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## NIAGARA PENINSULA CONSERVATION AUTHORITY

### FULL AUTHORITY

WELLAND

AGENDA

January 21, 2009 – 7:30 p.m.

#### ROLL CALL

#### DECLARATION OF CONFLICT OF INTEREST

#### BUSINESS:

(1) **MINUTES - FULL AUTHORITY MEETING – DECEMBER 10, 2008**

Attached are the Minutes of the Full Authority Meeting held December 10, 2008.

(2) **BUSINESS ARISING FROM MINUTES**

(3) **CHAIRMAN'S REMARKS**

(4) **CAO'S REPORT**

(5) **STAFF RECOGNITION**

Brian Frith, Jim Douglas and Christine Hayward will be at the meeting to receive recognition from the Authority for their many years of service.

(6) **BORROWING RESOLUTION - REPORT NO. 01-09**

Attached is Staff Report No. 01-09 regarding the above.

(7) **NPCF APPOINTMENT – REPORT NO. 02-09**

Attached is Staff Report No.02-09 with respect to this Foundation appointment.

(8) **BALL'S FALLS HERITAGE ADVISORY COMMITTEE APPOINTMENTS - REPORT NO. 03-09**

Attached is Staff Report No. 03-09 regarding appointments to the Ball's Falls Heritage Advisory Committee.

(9) **50<sup>th</sup> ANNIVERSARY COMMITTEE – REPORT NO. 04-09**

Attached is Staff Report No. 04-09 regarding the Authority's 50<sup>th</sup> anniversary.

**(10) NPCA PERMIT FEE REDUCTION REQUEST - REPORT NO. 05-09**

Attached is Staff Report No. 05-09 regarding this matter.

**(11) 2008 YEAR IN REVIEW**

A presentation highlighting projects, programs and events of the 2008 year will be made at the meeting.

**(12) IN-CAMERA**

(a) Complaint and Violation Status Report – Report No. CR-1-09

(b) Tree By-Law Status Report – Report No. CR-2-09

**(13) OTHER BUSINESS**

**ADJOURNMENT**

**NIAGARA PENINSULA CONSERVATION AUTHORITY  
FULL AUTHORITY MEETING**

**WELLAND**

**DECEMBER 10, 2008**

**7:00 p.m.**

**MINUTES**

**MEMBERS PRESENT:** D. Ransom, (Chairman)  
B. Baty (Vice-Chairman)  
G. Burroughs  
T. Dalimonte  
C. D'Angelo  
D. DiFruscio  
A. Fevez  
B. Heit  
B. Henderson  
N. Johnson  
B. Steckley

**MEMBERS ABSENT:** B. Bentley (with regrets)  
B. Butters (with regrets)  
D. Goulbourne (with regrets)  
B. Greenwood (with regrets)

**STAFF PRESENT:** T. D'Amario, CAO/Secretary-Treasurer  
L. Sawatzky, Recording Secretary  
D. Baker, Director, Land Management  
J. Kukalis, Director, Water Management  
M. Stack, Director, Communications  
T. McDougall, Executive Director Conservation Foundation

**OTHERS PRESENT:** Ken Gonyou, Taro Planning  
Leslie Farrar, Property Owner

**BUSINESS:**

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

**(1) MINUTES**

**(a) FULL AUTHORITY MEETING – NOVEMBER 19, 2008**

There were no errors or omissions with respect to the minutes. The following resolution was presented.

Authority Meeting - Minutes

November 19, 2008 – continued

**FA-142-08**

**MOVED BY:** T. Dalimonte

**SECONDED BY:** G. Burroughs

**THAT:** the Minutes of the Full Authority meeting held November 19, 2008, be received and approved.

**"CARRIED"**

(b) **TREE CONSERVATION BYLAW COMMITTEE MEETING - NOVEMBER 20, 2008**

There were no errors or omissions with respect to the minutes. The following resolution was presented.

**FA-143-08**

**MOVED BY:** M. DiFruscio

**SECONDED BY:** B. Henderson

**THAT:** the Minutes of the tree Conservation Bylaw Committee meeting held November 20, 2008, be received and approved.

**"CARRIED"**

(2) **BUSINESS ARISING FROM MINUTES**

There was no business arising from the Minutes.

(3) **DELEGATION**

Ken Gonyou of Taro Planning was in attendance with Leslie Farrar the property owner to present to the board a proposal with respect to Mrs. Farrar's property. Following his presentation, a discussion took place and the Chairman suggested Mr. Gonyou make a formal application to the Authority.

(4) **CHAIRMAN'S REMARKS**

The Chairman advised that June 13, 2009, the Boundaries Water Treaty will be celebrating 100 years and authority staff are busy with the International Joint Commission with respect to this.

