

NIAGARA PENINSULA CONSERVATION AUTHORITY

WELLAND

OCTOBER 21, 2012

7:00 p.m.

MEMBERS PRESENT: B. Maves (Chairman) (with regrets)
S. Beattie
T. Dalimonte
C. D'Angelo
D. DiFruscio
T. Easton
D. Eke
A. Jeffs
D. Joyner
B. Sharpe
B. Steckley
B. Timms (Vice-Chairman)

MEMBERS ABSENT: B. Baty (with regrets)
D. Barrick
D. Ransom

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

OTHERS PRESENT: Norm Johnson
Lennie Aarts

BUSINESS:

The Chairman called the meeting to order at 7:12 p.m., welcomed all in attendance and requested anyone who had a conflict of interest to declare it.

(1) MINUTES – SEPTEMBER 19, 2012 FULL AUTHORITY MEETING

April Jeffs indicated that in the comments made by the Chairman with respect to the Wainfleet Bog she was incorrectly shown as April Martin. It was noted and the following resolution was presented.

FA-105-12

MOVED BY: M. DiFruscio

SECONDED BY: B. Steckley

THAT: the Minutes of the Full Authority meeting held September 19, 2012, be received and approved as amended.

"CARRIED"

(2) BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes.

(3) CHAIRMAN'S REMARKS

The Chairman noted that the boat tour for the Welland River would proceed as a number of the members indicated they would be able to attend. It was agreed the tour would begin at 2:00 PM and all would meet at E.C. Brown.

The Chairman indicated that he attend Ball's Falls Thanksgiving Festival to assist with raffle ticket sales on the Monday and noted it was very busy. He noted that attendance overall was down slightly from last year; however the event appeared to be quite successful. He added thanks to Mickey, Doug Ransom, Carmen and Stew who assisted with ticket sales. In total 1,622 tickets were sold generating revenue of \$2,400 after expenses. April Jeffs indicated that the Marshville festival attendance was down this year as well, and the feeling is that this is affected by the economy.

The Chairman commended the Strategic Plan Sub-Committees noting their meetings are going well with good active participation. He thanked the chairs and staff for support and noted he was hoping to see reports from the various committees in December.

The Chairman advised that he will be attending a meeting next Wednesday with the Minister of Natural Resources at Queen's Park, and will thank him for MNR's assistance at the bog fire and for waiving their \$5,000 fee.

(4) CAO'S REMARKS

The CAO advised that as a follow up from last meeting, staff is looking at DFO Act Reductions and definitions. He noted there are some changes to Provincial Policy Statements and we are still reviewing the documents to see if anything affects the Authority.

The CAO noted that we will be presenting our 2012 budget to the Niagara Region budget committee on November 8th. He also indicated that we have received correspondence from Hamilton with a request for a 0% increase and will report on ways to get to 0% if necessary at the November meeting.

The CAO advised that Doug Elliott former NPCA Board Chair recently suffered a mild stroke and has been hospitalized. He is recovering and in good spirits.

The CAO requested that the Director, Land Management update the board on responses for funding assistance regarding the 20 Valley Trail Staircase. The Director, Land Management advised that he was waiting for response from the parties that were approached regarding the funding request. He noted that he hoped to have answers available for November, and that as of this time he has not received any negative replies.

Mickey DiFruscio asked the CAO to advise the board of the recent meeting regarding the St. Johns Centre, noting that the transition is still occurring.

The CAO advised that as a follow up from last meeting staff is looking at DFO Act Reductions and definitions. He noted there are some changes to Provincial Policy Statements and we are still looking at it to see if anything affects the Authority.

(5) **NIAGARA REGION WIND CORPORATION PROPOSAL – WIND FARM – REPORT NO. 50-12**

The Director, Water Management highlighted the report and the extent of the Authority's involvement in this matter. He outlined the Authority's position, noting that we do not have any direct authority on whether they put the conduit above or below ground. He advised that the NPCA has noted there are 62 locations where permits are required. We will be entering into negotiations with them at some point, however, there is not much more to report at this time except where permits are required. The Director, Water Management responded to questions.

