attendance and introduced Mrs. Grace Malinowski and asked her to come forward for her presentation.

Mrs. Malinowski expressed concern with the present policy of the Authority that will not permit any development on her property since it is designated as wetland. She noted that she would like to farm the land and build a house. The General Manager advised that under the policies being recommended by staff, development would be permitted by the Authority on a limited portion of the property. The Chairman thanked Mrs. Malinowski for her presentation.

The Chairman then introduced Rick Brady and requested him to come forward with his presentation. Mr. Brady advised he was in attendance on behalf of the Niagara Home Builders Association. He provided the Board members with a copy of his presentation which he outlined in detail surrounding concerns regarding the Authority's Policies, Procedures & Guidelines for Regulation 155/06 and the land use planning policies. The Chairman thanked Mr. Brady for his presentation.

The Chairman then called upon Ron Tripp, Director of Infrastructure Services for the Town of Fort Erie to come forward for his presentation. Mr. Tripp was also commenting on concerns with the Authority's Policies, Procedures & Guidelines for Regulation 155/06 and the land use planning policies as they relate to municipal drains. He also provided the Board with a copy of his presentation. Following his presentation there was a question period, after which the Chairman thanked Mr. Tripp for his presentation.

The Chairman introduced Brett Ruck, Drainage Superintendent for the Town of Fort Erie and Rene Landry, Drainage Superintendent for the City of Port Colborne, who were both in attendance for the Authority's Policies, Procedures & Guidelines for Regulation 155/06 and the land use planning policies as they relate to municipal drains.

The Chairman introduced the final delegation for the meeting, Austin and John Kirkby of Niagara-on-the-Lake who were in attendance as landowners who are concerned with the potential impact of the Authority's Policies, Procedures & Guidelines for Regulation 155/06 and the land use planning policies. The Chairman thanked the Kirkbys for their attendance and presentation.

The Chairman suggested that since those who were in attendance were there regarding Item No. 7, it would be appropriate, with the leave of the Board, to deal with this item next. The Board members agreed.

(4) **POLICIES, PROCEDURES AND GUIDELINES FOR ADMINISTRATION OF ONTARIO REG. 155/06 AND LAND USE PLANNING POLICY DOCUMENT - REPORT NO. 86-07**

The Director, Water Management outlined the report in detail and responded to questions. The General Manager provided additional information and clarification on the policy interpretation. A lengthy discussion took place on some of the wording in the document and the Board members felt that it needed further editing.

A question was raised on whether staff could provide the Board with a copy of where the existing lots of record are located and the General Manager advised that it would be prepared.

The following resolution was presented.

FA-138-07

MOVED BY: G. Burroughs

SECONDED BY: B. Dalimonte

THAT: Report No. 86-07 regarding the Policies, Procedures and Guidelines for Administration of Ontario Reg. 155/06 and Land Use Planning Policy Document be received.

"CARRIED"

(5) **CHAIRMAN'S REMARKS**

The Chairman thanked the Board for their continuing commitment to conservation.

(6) **GENERAL MANAGER'S REPORT**

The General Manager reminded the members of the upcoming Conservation Achievement Awards reception on November 28th at the Four Points Sheraton Suites in Thorold at 7:00 p.m. He encouraged the members to attend if at all possible and noted that the individual Award of Merit would be presented to Mrs. Angie Harry and her family in memory of the late Gord Harry and the Friends of 1 Mile Creek group will be receiving the Group Award of Merit. He noted that those attending should advise Mary Stack at the end of the meeting.

The General Manager reminded the members that the next meeting of the Authority is scheduled for Wednesday, December 12th.

(7) **ACCOUNTS – OCTOBER, 2007 – REPORT NO. 85-07**

There were no questions with respect to the accounts. The following resolution was presented.

FA-139-07

MOVED BY: T. Dalimonte

SECONDED BY: G. Burroughs

THAT: The list of accounts for the month of October, 2007, in the amount of \$971,549.90 be received and approved.

"CARRIED"

(8) **REQUEST FROM TOWN OF NIAGARA-ON-THE-LAKE ON PERMIT FEES- REPORT NO. 87-07**

The Director, Water Management outlined the report and the General Manager provided further clarification. After responding to questions, the following resolution was presented.

FA-140-07

MOVED BY: B. Steckley

SECONDED BY: C. D'Angelo

THAT: Report No. 87-07 regarding the request from the Town of Niagara-on-the-Lake on Permit Fees be received.

"CARRIED"

(9) **CONSERVATION LAND ACQUISITION STRATEGY- REPORT NO. 88-07**

It was agreed that due to the detail of this report and the late hour, this matter would be deferred to the next meeting.

(10) **ONTARIO MUNICIPAL BOARD HEARING – REEB QUARRY – REPORT NO. 89-07**

The Director, Land Management outlined the staff report noting that the Authority appeared at a hearing the previous day to have this matter dismissed and come back with a final proposal. As a result, the hearing will reconvene in February. He also noted that the Authority is seeking cost recovery. The following resolution was presented.

FA-141-07

MOVED BY: B. Heit

SECONDED BY: T. Dalimonte

THAT: Report NO. 89-07 regarding the Ontario Municipal Board Hearing – Reeb Quarry be received for information purposes.

"CARRIED"

(11) BALL'S FALLS CENTRE FOR CONSERVATION – UPDATE – REPORT NO. 90-07

The Director, Land Management outlined the progress of the Centre to date noting he would be attending a meeting the next day to obtain more accurate information on the completion date. The following resolution was presented.

FA-142-07

MOVED BY: A. Fevez

SECONDED BY: B. Greenwood

THAT: Report No. 90-07 regarding the Ball's Falls Centre for Conservation – Update be received for information purposes.

"CARRIED"

(12) PROJECT STATUS REPORT – REPORT NO. 91-07

There were no questions with respect to this report. The following resolution was presented.

FA-143-07

MOVED BY: B. Henderson

SECONDED BY: B. Steckley

THAT: Report No. 91-07, outlining the status of Authority projects be received for information.

"CARRIED"

(13) OTHER BUSINESS

There was no other business.

(14) IN-CAMERA - VIOLATION AND COMPLAINT STATUS REPORT – REPORT NO. CR-10-07

In accordance with Authority policy, the following resolutions were presented.

FA-144-07

MOVED BY: B. Steckley

SECONDED BY: T. Dalimonte

THAT: this meeting do now move in-camera.

Received at 10:07 p.m.

"CARRIED"

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FA-145-07

MOVED BY: G. Burroughs

SECONDED BY: C. D'Angelo

THAT: this meeting do now move back into open session.

Received at 10:08 p.m.

“CARRIED”

ADJOURNMENT

There being no further business, the following resolution was presented.

FA-146-07

MOVED BY: B. Heit

SECONDED BY: A. Fevez

THAT: this meeting do now adjourn.

Received at 10:09 p.m.

“CARRIED”

"L. Sawatzky, Recording Secretary

D. Ransom, Chairman"