

NIAGARA PENINSULA CONSERVATION AUTHORITY

WELLAND OFFICE

JANUARY 16, 2013

7:00 p.m.

FULL AUTHORITY MEETING

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

MEMBERS ABSENT: T. Dalimonte (with regrets)
D. Ransom (with regrets)

STAFF PRESENT: T. D'Amario, CAO/Secretary-Treasurer
J. Kukalis, Director, Water Management
D. Baker, Director, Land Management
M. Stack, Director Communications
L. Conte, Recording Secretary

OTHERS PRESENT: G. Robins
M. Neufeld
L. Aarts
J. Sonneveld
R. Momot
K. Young-Chin
B. Lepard
N. Johnson
M. Easton

BUSINESS:

The Chairman called the meeting to order at 7:43 p.m.,
He then welcomed everyone in attendance.

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

Trevor Easton noted error on minutes, Easton was not present at December meeting and he was identified as requesting debate be limited on item 14 of meeting minutes.
To be adjusted. The following resolution was presented.

FA-07-13

MOVED BY: Robert Steckley
SECONDED BY: Mickey DiFruscio

THAT: the Minutes of the Full Authority meeting held December 19, 2012, be received and approved as printed with the exception of the minor error on item 14 to be adjusted.
"CARRIED"

(2) BUSINESS ARISING FROM THE MINUTES

Carmen D'Angelo asked that the budget be added to the agenda. Chairman Timms agreed to discuss under item 12, Other Business.

(3) CHAIRMAN'S REMARKS

Newly elected Chair Bruce Timms thanked all for their support and hopes to live up to everyone's expectations.

(4) CAO'S REMARKS

Tony D'Amario advised the Board that NPCA's budget will be presented on the 24th of January at the City of Hamilton. A draft copy of "code of conduct" was sent to staff for feedback, to be finalized.

A Peer Review will be conducted for the Welland River Flood Plain Mapping which is a critical component of the process.

Tony contacted the Region with regards to pre-signed motions so as to ensure quicker process. Motion has no status until or unless brought to the table.

Carmen D'Angelo requested that this process be added to our Policies and Procedures.

April Jeffs was concerned about the miscommunications to coordinate the Flood Plain Meetings. Mary Stack commented that a discussion was held at the Flood Plain Committee meeting on January 8th and it was suggested to meet on 3rd Wednesday of the month at 5pm prior to the Board of Directors Meeting. Members concurred that this schedule would be appropriate.

(5) NPCA REGULATION AMENDMENTS – REPORT NO. 01-13

John Kukalis reported on the Joint Corporate Plan Committee Meeting he attended. He indicated that group expressed no major objection to the Regulation but would like to see two specific issues addressed in NPCA's future policy document revisions: list of typically required studies, clarification as to how existing planning approvals are recognized. He further indicated that the group felt most issues they had could be addressed by revisions to the NPCA policy document as well as the formalization of a pre-consultation and dispute resolution process.

Dave Eke has concerns with approving amendment to Ontario Regulation 155/06 due to problems with the MNR defined wetland boundaries / mapping which NPCA is required to regulate. Dave Eke stated for the record that he does not concur with MNR's approach to defining wetlands and he is concerned to adopt the regulation until this matter is resolved.

John Kukalis stated that should the Board not approve this amendment tonight, no regulation will exist and therefore we will have removed ourselves from having any direct influence over this issue. Chairman Timms indicated that he is confident we can deal with this concern better by approving the amendment and continuing to regulate.

Resolution presented as follows:

FA-08-13

MOVED BY: Stewart Beattie

SECONDED BY: Douglas Joyner

THAT: Report No. 01-13 be received and the following resolution be adopted:

Whereas an 'amending' regulation to the individual Conservation Authorities Act Section 28 'Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation' has been prepared in conformity with the provisions in Section 28 of the Conservation Authorities Act and the amended Ontario Regulation 97/04;

THEREFORE BE IT RESOLVED THAT the Niagara Peninsula Conservation Authority adopts the subject 'amending' regulation that will amend the individual Conservation Authorities Act Section 28 'Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation'; O. Reg (155/06)

AND THAT the said 'amending' regulation be submitted to the Ministry of Natural Resources for consideration by the Minister of Natural Resources for the Minister's approval.