A lengthy discussion took place regarding the Green Energy Act and our role, the amount of staff time required to take care of this application and whether we should be receiving additional compensation. A question was raised regarding whether this would cause disruption to the migratory songbirds in the area.

April Jeffs raised a question if the Gord Harry Trail falls under the Green Energy Act, and if so, then we must negotiate with them. The Director, Land Management noted that when we acquired the parcel from the Township of Wainfleet there was a proviso to negotiate for utility easements.

Tony Dalimonte commented that this could require large amounts of staff time and suggested that we seek additional compensation to the NPCA, perhaps in the form of a charitable donation. He noted we should look at develop a strategy for seeking additional compensation.

The Chairman indicated that at his meeting with the Minister next Wednesday, he could mention this matter regarding green energy projects and ask for clarification regarding where the jurisdictions lie. He will request a memo outlining where NPCA jurisdictions are. It was agreed this was a good idea and the following resolution was presented.

FA-106-12

MOVED BY: A. Jeffs

SECONDED BY: B. Timms

THAT: The Chair at his meeting with the Minister of Natural Resources request clarification on conservation authorities' jurisdictions on green energy projects.

"CARRIED"

Staff was requested to come back at the next meeting with some ideas on how to bring in some funds through this project.

With respect to requesting additional compensation, the Director, Water Management suggested we approach the Region of Niagara in this and negotiate through the Region to take advantage of the legislation provided to them.

The following resolution was presented.

FA-107-12

MOVED BY: B. Steckley
SECONDED BY: T. Dalimonte
THAT: Report No. 50-12 be received for information.

“CARRIED”

The Chairman requested that item 6 regarding the Saine matter be moved to the end of the agenda. The members agreed to do so.

(6) GAINSBOROUGH CONSERVATION AREA – REPORT NO. 52-12

The Director, Land Management provided an outline of the report which was requested at the last meeting regarding the Gainsborough Conservation Area. He noted that the area is a 40 acre site acquired by the Authority with the intent to build office space at that location. He advised that it continues to function as the main workshop for the NPCA. The Chairman noted that the Assets and Asset Management Work Group will be dealing with this.

The following resolution was then presented.

FA-108-12

MOVED BY: A. Jeffs
SECONDED BY: S. Beattie
THAT: Report No. 52-12 regarding the Gainsborough Conservation Area be received for information purposes.

“CARRIED”

(7) PFOS – BINBROOK RESERVOIR – REPORT NO. 53-12

The Director, Land Management provided an update on this ongoing matter. He advised that the draft cleanup report from Tradeports will be submitted to MOE and if approved will deal with the cleanup. The following resolution was presented.

FA-109-12

MOVED BY: S. Beattie
SECONDED BY: M. DiFruscio
THAT: Report No. 53-12 regarding PFOS Compounds at the Binbrook Reservoir be received.

“CARRIED”

(8) BUDGET STATUS REPORT NO. 54-12

The CAO briefly outlined the report, noting a detailed projection will be presented at the November meeting when most revenues will be available. He did indicate that with a few exceptions, the budget is generally in line. Some unforeseen items are outside of budget, including the bog fire, the Strategic Plan, legal issues and personnel matters.

After a brief discussion, the following resolution was presented.

FA-110-12

MOVED BY: T. Easton

SECONDED BY: S. Beattie

THAT: the Budget Status Report for the period ending September 30, 2012 be received.