The Chairman thanked staff for all the efforts in making the Conservation Achievement Awards presentation a success. He also thanked Board Members, Mickey DiFruscio, Brian Baty and Andy Fevez for their attendance. He noted that staff is reviewing the process to see if something new can be done for this event. A report will be prepared and presented to the Board in the Spring of 2009.

(5) **CAO'S REPORT**

The CAO began by advising that staff presented the 2009 current budget to the Budget Review Committee at the Region of Niagara and received positive support for the tree by-law. He thanked the board members for their support and noted that Regional Council concurred the Authority taking on the tree by-law was necessary and capital will be discussed on Thursday evening.

The CAO noted that later in the agenda was the proposed indemnification policy which is part of the personnel manual that will be completely updated in 2009. He indicated that this matter was necessary at this time to ensure the board and staff are protected.

The CAO advised that an ice fishing event has been scheduled for the Binbrook Conservation Area on February 8, 2009.

At this point the Chairman thanked the board members for their support at the Region's budget presentations.

(6) **PROPOSED 2009 ANNUAL MEETING AND REGULAR MEETING SCHEDULE REPORT NO. 81-08**

It was noted that a change was necessary to the August date which should be the 19<sup>th</sup> not the 18<sup>th</sup>. Brian Baty advised that the Region does not hold meetings in August and would like to change the summer meeting from August to July. He also noted that the 18<sup>th</sup> is the AMO conference. The board members agreed and the following resolution was presented as amended.

**FA-144-08**

**MOVED BY:** B. Baty

**SECONDED BY:** B. Henderson

**THAT:** the 2009 Authority Meeting Schedule as outlined in Report No. 81-08 be approved; and

that a meeting be held July 16<sup>th</sup> and the August meeting be cancelled;  
and

That the 2009 Annual Meeting be held January 21, 2009.

**“CARRIED”**

(7) **BUDGET STATUS REPORT - REPORT NO. 82-08**

The CAO overviewed this report noting that at this point expenditures are within approved and revised budget. Some of the exceptions are in land management where capital projects have not been completed, however, will be completed early in 2009. The following resolution was presented.

**FA-145-08**

**MOVED BY:** T. Dalimonte

**SECONDED BY:** M. DiFruscio

**THAT:** the Budget Status Report for the period ending November 30, 2008 be received.

**“CARRIED”**

**(8) REVISED REGULATION NO. 27 FOR INDEMNIFICATION - REPORT NO. 83-08**

The Director, Water Management presented this report noting the reasons for the need to have this addressed at this time. After responding to questions and a brief discussion, the following resolution was presented.

**FA-146-08**

**MOVED BY:** B. Steckley

**SECONDED BY:** T. Dalimonte

**THAT:** Report No. 83-08 regarding the Indemnification Policy dated August 20, 2008 be received and that the appended Regulation No. 27 be adopted as revised.

**“CARRIED”**

**(9) BINBROOK DAM AND RESERVOIR - REPORT NO. 84-08**

The Director, Water Management summarized the events at Binbrook with respect to the water levels noting that it was an unfortunate series of events that occurred which caused the high water levels. He advised that power has been restored and the reservoir is within 6 inches of where it should be. It was agreed that John Kukalis, Andy Fevez and Tony D’Amario would meet with staff to see if some kind of protocol can be prepared in order that this situation could be averted in the future. A discussion took place and the following resolution was presented.

**FA-147-08**

**MOVED BY:** B. Henderson

**SECONDED BY:** B. Steckley

**THAT:** Report No. 84-08 regarding the Binbrook Reservoir dated December 10, 2008, be received for information.

**“CARRIED”**

**(10) 50<sup>th</sup> ANNIVERSARY COMMITTEE - REPORT NO. 85-08**

The Director, Communications briefly outlined some of the ideas that have been put forth for this upcoming celebration. She advised that a committee of 3 board members together with members of the community and 5 staff be struck in order to organize the various activities and requested volunteers. Andy Fevez, Mickey DiFruscio and Barbara Henderson volunteered to sit on the committee. The following resolution was presented.

December 10, 2008 – continued

**FA-148-08**

**MOVED BY:** B. Baty

**SECONDED BY:** B. Henderson

**THAT:** Report No. 85-08 regarding the 50<sup>th</sup> Anniversary Committee be received for information and discussion purposes.

**“CARRIED”**

**(11) JORDAN HARBOUR DRAFT SITE PLAN - REPORT NO. 86-08**

The Director, Land Management presented this report and requested approval of the concept in order to approach possible funding partners. A lengthy discussion took place after which, the following resolution was presented.

**FA-149-08**

**MOVED BY:** B. Henderson

**SECONDED BY:** G. Burroughs

**THAT:** Report 86-08 regarding the Jordan Harbour Draft Site Plan, be approved and;

That staff be directed to consult the Niagara Peninsula Conservation Foundation and local partners to develop support for the project.

