

NIAGARA PENINSULA CONSERVATION AUTHORITY

WELLAND

FEBRUARY 16, 2011

7:00 p.m.

**FULL AUTHORITY MEETING**

**MEMBERS PRESENT:**

B. Maves (Chairman)  
B. Timms (Vice-Chairman)  
D. Barrick  
B. Baty  
T. Dalimonte  
C. D'Angelo  
D. DiFruscio  
T. Easton  
A. Fevez  
B. Sharpe

**MEMBERS ABSENT:**

D. Eke  
A. Jeffs  
D. Joyner  
D. Ransom  
B. Steckley

**STAFF PRESENT:**

T. D'Amario, CAO/Secretary-Treasurer  
D. Bois, Acting Recording Secretary  
J. Kukalis, Director, Water Management  
D. Baker, Director, Land Management  
M. Stack, Director Communications  
T. McDougall, Executive Director Conservation Foundation  
L. Sawatzky, Administrative Assistant, Corporate Services

**OTHERS PRESENT:**

Mark Neufeld, Chairman, Source Protection Committee  
Ryan Plummer, Brock University  
Kerrie Pickering, Brock University  
Valerie Cromie, Coordinator, Remedial Action Plan  
Lee Ellison  
Samantha Webster

**BUSINESS:**

The Chairman called the meeting to order at 7:00 p.m. and requested anyone who had a conflict of interest to declare it.

**(1) MINUTES**

**(a) ANNUAL MEETING – JANUARY 21, 2011**

There being no errors or omissions, the following resolution was presented.

**FA-16-11**

**MOVED BY:** B. Sharpe

**SECONDED BY:** T. Dalimonte

**THAT:** the Minutes of the Annual meeting held January 21, 2011, be received and approved.

**"CARRIED"**

**(b) FULL AUTHORITY MEETING – JANUARY 21, 2011**

There being no errors or omissions, the following resolution was presented.

**FA-17-11**

**MOVED BY:** T. Dalimonte

**SECONDED BY:** B. Sharpe

**THAT:** the Minutes of the Full Authority meeting held January 21, 2011, be received and approved.

**"CARRIED"**

**(2) BUSINESS ARISING FROM THE MINUTES**

There was no business arising from the minutes.

**(3) CHAIRMAN'S REMARKS**

The Chairman gave his personal congratulations to Loretta Sawatzky, who was in attendance to be honoured for her 25 years of service to the authority noting that it was quite an accomplishment.

The Chairman advised that he had met with the authority auditors, MacGillivray Partners, and went through the unaudited financial report. The Auditors will be back at the end of March with the final Financial Statements. He was pleased to note that the accounting system was now more clearly understood.

The Chairman updated the members on the Fort Erie motion to Regional Council to make changes at the Conservation Authority. The motion was defeated in Council. He felt his statements to council on pursuing customer outreach efforts and improving relationships was well received.

Regarding the levy process, after further investigation, the Chairman advised that municipalities can challenge the levy. To avoid a situation, it is best to continue close consultation when presenting to councils.

**(4) CAO'S REPORT**

The CAO updated the board on progress with the strategic plan. The proposals have been sent to 3 consultants and he hoped for at least two back the first week of March. The hope is then to review them and bring back a recommendation to the board at the March meeting.

The CAO advised that the budget presentation to Hamilton is set for February 25 at 1:40 p.m. The process with Niagara Region is continuing and a Public Works Committee meeting took place on February 1 and a public consultation session on February 9. The budget meets the guidance requirement.

The CAO advised that the bank charges report will be coming once the information is gathered.

The CAO updated the board on the ice fishing event at Binbrook Conservation Area on February 13<sup>th</sup>. There were over 400 participants. He thanked the Glanbrook Conservation Committee and Fishing World of Stoney Creek for their continued support in this event and said the Authority looks forward to its continued success.

**(5) STAFF YEARS OF SERVICE PRESENTATION**

The CAO presented Loretta Sawatzky with a gift in honour of her 25 years of service. He gave the board an overview of the history of her time at the Authority. Pictures were taken and a show of appreciation was given by all.

**(6) DELEGATION**

The Chairman invited Mr. Ryan Plummer and Ms. Kerri Pickering to come forward and make their presentation regarding climate change and the NPCA's involvement in information, advice and leadership.

They noted that so far in their research, a high percentage of people questioned said they considered the conservation authority to be the prime contact on climate change issues. They noted that some authorities are preparing an action plan on climate change.

The presentation was informative and they advised the board that this is a Brock/Environment Canada endeavour. They are not looking for financial support but rather expertise, and data gathered at the NPCA. They would perhaps need one staff person one day a month for consultation.

After a brief question and answer period the Chairman thanked them for their presentation and advised that the board would take their request under advisement and noted that staff will consult with them further on the possible collaboration requested.

