

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

17 April, 2013; 7:00 p.m.
250 Thorold Road; 3rd Floor; Welland, ON

- MEMBERS PRESENT:** B. Timms (Chairman)
A. Jeffs (Vice-Chairman)
D. Barrick
S. Beattie
C. D'Angelo
D. DiFruscio
T. Easton
D. Joyner
B. Maves
D. Ransom
B. Sharpe
B. Steckley
- MEMBERS ABSENT:** B. Baty (regrets)
T. Dalimonte (regrets)
D. Eke (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
B. Wright, Manager, Watershed Technical Services
C. Kauffman, Accounting Administrator
- OTHERS PRESENT:** Mary Easton, Lennie Aarts, Nadia Kobyłka, Randy Momot, Matthew Schappert, Mark Neufeld, Willie Wakulich, Don Smith, Glen Robins, Gerry Prentice
-

ROLL CALL

The Chairman called the meeting to order at 7:40 p.m. and welcomed all in attendance.

DECLARATION OF CONFLICT OF INTEREST

No conflict of interest declared.

BUSINESS:

(1) MINUTES – Full Authority Meeting – 20 March 2013

FA-53-13

Moved by: David Barrick

Seconded by: April Jeffs

THAT: the Minutes of the Full Authority Meeting held 20 March 2013, be received and approved as printed.
"CARRIED"

(2) BUSINESS ARISING FROM THE MINUTES

None

(3) CHAIRMAN'S REMARKS

Bruce Timms informed the Board that the Strategic Plan is moving forward and will be meeting with all Chairs in the next 2 weeks in order to get this process drawn to a close. Chairman Timms expressed the opportunity he has taken to meet with each Municipality and Board Representative to gain insight into the last couple of years and to see what and how to plan for future endeavours.

Timms observed the Welland River water level rising this past weekend and said it is worthwhile to see water levels in an average spring storm. He expressed interest in receiving the progress report.

(4) CAO'S REMARKS

Tony D'Amario reminded the board members;

- to submit their per diem and mileage for the first quarter.
- June 13th golf tournament – challenged all to support this initiative
- St. Johns Pond – fishing April 27th opening for trout – mayor of Thorold will be there.
- Parks at Binbrook open May 1st ; Long beach and Chippawa will open May 20th
- Jordan – marina – construction of pavilion will start soon, weather permitting and will be presented at the golf tournament.
- This coming Saturday April 20th at Ball's Falls – earth day for all interested

Bart Maves announced that on May 20th an official Ministry of Citizenship ceremony will be held at Ball's Falls for new Canadians taking their oath of citizenship.

Trevor Easton inquired about the Jordan site clean-up; Darcy replied that we are planning one sometime in the Fall.

Resolution as follows:

FA-54-13

Moved by: Doug Joyner

Seconded by: Doug Ransom

THAT: Item #10 (Source Water Protection) of the Agenda, be moved to Item #5

"CARRIED"

(5) **Source Water Protection – Information Report #33-13**

Tony D’Amario explained that the Source Protection Authority Grant Funding Agreement was recently signed and it encompassed the transitional period from being finalized to being implemented. Implementation will not occur for another year. Mark Neufeld’s correspondence is self-explanatory. Chairman Timms explained that the agreement has a limit of \$372,000.00 which is set out in the budget.

Resolution as follows:

FA-55-13

Moved by: Dominic DiFruscio

Seconded by: Carmen D’Angelo

THAT: the Source Water Protection – Information Report No. 33-13 be received.

“CARRIED”

Carmen D’Angelo noted that although the budget was approved by the Board, the Board did not see the agreement prior to CAO signing and is questioning the process. Chairman Timms reminded D’Angelo that if the Board wanted to see the agreement prior to acceptance, it should have been made clear in the motion. Brian Wright explained that NPCA only had a 24 – 48 hour period to sign the agreement and we got what we asked for with some negotiating.

(6) **Correspondence**

1. Gail Meyer – NPC Foundation
2. Township of Wainfleet – Day of Honey-bee

Resolution presented as follows:

FA- 56-13

Moved by: April Jeffs

Seconded by: Barry Sharpe

THAT: the correspondence for Gail Meyer & Township of Wainfleet be received for information.

"CARRIED"

(7) **NPCA Debt Recognition Agreement – Report No. 29-13**

Tony D’Amario explained that the copy of Debenture MOU Report No. 64-12 on pages 25 & 26 were revised and copy of revised attached. The Region, lawyers and staff are all happy with revisions. This agreement provides the Authority with base budget flexibility – debt is a little over \$9 million. Region was spending capital; the Authority needed a grant and the Region needed to show this on the books. The Region was showing the debt and Conservation Authority had the asset. From an accounting perspective, we required a responsibility of debt. NPCA has the authority to levy the Region and the CA will not be at a disadvantage. NPCA is committed to pay this debt to the Region.

