

**Niagara Peninsula Conservation Authority
FULL AUTHORITY MEETING MINUTES**

**Held: 20 February, 2013; 7:00 p.m.
250 Thorold Road; 3rd Floor; Welland, ON**

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. Steckley
B. Sharpe

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: Len Aarts
Mary Easton
Norm Johnson
Bev Leppard
John Sonneveld

BUSINESS:

The Chairman called the meeting to order at 7:10 p.m.,
He then welcomed everyone in attendance. No conflict of interest expressed

(1) **MINUTES – 54th Annual Meeting Minutes 16 January 2013**

FA-19-13

Moved by: Dave Barrick
Seconded by: Dominic Di Fruscio

That: the Minutes of the 54th Annual Meeting Minutes held 16 January 2013, be received and approved as printed.

"CARRIED"

(2) **MINUTES – Full Authority Meeting - 16 January 2013**

FA-20-13

Moved by: Dominic Di Fruscio
Seconded by: Trevor Easton

That: the Minutes of the Full Authority Meeting held 16 January 2013, be received and approved as printed.

"CARRIED"

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

Stewart Beattie made reference to the master plan for St. Johns and Carmen D'Angelo raised interest in discussing a master plan for Binbrook and would like to include this under new business of the Agenda (item 14).

(4) **CHAIRMAN'S REMARKS**

Chairman Timms updated the Board Members on NPCA events:

- 200 registered fishermen for ice fishing at Binbrook Sun. Feb 10th. Good turnout, great fun.
- Family Day at Ball's Falls on the 18th of February. April Jeffs commented that the event was well attended by approximately 400 people.
- Carmen D'Angelo & Stewart Beattie presented to City Council – 0% increase was well received, as expected.
- Foundation Golf tournament June 13. Chairman Timms challenged all to bring a foursome. Money raised will support the Jordan Harbour project.
- Reminder DSBN event for the Woodend project – Feb 28 (table of 10 – 4 unoccupied) advise who wishes to attend ASAP.
- Strategic plan held on 14 Feb – was productive – target of completion by May - need 2 more meetings to finish. Todd Macdonald gave template to report to the Steering Committee.

(5) CAO'S REMARKS

Tony D'Amario reminded the Board Members of the following:

- target to provide templates for Chairs please have ready by May
- Strategic Plan early summer (May/June)
- Per Diem sheets – please sign & put mileage. If you attend an Authority function – claim mileage however, use separate mileage to report expenses, do not include together on Board Meeting sign-in sheets. Claim separately.

(6) 2012 Year-end estimates and recommendations – Report No. 08 - 13

Tony D'Amario presented the 2012 unaudited year-end report to the Board and provided an explanation to the variances in revenues and expenditures. Details & Summary Budget Sheets enclosed. Recommendation made that the Board approve – receive report to NPCA auditors for Financial Statements.

Resolution presented as follows:

FA- 21 -13

Moved by: Dominic DiFruscio

Seconded by: Brian Baty

That: That Report No. 08 - 13 regarding the 2012 Current and Capital/Project Budgets – Unaudited Year End be received; and

That the recommended appropriations be approved and submitted to the NPCA Auditors in preparation of the 2012 Audited Financial Statements.

"CARRIED"

(7) Final Approval 2013 Operating Budget – Report No. 09 - 13

Tony D'Amario presented both the Operating & Capital budgets together.

Preliminary and Proposed 2013 Operating Budget with revisions based on year-end expenditures and other items, show the Levy amount to municipalities identical to what board approved in Sept. with minor exceptions. The Hamilton special levy is reduced to reflect a 0% increase over 2012; an increase in reserve allocation for the levy adjustment; and an increase of \$30K in miscellaneous revenues and corporate communications. Spreadsheets enclosed.

Doug Joyner inquired about the \$30K in miscellaneous revenues. Tony D'Amario responded that in addition to the levy, we have Watersmart projects – something we didn't have in 2012, therefore the amount was unknown and offset by expenditures. The project was added in prior to the budget being finalized and didn't get approval until later.