"CARRIED"

(9) PROJECT STATUS REPORT – REPORT NO. 55-12

Carmen D'Angelo noted that he was in attendance at the Thanksgiving Festival selling raffle tickets and over 2 days had an enjoyable time. He indicated he was impressed with how clean the grounds were and the attitude of the staff was good. He asked whether a formal report in detail with attendance demographics, vendors, what worked and didn't from the post committee meeting could come to the board. The Chairman asked whether a financial report could come back to the board. The CAO advised that details will be provided in November. The Chairman also asked if a comparative report has ever been done and the CAO advised that no, but we can do one.

The CAO asked if board members had comments to please give them to Darcy to take to the post meeting. The following resolution was then presented.

FA-111-12

MOVED BY: D. Eke

SECONDED BY: T. Easton

THAT: Report No. 55-12 outlining the status of Authority projects / programs be received for information.

"CARRIED"

(10) OTHER BUSINESS

April Jeffs, Doug Joyner and Bruce Timms noted that they recently learned that the Region had hired a Source Protection Risk Management Official who will have responsibility for approving and dealing with Risk Management Plans which might be required in areas affecting Intake Protection Zones. In our case this would include DeCew and Pt. Colborne. Members advised that there has been some concern expressed by the Agricultural Community regarding this as they felt more regulations would be forthcoming as a result. Following a brief discussion it was noted that this is a role that is required as part of the Source Protection Planning process and that the person who will be carrying out these duties is already an employee of the Region and this is just an added responsibility.

Bob Steckley noted that many of the members are aware of the Communities in Bloom competition where municipalities have an opportunity to showcase their municipality's floral displays and overall beauty of their town/city. He noted that Fort Erie entered in the 20,000 to 50,000 population category, proceeded to the 2012 National Competition in 2012. He was pleased to announce that Fort Erie won in their category. He noted that Fort Erie staff took the judges on tour of the municipality and were very impressed with the Stevensville Conservation Area which is a partnership with the NPCA and Fort Erie Conservation Club. Bob Steckley expressed his thanks to the NPCA and the Fort Erie Conservation Club.

Carmen D'Angelo noted that as a board, they should be receiving more information regarding the Foundation and where it currently stands. The Chairman noted a meeting is necessary and they need to look at how they will move forward. It was suggested that perhaps some of the committee members in the Strategic Planning process would be interested in joining the Foundation Board. The CAO advised that it is still operating and Nevada is proceeding as normal. He noted that Mary Stack is overseeing the activities and processing donations.

Barry Sharpe advised the board that there is a situation involving a Welland subdivision proposal which he is pursuing with staff. He indicated that he attended a public meeting last week and the original proposal has been now been scaled back. There will be some open space as a result and they proponent would like to give it to someone to be maintained for public use. He noted he is planning to have a discussion with the Chair, the CAO and staff to discuss how this could potentially benefit the city of Welland and NPCA.

(11) SAINE APPLICATION APPEAL RULING – REPORT NO. 51-12

The Director, Water Management provided an outline of this report giving the history of this application and the Authority's concerns. He outlined the court process and noted that the judgments were included with this report. The following resolution was presented.

FA-112-12

MOVED BY: T. Dalimonte

SECONDED BY: B. Steckley

THAT: Report No. 51-12 be received for information.

“CARRIED”

(12) IN-CAMERA

The following resolutions were presented.

FA-113-12

MOVED BY: T. Easton

SECONDED BY: D. Eke

THAT: this meeting do now move in-camera.

Received at 8:25 p.m.

“CARRIED”

FA-114-12

MOVED BY: A. Jeffs

SECONDED BY: D. Joyner

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

Received at 9:15 p.m.

“CARRIED”

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

FA-115-12

MOVED BY: B. Steckley

SECONDED BY: T. Dalimonte

THAT: the reports received in the In-Camera session be received.

"CARRIED"

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

ADJOURNMENT

FA-116-12

MOVED BY: B. Steckley

SECONDED BY: C. D'Angelo

THAT: this meeting do now adjourn.

Received at 9:16 p.m.

"CARRIED"

"L. Sawatzky, Recording Secretary

Bart Maves, Chairman"