Resolution as follows:

FA- 57-13

Moved by: Stewart Beattie
Seconded by: Robert Steckley

THAT: Report No. 29-13 be received and that the NPCA approve the Revised Debenture MOU with the Niagara Region.
"CARRIED"

(8) 2012 Financial Statements – Presentation by Auditors – Report No. 30-13

Tony D'Amario introduced staff from Grant Thornton; Randy, Nadia & Matt
Randy explained that the audit is complete. Randy reviewed the report with the following comments:

The financial position as at Dec. 31, 2012 – we have an accumulated surplus – with user fees, provincial & federal grants and levy to municipalities. \$470,000 net increase in reserve funds. CA has excess funds from levies to complete projects in the coming year. \$1.3 million increase in assets with St. John's acquisition. Amount of debt is \$16.3 million. Concluded that \$2.8 million in levies to be spent by the CA.

Questions from the Board;

David Barrick inquired about the investments on pg.3 and asked why they are down from 2011. Randy explained that we have various maturity dates for the GIC's.

David Barrick believes the interest rate of 2.15% is low.

Tony D'Amario reported that NPCA staff went shopping for the best GIC rate, Barry Sharpe suggested that perhaps the Region might be willing to scope or manage on our behalf and that we may acquire GIC's from a financial institution at the same time as the Region.

Bruce Timms directed staff to inquire with the Region on improving our investment.

Carmen D'Angelo expressed interest in the OPG reserves – pg. 3 – deferrals of \$2.2 million. Randy explained that OPG is not a reserve and that OPG money is not to be mixed with that of the municipalities (levies)

In response to Bart Maves' inquiry about NPCA lending to the Region, Randy stated that it is not in our investment policy to do so.

Resolution presented as follows:

FA- 58-13

Moved by: Trevor Easton
Seconded by: Stewart Beattie

THAT: Report No. 30-13 be received and that the Financial Statements for the year ended December 31, 2012 as audited by Grant Thornton be received and adopted.
"CARRIED"

(9) Budget Status Report for period ending March 31, 2013 – Report No. 31-13

Tony D'Amario explained that the Conservation Area parks have not yet opened; We are anticipating training requirements for staff for supervisors and summer students – these will increase.

Doug Joyner asked if we budgeted for this training. Tony responded that we did budget for this due to Bill 168 set as a requirement for liability purposes, however, Tony warned that we may go over budget.

Resolution presented as follows:

FA-59- 13

Moved by: Barry Sharpe

Seconded by: Doug Joyner

THAT: the budget status report no. 31-13 for the period ending March 31, 2013 be received.

"CARRIED"

(10) Member per Diems and Chair Honourarium-Follow-up report- Report No. 32 – 13

Attached spreadsheet "survey" lists all 36 CA's in Ontario with current rates paid per diem, Chair & Vice-Chair honourariums, population, budget, jurisdictional area etc. Tony D'Amario indicated that based on the data, there is no defined pattern or formula. He believes that the best and largest driver in determining the per diem and honourarium should be based on the budget amount. Based on CA's with similar budgets, our request for a 2% increase is reasonable. Tony D'Amario's recommendation remains the same as the last meeting; namely that the Board approve a 2% increase in the per diem and Chair honourarium rates.

Resolution as follows:

FA-60-13

Moved by: Carmen D'Angelo

Seconded by: David Barrick

THAT: Report No. 32-13 regarding the honourarium and per diem economic adjustment be received.

"CARRIED"

Carmen D'Angelo thanked Tony for the survey he prepared and expressed he can now make an informed decision based on the data provided. Carmen stated that looking at the report, it's important to see what the Chair & Vice-Chair do and the value they bring to the Executive level. The Chair and Vice-chair are; in Carmen's opinion, the face of NPCA and the Community, as the CAO is on a business level.

The following resolution was presented;

FA-61-13

Moved by: Carmen D'Angelo

Seconded by: David Barrick

THAT: subject to the approval of the Ontario Municipal Board in accordance with Section 37 of the Conservation Authorities Act, and based upon the average honourariums and per diems for Conservation Authorities with similar population;

that the Chairman's honourarium be adjusted to \$6,451.71 per annum retroactive to January 1, 2013;

that the Vice-Chair receive an honourarium in the amount of \$1,258.43 retroactive to January 1, 2013 and;

that the member per diem be adjusted to \$71.24 per meeting, retroactive to January 1, 2013.

Doug Ransom stated that this is not fair to the general public, our purpose is not for this reason and that we have the opportunity to rise above the economic situation.

Bart Maves supports the increase and stated that when you are here attending meetings and events, you are giving up time and money you would otherwise be earning elsewhere.

Barry Sharpe sits on many boards that do not get compensated however is in favour of a Vice-Chair honourarium based on the comparables.

Bart Maves suggested we refer these questions to the Governance committee who is addressing these very issues.

Chairman directed staff to check in with Brian Baty.

Mary Stack stated that per diems are generally paid for *official* NPCA meetings and any committees that are formed by the Board are also considered official. NPCA Act allows for compensation.