D'Amario continued with the Capital portion which is identical to what was approved in Sep. 2012 with the exception of the number of projects with unspent revenues to complete the GIS project. Overall, the capital / project expenditures have increased by \$526,300.00 over the preliminary budget. (Spreadsheets enclosed)

The Chairman presented the following resolution;

FA- 22 -13

Moved by: Trevor Easton
Seconded by: Stewart Beattie

That: That Report No. 09 - 13 regarding the Proposed 2013 Operating Budget be received; and

That the Proposed 2013 Operating Budget with a total expenditure of \$8,181,156 and a general levy of \$2,508,645 and special levies of \$3,086,444 to the Region of Niagara, \$120,047 to the City of Hamilton and \$10,710 to Haldimand County be approved; and

That the 2013 matching levy in the amount of \$174,500 and the total non-matching general levy in the amount of \$2,334,145 for the 2013 Operating Budget be apportioned to the member municipalities on the basis of the CA Levy Regulation (O Reg. 670/2000) for the Niagara Peninsula Conservation Authority modified in accordance with the 4 Year Levy Implementation Plan for the Years 2010 – 2013 (NPCA Report No. 63-09); and

That the special levies for the 2013 Operating Budget be assessed in the amount of \$3,086,444 to the Region of Niagara, \$120,047 to the City of Hamilton and \$10,710 to Haldimand County.

Recorded Vote:	YES	NO
Barrick	x	
Baty	x	
Beattie	x	
D'Angelo	x	
Di Fruscio	x	
Easton	x	
Eke	x	
Jeffs (Vice-Chair)	x	
Joyner	x	
Maves	x	
Sharpe	x	
Steckley	x	
Timms (Chairman)	x	

"UNANIMOUSLY CARRIED"

Brian Baty inquired if there is potential for a trail corridor connection between Haldimand & Wainfleet. Darcy Baker stated he will look into it.

(8) Final Approval 2013 Capital / Project Budget - Report No. 10 - 13

Resolution presented as follows:

FA- 23 -13

Moved by: Dave Eke
Seconded by: David Barrick

That: That Report No. 10 - 13 regarding the Proposed 2013 Capital/Project Budget be received; and

That the Proposed 2013 Capital/Project Budget with a total expenditure of \$3,782,708 and a general levy of \$645,205 and special levies of \$1,002,195 to the Region of Niagara, \$267,210 to the City of Hamilton and \$0 to Haldimand County be approved; and

That the 2013 general levy in the amount of \$645,205 be apportioned to the member municipalities on the basis of the CA Levy Regulation (O Reg. 670/2000) for the Niagara Peninsula Conservation Authority modified in accordance with the 4 Year Levy Implementation Plan for the Years 2010 – 2013 (NPCA Report No. 63-09); and

That special levies for the 2013 Capital/Project Budget be assessed in the amount of \$1,002,195 to the Region of Niagara, \$267,210 to the City of Hamilton and \$0 to Haldimand County.

Recorded Vote:	YES	NO
Barrick	x	
Baty	x	
Beattie	x	
D'Angelo	x	
Di Fruscio	x	
Easton	x	
Eke	x	
Jeffs (Vice-Chair)	x	
Joyner	x	
Maves	x	
Sharpe	x	
Steckley	x	
Timms (Chairman)	x	

"UNANIMOUSLY CARRIED"

(9) Renewable Energy Approval and Feed-in Tariff Program – Report No. 11 - 13

John Kukalis explained the confusion that appears to exist between microFIT and Green (renewable) Energy Projects. Depends on the proposal. (See attachment) Solar, Wind and Bio-energy classes 1 & 2 are exempt from the Renewable Energy Approval Process due to limited size of project and are commonly referred to as "micorFIT" projects. These microFIT are still subject to permit requirements, local municipalities and the Conservation Authority. For larger solar, wind and bio-energy projects, they fall under the Renewable Energy Approval Process

which contains requirements regulated by Conservation Authorities thus avoiding CA approval. However, while green (renewable) energy projects are exempt from Natural Heritage requirements of CA's, they are still subject to the Natural Hazard Requirements of Conservation Authorities' flooding, erosion.

