

NIAGARA PENINSULA CONSERVATION AUTHORITY

WELLAND

MAY 19, 2010

7:00 p.m.

FULL AUTHORITY MEETING MINUTES

MEMBERS PRESENT:

D. Ransom (Chairman)
B. Baty (Vice-Chairman)
B. Butters
T. Dalimonte
A. Fevez
D. Goulbourne
B. Heit
B. Henderson
B. Steckley

MEMBERS ABSENT:

B. Bentley (with regrets)
G. Burroughs (with regrets)
C. D'Angelo (with regrets)
D. DiFruscio (with regrets)
B. Greenwood (with regrets)
N. Johnson (with regrets)

STAFF PRESENT:

T. D'Amario, CAO/Secretary-Treasurer
L. Sawatzky, Recording Secretary
T. McDougall, Executive Director Conservation Foundation
M. Stack, Director Communications
J. Kukalis, Director, Water Management
D. Baker, Director, Land Management
V. Cromie, Coordinator, Niagara RAP Program
A. Michaud, Water Quality Specialist

BUSINESS:

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

(1) MINUTES

(a) FULL AUTHORITY MEETING – APRIL 21, 2010

A question was raised regarding the award from the Canadian Society of Landscape Architects and whether we are assisting Kathy Smith with her expenses to travel to Edmonton to accept it on behalf of the Authority. The Director, Land Management advised that no decisions have been made in this regard as yet. He noted that this award was 2010 Awards of excellence award program and we received a National Merit Award for the E.C. Brown Conservation Area project. It was noted that because Kathy is a member of the Association, she was able to submit the project on behalf of the Authority. The end of August is the date of the reception. The following resolution was presented.

FA-56-10

MOVED BY: T. Dalimonte

SECONDED BY: B. Steckley

THAT: the Minutes of the Full Authority meeting held April 21, 2010, be received and approved as printed.

"CARRIED"

(b) NIAGARA REGION TREE AND FOREST CONSERVATION BY-LAW ADVISORY COMMITTEE MEETING – APRIL 15, 2010

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

FA-57-10

MOVED BY: B. Steckley

SECONDED BY: T. Dalimonte

THAT: the Minutes of the Niagara Region Tree and forest Conservation By-Law Advisory Committee meeting held April 15, 2010, be received and approved as printed.

"CARRIED"

(2) BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes.

(3) CHAIRMAN'S REMARKS

The Chairman noted those who didn't get to Binbrook last Sunday missed over 400 competent fishers, very anxiously attempting to win prizes of the 3 tagged fish. He thanked Mary Stack and Andy Fevez and the Glanbrook Conservation Committee for their assistance at the event. He noted that the event ended early afternoon, was well organized, had good prizes and good time was had by all with many families attending. Mary Stack noted that the junior top winner was a little girl who was quite delighted that she had won.

On June 20th the Chairman is encouraging board members to come to the opening of the Jordan Harbour project if they can attend, even though it is Father's Day. The Foundation will be in attendance as well to assist.

The Chairman was very pleased to advise that on Thursday, May 20th, Brian Baty will be sitting for the first time as a commissioner on the Board for the Niagara Escarpment Commission. The Chairman wished Brian the best and congratulated him on this accomplishment.

(4) CAO'S REPORT

The CAO advised that the official name of the former Campbell marina site will be Jordan Harbour Conservation Area. He noted that the June 20th event will be the grand opening for public access. A number of activities are planned including, harbour clean up where the public can bring canoes and clean up the shoreline. He noted that a dumpster will be provided compliments of a local company, BBQ hot dogs will be served and local dignitaries will be in attendance. He indicated it is hoped that 200 – 300 people will attend this event. A media release and other promotional information is being prepared and will be released prior to event. This will also be the launch of a campaign to raise funds by the Foundation for this development. Those attending will see the concept plan, which will hopefully encourage them to make a donation.

The CAO advised that the 2009 year end audited report is delayed to the June meeting due to additional work required to complete the Capital Assets Inventory.

The CAO was pleased to advise the board that the Seine application, which came to the Authority board to request that a driveway be constructed along a valley in Grimsby which the Board denied was taken to the Mining and Lands Commission and found in favour of us. No costs for either party was awarded.

With respect to the 2011 budget process, the CAO noted that Niagara Region staff will be bringing a report to the Budget Review committee on Thursday, and he anticipated that Regional Council will provide guidance in the preparation of the 2011 budget. Niagara Region staff will be making a presentation to the Authority board at the June meeting. No correspondence to date has been received from Hamilton or Haldimand.

The CAO advised that the Niagara Peninsula Conservation Foundation received a report in their meeting of May 18th which responded to a follow up request for additional information regarding their performance as it relates to other Foundations. This report will be provided to the Authority board at the June meeting.