**“CARRIED”**

**(12) 2009 CONSERVATION AREAS FEE SCHEDULE – REPORT NO. 87-08**

The Director, Land Management outlined the proposed fee schedule noting that other CA's had been contacted with respect to their fees in order to compare. A question was raised regarding hikers having to pay to park their car at Ball's Falls to go hiking from there. The Director, Land Management advised that staff have written to the Bruce Trail Club to set up a meeting to discuss this matter. It was also noted that the fees for Binbrook were not included in the schedule. The Director, Land Management advised he would have it available for the January meeting. The following resolution was presented.

**FA-150-08**

**MOVED BY:** T. Dalimonte

**SECONDED BY:** B. Baty

**THAT:** the proposed 2009 Conservation Area Fee Schedule be approved;

**“CARRIED”**

**(13) PROJECT STATUS REPORT - REPORT NO. 88-08**

Brian Baty was pleased to advise that approximately 35 people attended the Central Welland Watershed Plan Open House held recently.



Authority Meeting - Minutes  
December 10, 2008 – continued

Carmen D'Angelo commented on the number of projects and activities staff are involved noting he was very impressed and proud.

The following resolution was then presented.

**FA-151-08**

**MOVED BY:** G. Burroughs

**SECONDED BY:** M. DiFruscio

**THAT:** Report No. 88-08 outlining the status of Authority projects be received for information.

**“CARRIED”**

**(14) IN-CAMERA**

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

**FA-152-08**

**MOVED BY:** B. Steckley

**SECONDED BY:** T. Dalimonte

**THAT:** this meeting do now move in-camera.

**Received at 8:50 p.m.**

**“CARRIED”**

**FA-153-08**

**MOVED BY:** M. DiFruscio

**SECONDED BY:** C. DiAngelo

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

**Received at 9:10 p.m.**

**“CARRIED”**

As a result of the in-camera session, the following resolution was presented.

**FA-154-08**

**MOVED BY:** B. Steckley

**SECONDED BY:** A. Fevez

**THAT:** the resolutions presented in the in-camera session be received and approved.

**“CARRIED”**

**(15) OTHER BUSINESS**

The Director, Land Management provided the board with the Binbrook Fee Schedule for their consideration and all agreed to accept this as part of Report No. 87-08.

Andy Fevez advised that he had harvested a crop of high bush cranberries and brought everyone a jar of homemade cranberry sauce and wished everyone Merry Christmas.

The Chairman also wished everyone Merry Christmas and looks forward to 2009.

Mary Stack provided each of the members with new Authority mugs which were produced from corn.

The CAO advised that all were invited to stay for refreshments in celebration of the holiday season.

## **ADJOURNMENT**

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

### **FA-155-08**

**MOVED BY:** B. Steckley

**SECONDED BY:** T. Dalimonte

**THAT:** this meeting do now adjourn.

**Received at 9:17 p.m.**

**“CARRIED”**

**"L. Sawatzky, Recording Secretary**

**D. Ransom, Chairman"**



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**TO: The Chairman and Members of the Authority**

**DATE: January 12, 2009**

**SUBJECT: Bank Borrowing Resolution - Report No. 01-09**

Each year our corporate bank, the Bank of Montreal, requires a resolution from the Authority allowing for the borrowing of funds as may be required for its operations and projects. Traditionally the Board had adopted this resolution for each of the upcoming fiscal years. The current financial position of the NPCA has not resulted in the Authority borrowing funds over the last several years. While it is not anticipated that we will be required to borrow funds for the 2009 budget year as well, I believe it prudent to have the approvals in place should the need arise for approved operation and project expenditures.

**RECOMMENDATION:**

WHEREAS Section 3(5) of The Conservation Authorities Act authorizes Conservation Authorities to borrow such monies as may be required until the payment of any grants and levies; and

WHEREAS the Niagara Peninsula Conservation Authority deems it appropriate to borrow such sums, with the total borrowed amount not to exceed \$800,000 at any one time in the year of 2009 to meet approved administration, maintenance and capital expenditures;

NOW THEREFORE BE IT RESOLVED that the Niagara Peninsula Conservation Authority be authorized to borrow from time to time from the Bank of Montreal by way of overdraft as per a Bank of Montreal overdraft agreement executed and signed by the Chairman and the Secretary-Treasurer of the Niagara Peninsula Conservation Authority, with the total amount not exceeding \$800,000 at any one time in 2009 to meet approved administration, maintenance and capital expenditures.

Respectfully Submitted By: \_\_\_\_\_

Tony D'Amario, P. Eng.  
CAO/Secretary-Treasurer