"CARRIED"

(6) **BALL'S FALLS HERITAGE ADVISORY COMMITTEE - APPOINTMENT – REPORT NO. 02-13**

Darcy Baker outlined the role that the Ball's Falls Heritage Advisory Committee plays in operations of the Museum at Ball's Falls including their ability to apply for grants.

Carmen D'Angelo expressed his gratitude for the volunteers, however was concerned about whether the vacancy was posted.

Darcy stated that it had not been posted nor was Betsy Foster promised appointment, only that she would be presented for consideration of appointment on the committee. The board concurred that the vacancy should be posted and to advertise in combination with volunteer opportunities.

Bob Steckley asked that Betsy Foster be advised that she is welcome to apply for this position. Barry Sharpe would like to see advertising and recruiting be the standard for all vacancies on NPCA committees. Betsy Foster's application will be considered and does not want to create offence.

David Barrick suggests all Committees be reviewed for same consideration.

The Chairman presented the following resolution;

FA-09-13

MOVED BY: Mickey DiFruscio
SECONDED BY: Bob Steckley

THAT: Report 02-13 - Betsy Foster be appointed to the Ball's Falls Heritage Advisory Committee for a 3-year term effective January 1, 2013 – December 31, 2016.

Carmen D'Angelo moved for deferral of resolution;

FA-09-13

MOVED BY: Carmen D'Angelo
SECONDED BY: David Barrick

"DEFERRED"

Carmen D'Angelo presented the following motion:

FA-16-13

MOVED BY: Carmen D'Angelo
SECONDED BY: Doug Joyner

THAT: NPCA undertake a recruitment process to fill the vacancy at Ball's Falls Heritage Advisory Committee by March 31, 2013.

"CARRIED"

(7) PROPOSED 2013 NPCA FEE SCHEDULE – REPORT NO. 03-13

Staff presented a report on the 2013 NPCA Fee Schedule, pointing out that most fees would remain the same. Mr. Barrick asked about the proposed elimination of the non-serviced seasonal site fee in the campgrounds. Darcy explained that the non-serviced sites are designed for tents, so they cannot accommodate trailers or RVs. He added that this fee rate has only been used twice in the past 4-years. Staff believes that it is no longer required.

April Jeffs asked if the day use rates at Long Beach were being impacted by the Regional Access Beach. Darcy confirmed that it was reducing visitation at Long Beach. Staff will be investigating options to promote the area and the services provided to help lure traffic back to the Conservation Area.

Doug Joyner suggested the board put a process in place to review fees every 2 – 3 yrs.

Chairman presented the following resolution.

FA-10-13

MOVED BY: April Jeffs
SECONDED BY: Stewart Beattie

THAT: Report No. 03-13 regarding the 2013 Conservation Authority Fee Schedule be approved. **"CARRIED"**

(8) **TERMS OF REFERENCE – MASTER PLAN FOR ST. JOHNS CENTRE – REPORT NO. 04-13**

Darcy Baker presented the report and explained the background regarding acquisition of the site. NPCA received title to said property in 2011. He noted that once staff have met with consultants they would come back to the Board with information. Brian Baty asked that the Niagara Escarpment Parks and Open Space System (NEPOSS) be added to the background information in the Terms of Reference, since the site is located in the Niagara Escarpment Plan Area, it will become part of the NEPOSS system. Bart Maves asked about the reference to acquisition. Darcy explained that the consultation will be looking at the land to determine if future plans will require additional properties or partnerships with nearby landowners.

Carmen D'Angelo doesn't disagree with Master Plan, however was concerned as to why this plan was presented and not Binbrook's. Tony D'Amario explained there was a timeline issue with the Jackman Foundation. It is imperative that we proceed as this is a condition of our acquisition agreement with the Jackman Foundation. Carmen D'Angelo requested a Master Plan for Binbrook.

Resolution presented as follows:

FA-11-13

MOVED BY: Stewart Beattie
SECONDED BY: April Jeffs

THAT: Report No. 04-13 regarding the terms of reference for St. Johns Centre Conservation Area Master Plan be approved; and,
That staff be authorized to request proposals and interview prospective consultants.

"CARRIED"

(9) **PFOS COMPOUNDS AT BINBROOK RESERVOIR (update) REPORT NO. 05-13**

Darcy presented the staff report and advised members that the Ministry of the Environment will be revising the Sport Fish Consumption Guidelines in early 2013. Staff will ensure that this information is distributed to anglers using the Binbrook Reservoir beginning with the ice fishing season.