The Director, Water Management advised that up to this point, staff have not been involved in the climate change issue. He said that if directed by the Board, staff would get more involved.

The following resolution was put forth.

**FA-18-11**

**MOVED BY:** T. Easton

**SECONDED BY:** D. Barrick

**THAT:** Staff prepare a report on the issue of climate change and the possible cooperation with the Brock University initiative.

**"CARRIED"**

**(7) PRESENTATION**

The Chairman invited Mr. Mark Neufeld, Chairman of the Source Protection Committee to come forward with his presentation. He gave an informative talk on the Source Protection Plan, update and status report and the NPCA's role in Source Water Protection Planning

Dave Barrick brought up the Welland Canal oil spill in Port Colborne, noting the proximity and risk to both IPZ's of the water intake. Mr. Neufeld said that the Committee was satisfied with the handling of the incident, noting that although they have no jurisdiction over the Seaway Authority (federal), there is good cooperation between them.

The Chairman and Dave Barrick requested a hard copy of the Source Water Assessment Plan. The reports are also available on the website or CD's.

The CAO will advise the Board on the implementation cost sharing commitment as the Final Plan proceeds. One year from now, the public consultation will begin on the Final Plan.

**(8) 2010 OPERATING & CAPITAL BUDGETS – UNAUDITED YEAR END – REPORT NO. 07-11**

The CAO presented this report with a PowerPoint presentation. He overviewed the budget process and explained about the 2 types of levies ie, general and special.

The CAO overviewed the recommendations included in the report and asked the board to accept these recommendations.

The Chairman said that after discussions with the authority auditors he understands that the levy/debenture process is an accounting maneuver. The NPCA levies the Region and the Region can appeal to the OMB.

Dave Barrick questioned the difference between the actual budget and the unspent funds. The CAO advised there are various reasons why the money was not spent. He recommended putting some into reserves for future use and noted that some of the funds were from source protection funding which is guaranteed and can be deferred to the next year. He said could change the way budget was presented to show the actual received and the actual spent noting the differential. The CAO will present options for consideration with the final report. The Chairman asked the CAO to provide him with a list of capital projects, ongoing and pending.

There was a discussion about public sector account board rules (PSAB). The CAO will report to the board later in 2011 with respect to changes in the capital and operating budgets to more reflect PSAB criteria.

The following resolution was then presented.

**FA-19-11**

**MOVED BY:** B. Timms

**SECONDED BY:** A. Fevez

**THAT:** Report No. 07-11 regarding the 2010 Operating and Capital Budgets – Unaudited Year End be received; and,

That the recommended appropriations be approved for inclusion in the audited financial statements.

**"CARRIED"**

**(9) APPOINTMENT OF AUDITORS FOR 2011 - REPORT NO. 08-11**

The CAO presented further information about the tendering out of audit services in 2004. He advised that if costs rose above \$25,000 we should look at other alternatives but otherwise stay with MacGillivray Partners as they have full knowledge and experience with the NPCA.

Dave Barrick suggested that perhaps next year we should go through the tendering process to show transparency and accountability with our authority.

The following resolution was then presented.

**FA-20-11**

**MOVED BY:** C. D'Angelo

**SECONDED BY:** B. Baty

**THAT:** that the firm of MacGillivray Partners be appointed as the Conservation Authority auditors for 2011.

**"CARRIED"**

**(10) FINAL REPORT – LAKE ERIE NORTH SHORE WATERSHED PLAN - REPORT NO. 09-11**

The Director, Water Management began by noting that the background information on this report on the Lake Erie North Shore Watershed Plan contained the same information he would be providing for the following item on the Central Welland River Watershed Plan and he would cover both items at the same time.

The Chairman asked if the complete plans were available for review, rather than just the Executive Summary. The Chairman and Dave Barrick requested the complete reports to review prior to approving. The Chairman asked if these documents were time sensitive. The Director, Water Management advised that this could be put off until the next meeting and asked the boards direction.

The following motion was put forth.

**FA-21-11**

**MOVED BY:** B. Sharpe

**SECONDED BY:** T. Easton

**THAT:** the issue of the Erie North Shore Watershed Plan and the Central Welland River Watershed Plan be deferred until the next meeting.

**"CARRIED"**

**(11) FINAL REPORT – CENTRAL WELLAND RIVER WATERSHED PLAN - REPORT NO. 10-11**

This report was deferred with item 10.

The Chairman left the meeting at 8:55 p.m. The Vice-Chairman assumed the Chair.

**(12) PROJECT/PROGRAM STATUS REPORT – REPORT NO. 11-11**

The CAO presented this report and briefly outlined the status of projects and programs underway.