The CAO noted that at the meeting in May the members indicated that 2010 was the year of Biodiversity and 2011 the Year of the Forest. He noted that for 2010 the Conservation Authority will continue with restoration projects conforming to the biodiversity theme including a Natural Heritage System Inventory. He also indicated that reference will be made to support the theme of biodiversity were possible.

The CAO was pleased to report that a tree by-law ruling was handed down today, which was the first violation of the Authority. The defendants, located in Niagara-on-the-Lake pleaded guilty. They worked with authority staff on a reforestation plan for the area cleared and it was re-planted in the past two weeks. Staff will monitor this over the next several years to ensure that it becomes free growing. The two defendants were each levied a fine of \$8,000 plus \$2,005 court fine.

Finally the CAO advised that we will be paid a visit by Mr. Gord Miller, Environmental Commissioner for Ontario and his group, approximately 15 in total. They will meet with staff at Ball's Falls on Tuesday on June 22 from 2:30 – 4:30. Mr. Miller is interested in not only Ball's Falls, but about the NPCA in general as well as some of our projects as well as any issues we have.

It was suggested that staff contact the Region who may be able to provide water and recycling containers for Jordan Harbour event.

(5) CORRESPONDENCE

Regarding the receipt of a letter of resignation from a member of the Foundation Board, a question was raised as to why he felt the way he did. The CAO advised that there had been some discussions at a past Foundation meeting suggesting that the Board members become more involved and do more towards fundraising and it appeared he felt he was not doing enough. The following resolution was presented.

FA-58-10

MOVED BY: D. Goulbourne

SECONDED BY: B. Baty

THAT: the letter from Jeremy Bird resigning from the Niagara Peninsula Conservation Foundation be received.

"CARRIED"

(6) BUDGET STATUS REPORT – REPORT NO. 24-10

The CAO made note of the budget with no major variances. There were no questions with respect to this report, therefore, the following resolution was presented.

FA-59-10

MOVED BY: B. Heit

SECONDED BY: A. Fevez

THAT: the Budget Status Report for the period ending April 30, 2010 be received.

"CARRIED"

Due to some technical difficulties with the computer, the agenda would be deviated slightly to move to item 9 at this time.

(7) TERMS OF EMPLOYMENT AND PERSONNEL REGULATIONS – REPORT NO. 27-10

Due to a slight computer situation, this matter was brought ahead. The CAO outlined the changes in the report and responded to questions. Brian Heit questioned the retirement section noting it should not be mandatory and suggested that HR be contacted for an opinion on whether the retirement clause can be put in. If it is allowed, we will leave it in if not, we will take it out. Remembrance Day was questioned regarding the floater. Barb Henderson noted that she struggles with what the veterans did and we need to honour them, but willing to go along with the board. Additional discussions took place and the following resolution was presented.

FA-60-10

MOVED BY: B. Steckley

SECONDED: B. Henderson

THAT: the revised Terms of Employment and Personnel Regulations be approved.

"CARRIED"

(8) 2009 WATER QUALITY MONITORING PROGRAM ANNUAL REPORT - REPORT NO. 25-10

The CAO introduced Annie Michaud, Water Quality Specialist who was in attendance to present this report. She thanked the board for the opportunity to attend. She then provided a brief overview of the water quality program, noting, in particular, the importance of long term data. A lengthy question/discussion period ensued followed her presentation. The Chairman thanked Annie for her very interesting and informative presentation. The following resolution was then presented.

FA-61-10

MOVED BY: A. Fevez

SECONDED BY: T. Dalimonte

THAT: the 2009 Water Quality Monitoring Program Annual Report appended be received, and

That the 2009 Water Quality Monitoring Program Annual Report be forwarded to the watershed Municipalities, Medical Officers of Health and Ministry of Environment.

"CARRIED"

(9) NIAGARA RVIER REMEDIAL ACTION PLAN STAGE 2 UPDATE - REPORT NO. 26-10

The Director, Water Management introduced Valerie Cromie, RAP Coordinator. Valerie was in attendance to provide an update on this program. She advised that the Authority has been coordinating this program for over 10 years with MOE and Environment Canada. She outlined the achievements and what still needs to be done. She then invited the board members on June 3rd to the Butterfly Conservatory in Niagara Falls, to a RAP Night of Good News. She then responded to questions. The Chairman thanked Valerie for her presentation. The following resolution was presented.

FA-62-10

MOVED BY: B. Butters

SECONDED: B. Steckley

THAT: Report No. 26-10 be received for information.