Resolution presented as follows:

FA- 24 -13

Moved by: Barry Sharpe
Seconded by: Stewart Beattie

That: Report No. 11 - 13 be received for information.

"CARRIED"

(10) Protocol for Municipalities and Conservation Authorities in Drain Maintenance and Repair activities - Report No. 12 - 13

John Kukalis provided Drainage Act Protocol (attached) and a status update. This report addresses a pre-approval process for drainage Superintendents (municipal reps) for daily routine maintenance thus avoiding the current CA permit process. The protocol is to provide guidance to CA staff and municipal drainage superintendents on the best practices for drain maintenance and repair activities. The Municipal Drain Authority submits a work notification to the Conservation Authority for approval. This protocol should reduce waiting and processing times for municipalities. Should either the CA or Municipal Drain Authority have a concern with a particular site, the mediation process (Committee) will try to resolve it. Lengthy discussion ensued.

Many Board Members are unsure and do not fully understand how this Protocol will affect the municipalities or the CA.

Bart Maves indicated that we have a Strategic Planning Committee in place to review this and suggested we avail ourselves of this.

John Kukalis stated that the CA can adopt this document but does not require the municipality to use it. It is only binding if the municipality chooses to adopt it.

Resolution presented as follows:

FA- 25 -13

Moved by: Bart Maves
Seconded by: April Jeffs

That: Report No. 12 - 13 be received for information.
That the Board approve implementation of the DART - Protocol for Municipalities and Conservation Authorities in Drain Maintenance and Repair Activities - 2012

"DEFERRED"

The following resolution presented:

That: this report be referred to our Policy Sub-Committee and brought back to the next meeting; and further request members consult relevant drainage superintendents on the subject.

“CARRIED”

(11) Haldimand Trail Link – Gord Harry Conservation Trail – Report No. 13 - 13

Darcy Baker presented this report and explained that the municipalities were not in a position to develop the trail initially to link up to the Gord Harry Conservation Trail. Now the municipalities are in a position to complete the trail, the plan is in line with the TCT and is providing funding to assist with route planning and construction costs.

CA staff has come up with good approach; with 1.2 km trail for Niagara & 1.1 km for Haldimand, we are proposing that we have 1 contractor to take care of both Niagara & Haldimand; total trail of 2.3 kms. The Conservation Authority would act as the contract administrator and work on behalf of Haldimand. Costs would be identified for each municipality and the TCT would design the entire project. Current estimated cost is \$100,000. The contract will be put together, brought before the board and awarded through this Board. The estimated cost for this project has been included in the capital budget for this year.

The following resolution was presented;

FA- 26 -13

Moved by: Stewart Beattie
Seconded by: Carmen D'Angelo

That: Report No. 13 - 13 regarding a Haldimand Trail Link with the Gord Harry Conservation Trail be received; and,

That the Conservation Authority staff be authorized to enter into an agreement with Haldimand County and the Trans Canada Trail Organization to act as project coordinator and oversee the new trail construction.

“CARRIED”

Barry Sharpe asked where the trail ends in Haldimand. Darcy Baker responded with Feeder Canal Dunnville/Caledonia (identified on the attached map)

(12) PFOS compounds at the Binbrook Reservoir (update) – Report No. 14 - 13

Darcy Baker had nothing new to report and explained that studies are still being reviewed. The 2013 - 2014 guidelines are attached with comparison of old guidelines as well. The numbers have changed. New guidelines will be posted to the NPCA website and put in the hands of users prior to opening of the fishing season.

Resolution presented as follows:

FA- 27 -13

MOVED BY: Carmen D'Angelo
SECONDED BY: Rob Steckley

That: Report No. 14 - 13 regarding PFOS Compounds at the Binbrook Reservoir be received.