Regarding the Seaway Naturalization Project, Bruce Timms asked for an update on the emerald ash bore threat and asked if the seaway is looking at what indigenous trees they are planting in regard to the die off of bees. The Director, Land Management advised that the first identification of the bore is close. The Food Inspection Agency is monitoring the issue. The NPCA is sampling in our areas and teaching landowners how to sample for the pest. All the information gathered is sent to the food inspection agency. Brian Baty asked about Shorthills and was told the best contact is George Dewar of the Friends of Shorthills Park.

Carmen D'Angelo inquired about the Fishing Derby at Binbrook and asked why we would be promoting this activity with the contamination of fish being investigated by MOE. The Director, Land Management advised that the information is being passed on to the people as they entered the park so they can make their own choice and he noted that the MOE fish consumption guidelines will be updated based on their conclusions. We are now waiting for the report from MOE and he will bring back a more detailed report at that time. Carmen D'Angelo asked if sending a letter to the MOE might speed up that process.

The following motion was then put forth.

**FA-22-11**

**MOVED BY:** C. D'Angelo

**SECONDED BY:** A. Fevez

**THAT:** the CAO prepare a letter under his signature to be sent to the Ministry of the Environment requesting a timely conclusion and report on the matter of fish contamination in the Binbrook reservoir.

**"CARRIED"**

Carmen D'Angelo asked why the Upper Welland River Watershed Plan was not proceeding with the public consultation component. He thought that new watershed studies were not being started but he thought the ones in progress would be completed. The Director, Water Management advised that due to staff terminations, the process on that Plan was not being completed. After a discussion, he advised that the public component could be added back in and he will look at the 2011 budget. The comment in the Status Report (Page 36, Item 2(d)) will be removed.

Brian Baty commented on how good the Conservation Area Guide was and added that he hopes for tours to some of these areas to see them first hand. The CAO advised that tours will be arranged .

The following resolution was then presented.

**FA-23-11**

**MOVED BY:** C. D'Angelo

**SECONDED BY:** T. Dalimonte

**THAT:** Report No. 11-11 outlining the status of Authority projects and programs be received for information, as amended.

**"CARRIED"**

**(13) OTHER BUSINESS**

Brian Baty had 3 items to bring forward with direction to staff to investigate further.

- 1) The proposed QEW expansion to 4 lanes and how that will impact Jordan Harbour
- 2) The Regional Chairs potential to acquire the Carolinian Forest Trail and Waterfront on the Department of National Defense (DND) site in Niagara-on-the-Lake as a War of 1812 legacy.
- 3) The City of Thorold potential for the development of the nature corridor along Lake Gibson to connect with Shorthills Provincial Park.

Mickey DiFruscio asked about the 200<sup>th</sup> celebration of the War of 1812, happening in 2012. He asked if we are planning to participate with municipalities who have committees in place or are we doing our own project. The Director of Land Management advised that we currently working with the 1812 Committee, mostly at Ball's Falls. The Vice-Chairman asked for a summary of 1812 events happening in our jurisdiction.

**(14) IN-CAMERA**

In accordance with Authority policy, the following resolutions were presented. B. Baty declared a conflict of interest with respect to Report CR-03-11.

**FA-24-11**

**MOVED BY:** C. D'Angelo

**SECONDED BY:** T. Easton

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

Received at 9:13 p.m.

**"CARRIED"**

**FA-25-11**

**MOVED BY:** T. Easton

**SECONDED BY:** B. Baty

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

Received at 9:27 p.m.

**"CARRIED"**

A motion was put forth to approve the items approved in camera.

Report No. CR-01-11

**FA-26-11**

**MOVED BY:** D. DiFruscio

**SECONDED BY:** C. D'Angelo **"CARRIED"**

Authority Meeting - Minutes  
February 16, 2011 – continued

Report No. CR-02-11	<b><u>FA-27-11</u></b> <b>MOVED BY:</b> B. Sharpe <b>SECONDED BY:</b> T. Easton	<b>“CARRIED”</b>
Report No. CR-03-11	<b><u>FA-28-11</u></b> <b>MOVED BY:</b> D. DiFruscio <b>SECONDED BY:</b> C D’Angelo	<b>“CARRIED”</b>
Report No. CR-04-11	<b><u>FA-29-11</u></b> <b>MOVED BY:</b> D. Barrick <b>SECONDED BY:</b> T. Dalimonte	<b>“CARRIED”</b>

**ADJOURNMENT**

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

**FA-30-11**  
**MOVED BY:** A. Fevez  
**SECONDED BY:** D. DiFruscio  
**THAT:** this meeting do now adjourn.

Received at 9:29 p.m. **“CARRIED”**

**"D. Bois, Acting Recording Secretary**

**Bart Maves, Chairman**

**Bruce Timms, Vice-Chairman”**