Resolution presented as follows:

FA-12-13

MOVED BY: Stewart Beattie
SECONDED BY: Dave Eke

THAT: Report No. 05-13 regarding PFOS Compounds at the Binbrook Reservoir be received.

"CARRIED"

(10) 2013 FULL AUTHORITY MEETING SCHEDULE – REPORT NO. 06-13

Tony D’Amario proposed 3rd Wednesday of each month with the exception of July. Meeting times remain at 7pm thus allowing the Board to meet 11 times during 2013.

The following resolution was presented by the Chairman;

FA-13-13

MOVED BY: Robert Steckley

SECONDED BY: Barry Sharpe

THAT: the 2013 Authority Meeting Schedule as outlined in Report No. 06-13 be approved.

“AMENDED”

August date interferes with AMO conference
Doug Joyner moved to amend resolution as follows;

MOVED BY: Doug Joyner

SECONDED BY: Stewart Beattie

THAT: Aug. 21st date be deleted and include the month of July in the meeting schedule.

“CARRIED”

Board requested that Mary Stack send out meeting dates for the year via electronic calendar.

(11) VIOLENCE AND HARASSMENT – REPORT NO. 07-13

Darcy Baker explained that an employer is required to review the policies of workplace violence and harassment annually. NPCA to include this Regulation 30 as part of terms of employment. Changes are as follows: title change to read Workplace Violence and Harassment Prevention Policy. The changes are noted in the first paragraph and an additional paragraph has been added straight from the Provincial Policy.

Dave Eke expressed a concern as to whether the wording meets with the Ministry of Labour’s requirements.

Darcy Baker stated that Reg. 30 of NPCA meets Bill 168 Provincial Template.

Tony D’Amario advised that he has scheduled Staff training for Jan 24th and Feb 7th with respect to this.

Brian Baty recommends a sign-off sheet for staff.

Resolution presented as follows:

FA-14-13

MOVED BY: Stewart Beattie

SECONDED BY: Dave Eke

THAT: Report No. 07-13 regarding the NPCA Workplace Violence and Harassment Prevention Policy be approved and included as

Regulation 30 in the NPCA Terms of Employment and Personnel Regulations.

"AMENDED"

Trevor Easton moved to amend resolution to correct spelling error in Title of Policy No 30 and include "harassment" in paragraph 1 of Reg.30

MOVED BY: Trevor Easton
SECONDED BY: David Barrick

"CARRIED"

(12) OTHER BUSINESS

Carmen D'Angelo discussed the City of Hamilton's budget and recommends that we adjust our request to reflect 0% increase for 2013 and to draw from Hamilton's reserves instead of levies for this year. He also reiterated that we work on a Master Plan for Binbrook to reflect the next 5 to 10 years.

Following resolution was presented:

FA-17-13

MOVED BY: Carmen D'Angelo
SECONDED BY: Stewart Beattie

THAT: Budget recommendation to the City of Hamilton be adjusted to reflect 0% increase to meet their budget request and that the operations be funded from Binbrook reserves if necessary.

"CARRIED"

David Barrick presented the following resolution

FA-18-13

MOVED BY: David Barrick
SECONDED BY: Doug Joyner

THAT: the selection process of public members to committees of the Authority be reviewed

"CARRIED"

Dave Eke received a letter from constituent regarding a permit. Dave Eke is requesting copy of permit as issued. John Kukalis advised that Doug Ker at NOTL would be in a position to provide a copy of the permit.

Barry Sharpe – Ministry of Environment – guidelines for municipalities, staff should look at that, there are changes, however in approval process at Board level. Applications for microfit programs (walkawich) have a new set of rules. Get briefing that Board members are meeting their responsibilities and role in approval process.

Bart Maves – met with Ministry of Natural Resources, there's confusion among municipalities for renewable energy guidelines process – Ministry is revising.

Barry Sharpe – Hydro has projects, identifying setbacks etc. and roles that need to be met by various agencies. Key changes we need to be aware of. Board will be advised of these changes at next meeting.

Brian Baty – Bill 168 code of conduct, anti-whistle blowers on clause that staff not bring issues to table.

Request for spring meeting for St. Johns Centre.

ADJOURNMENT

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

FA-15-13

MOVED BY: Dave Eke
SECONDED BY: Trevor Easton

THAT: this meeting do now adjourn.

Received at 9:33 p.m.

“CARRIED”



"L. Conte, Recording Secretary



Bruce Timms, Chairman"