"CARRIED"

(13) Project Status Report - Report No. 15 - 13

Concerns were raised about the flow-over. Tony explained we have a protocol – we do monitor – control from this office – monitored on daily basis

Carmen D'Angelo expressed concerns about NPCA's business practice for seasonal campers who automatically get a renewal – there are those on a waiting list – is it a fair practice since we are a public entity? Darcy Baker explained that currently, we have a waiting list including those with seasonal sites – we try to provide everyone with the opportunity to have access to those sites when they come up. Bart Maves suggested we should consider variable pricing for choice spots.

Darcy Baker explained that seasonal sites are equipped with 15 amp and 30 amp service. Seasonal sites are capped and we have non-seasonal campers flowing in as well. The question arose; if demand is there, do we need more sites? Darcy Baker responded and stated that we can't accommodate due to inadequate infrastructure.

15 amp to 30 & 50 amp are needed to accommodate any extra flow.

David Barrack & Carmen D'Angelo suggested booking online – worth reviewing.

Darcy Baker noted that we could get information from other organizations – survey approaches – we want to design something similar that will give us a good idea as to what we have. We don't have a problem with seasonal campers. Steckley suggested a surcharge to keep these seasonal campers in the same location or what appears to be a prime lot. Seasonal Campers add stability to the park.

Brian Baty expressed concern over the dry needles by the airport close to river road, mature land signage, can staff consider taking photos?

Darcy Baker noted request.

Following resolution was presented:

FA- 28 -13

Moved by: Brian Baty
Seconded by: Dominic DiFruscio

That: Report No. 15 - 13 outlining the status of Authority projects/programs be received for information.

"CARRIED"

(14) Other Business

FA- 29 -13

Moved by: Stewart Beattie
Seconded by: Carmen D'Angelo

That: NPCA provide detailed master plan for Binbrook Conservation Area.

Stewart Beattie would like to go back and discuss the master plan with Councilors – process for master plan – go through same process (26K), the potential for revenue generator at this property exists with the understanding that the master plan will be back here in Oct / Nov. Bart Maves reminded the Board that the Strategic Planning Committee may already have something with Binbrook in progress, and suggested we allow them to complete their work, finish the process otherwise we will be usurping a process we have in place with the Committee. We should have input from the Committee by next Board meeting. Carmen D'Angelo wants the Committee to look at this; staff to provide Terms of Reference and is asking that this be formally included as a voting item on the next Agenda.

Notice of motion – that NPCA staff come back with Terms of Reference and feedback from Sub-Committee.

“CARRIED”

Resolution as follows:

FA- 30 -13

Moved by: David Barrick
Seconded by: Trevor Easton

That: Meeting be moved to In-camera

“CARRIED”

(15) In-Camera

a) NPCA Regulation – Violation Status Sheet attached

FA- 31 -13

Moved by: Dave Eke
Seconded by: Doug Joyner

That: Violation Status sheet be received for information

“CARRIED”

b) Tree By-law Report No. CR – 16 – 13

FA- 32 -13

Moved by: Domenic DiFruscio
Seconded by: Steward Beattie

That: Report No. CR-16-13 regarding the status of the Tree and Forest Conservation By-law be received for information.

“CARRIED”

c) Personnel matter to be presented at the meeting – Whistleblowing legislation
Not prepared to discuss at this time.

Resolution as follows:

FA- 33 -13

Moved by: Bart Maves
Seconded by: Brian Baty

That: the meeting rise from In-camera with report.

“CARRIED”

ADJOURNMENT

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

FA- 34 - 13

Moved by: Rob Steckley
Seconded by: Doug Joyner

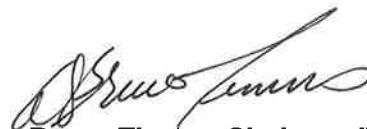
That: this meeting do now adjourn.

Received at 9:20 p.m.

“CARRIED”



“L. Conte, Recording Secretary



Bruce Timms, Chairman”