"CARRIED"

(10) NPCA WETLAND POLICY REPORT – REPORT NO. 28-10

The Director, Water Management outlined the report noting our policy is one of the best policies of any agency. A typo was noted on page 21 which should have read “One Window Approach”. A comment was made that the resolutions should contain a more definitive action than to receive. It was suggested that staff make recommendations on what the next step is. It was noted that a report will be coming back in 2 months. The following resolution was then presented.

FA-63-10

MOVED BY: A. Fevez
SECONDED: B. Baty
THAT: Report No. 28-10 be received for information.

"CARRIED"

(11) DSBN PROPOSAL – WOODEND CONSERVATION AREA – REPORT NO. 29-10

The Director, Land Management provided an overview of this report referring to the presentation to the board at the April meeting. He noted the proposed changes to the property by the school board. Staff believes the proposal is good and want the board to approve in principle. The school board will be responsible for all additional work as changes take place. He noted staff are looking for board endorsement in principle with a final report to be brought back. After responding to questions the following resolution was presented.

FA-64-10

MOVED BY: B. Baty
SECONDED: B. Henderson
THAT: Report No. 29-10 be received;

That the District School Board of Niagara proposal for Woodend Outdoor Education Centre be approved in principle; and,

That the School Board be requested to complete an environmental impact study for the project, to be submitted with detailed plans for the development, prior to receiving final approval by the Niagara Peninsula Conservation Authority.

"CARRIED"

(12) REGIONAL TREE AND FOREST CONSERVATION BY-LAW- REPORT NO. 30-10

The Director, Land Management provided an outline of this matter and how this is going to date. He noted that service is improved since coming to the Authority. The Chairman advised that this report is as a result of a request at the April meeting. The following resolution was presented.

FA-65-10

MOVED BY: B. Butters
SECONDED: B. Heit
THAT: Report No. 30-10 be received for information.

"CARRIED"

(13) CONSERVATION AREA DIRECTIONAL SIGNAGE – REPORT NO. 31-10

The Director, Land Management provided an outline of this matter noting the reasons for requesting multiple directional routes. He responded to questions and suggestions for alternative sign spots, for example hydro poles. He advised that Hamilton CA is having the same difficulties. The following resolution was presented.

FA-66-10

MOVED BY: A. Fevez

SECONDED: B. Baty

THAT: Report No. 31-10 be received for information; and,

That staff submit a formal request on behalf of the Full Authority to Tourism Hamilton for the establishment of multiple tourism directional routes into the Binbrook Conservation Area.

"CARRIED"

(14) APPOINTMENT OF ENFORCEMENT OFFICERS – REPORT NO. 32-10

The Director, Land Management indicated the need to have them designated enforcement officers. The following resolution was presented.

FA-67-10

MOVED BY: B. Henderson

SECONDED: T. Dalimonte

THAT: Mr. Greg Furtney and Mr. Bob Hayslip be appointed as Enforcement Officers under The Conservation Authorities Act.

"CARRIED"

(15) PROJECT STATUS REPORT – REPORT NO. 33-10

A question was raised whether the schools are being cautioned about ticks at the Wainfleet Bog prior to going to the site and was advised, yes. Mary Stack advised she is working with the Ministry of Health to develop a protocol designed specifically for the Wainfleet Bog area, but is behind schedule. There being no further questions, the following resolution was presented.

FA-68-10

MOVED BY: B. Henderson

SECONDED: B. Steckley

THAT: Report No. 33-10 outlining the status of Authority projects be received for information.

"CARRIED"

(16) IN-CAMERA

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

FA-69-10

MOVED BY: B. Baty
SECONDED BY: B. Butters
THAT: this meeting do now move in-camera.

Received at 9:08 p.m. **“CARRIED”**

FA-70-10

MOVED BY: A. Fevez
SECONDED BY: B. Baty
THAT: this meeting do now move back into open session.

Received at 9:15 p.m. **“CARRIED”**

(17) OTHER BUSINESS

It was noted that there is a new bill in place, being Bill 168 regarding safety and harassment in the workplace. It was noted the Authority must have a policy and that it must be posted by June 15th. A question was raised on whether we have such a document in place, and if not, how close are we to it. The Director, Land Management advised that a good deal of this policy is contained within our health and safety manual, although we have to resolve final policies around the office. It was stressed that this must be completed and will be ratified at the June meeting. Mary Stack advised that she has information from the Region on their policy and the Authority will follow as much of their template as possible. There will be mandatory training for all staff, board and committee members.

ADJOURNMENT

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

FA-71-10

MOVED BY: B. Butters
SECONDED BY: T. Dalimonte
THAT: this meeting do now adjourn.

Received at 9:24 p.m. **“CARRIED”**

"L. Sawatzky, Recording Secretary

D. Ransom, Chairman"