Stewart Beattie requested a recorded vote;

<u>Recorded Vote:</u>	<u>YES</u>	<u>NO</u>
Barrick, D.	x	
Baty, B.	Absent	
Beattie, S.		x
Dalimonte, T.	Absent	
D'Angelo, C.	x	
Di Fruscio, D.		x
Easton, T.		x
Eke, D.	Absent	
Jeffs, A. (Vice-Chair)	declared a conflict of interest	
Joyner, D.	x	
Maves, B.	x	
Ransom, D.		x
Sharpe, B.	x	
Steckley, R.	x	
Timms, B. (Chairman)	x	

"RECORDED VOTE CARRIED 7 – 4 "

Doug Joyner inquired whether the Chairman receives a per diem above and beyond the stated annual honourarium. Answer to that question was unclear. Tony will get back to the board once he confirms with accounting.

Resolution as follows:

FA-62-13

Moved by: Barry Sharpe

Seconded by: Doug Joyner

THAT: Staff report back to the board with past practice of payments for Chair honourarium and per diem.

Carmen D'Angelo recommends that expenses submitted by the board members, go through to the Chairman for approval.

(11) Bee-way project; follow-up report on potential partnership arrangement – Report No. 34-13

Resolution presented as follows:

FA-63-13

Moved by: David Barrick

Seconded by: Stewart Beattie

**THAT: Report No. 34-13 regarding the Niagara “Beeway” L3K Wildlife Project-NPCA partnership be received.
“CARRIED”**

Bart Maves asked if NPCA is receiving the group L3K. Tony D'Amario stated that staff will put together a proposed agreement to be submitted for approval by the Board.

Bart Maves inquired on what or who's property these plants will be planted?
Tony D'Amario explained that the plantation would occur based on L3K agreement with individual property owners. Property owners would be liable. NPCA will only provide plant expertise advice in house; GIS maps as required and we will write cheques for hard costs of plant material from suppliers.

Chairman directed staff to provide Bart Maves with a copy of the presentation by L3K.

(12) DART, Follow-up report on Protocol for Municipal Drain Maintenance Report No. 35 – 13

The following resolution was presented:

FA-64-13

Moved by: David Barrick

Seconded by: Doug Ransom

THAT: Report No. 35-13 be received and that the Board approve implementation of the DART-Protocol for Municipalities and Conservation Authorities in Drain Maintenance and Repair Activities – 2012;

That definitions not defined in the DART Protocol be clarified in NPCA's pending update of its Policy document as previously approved by the Board.

"CARRIED"

Bart Maves asked staff who they met with regarding this Protocol. John Kukalis responded that the protocol was circulated to the Board, sub-committees on lines of Business & Development Process as well as local municipal drainage Superintendents.

Trevor Easton spoke with Grimsby superintendent whose response was positive and was very supportive of the protocol. Barry Sharpe stated that the superintendent from Welland was also very supportive of the protocol. April Jeffs and Doug Ransom reported same from the respective superintendents in both Wainfleet and Lincoln. Chairman Timms thanked John Kukalis for having covered all bases.

(13) Binbrook C.A. Master Plan Project Steering Committee Report No. 36 – 13

The following resolution was presented:

FA- 65 -13

Moved by: Carmen D'Angelo

Seconded by: Stewart Beattie

THAT: Report No. 36-13 regarding the Binbrook Conservation Area Master Plan Steering Committee be approved.

"CARRIED"

(14) PFOS Update Report for Binbrook C. A. - Report No. 37 – 13

The following resolution was presented:

FA- 66 -13

Moved by: Carmen D'Angelo

Seconded by: Stewart Beattie

THAT: Report No. 37-13 regarding PFOS Compounds at the Binbrook Reservoir be received.

"CARRIED"

Darcy Baker provided an update on communications with the City of Hamilton which is now in the hands of MOE. The Ministry is using new technology to work through the Ministry guidelines. Darcy will try to co-ordinate a meeting with the City of Hamilton and the Ministry of Environment to provide a status update with regards to the Airport Fire Practice Pad clean-up. Carmen D'Angelo and Stewart Beattie would like to be invited to any meetings that come up on this issue.

(15) Project Status Report – Report No. 38 - 13

The following resolution was presented:

FA- 67 -13

Moved by: Barry Sharpe
Seconded by: Bob Steckley

**THAT: Report No. 38-13 outlining the status of Authority projects / programs, be received for information.
'CARRIED'**

Carmen D'Angelo asked staff if we can get a program like "canopies for kids" in Hamilton & Haldimand. Mary Stack responded that all schools in our watershed are eligible, however, there is a waiting list. Tony D'Amario stated he will check with Jocelyn.

Barry Sharpe asked if we can do a review of schools currently on the waiting list. Tony D'Amario will provide this and check with Jocelyn on the schools in the watershed area for Hamilton & Haldimand.

Doug Ransom attended canopies for kids and related what a wonderful program it is and found it very encouraging to see kids and staff planting trees.

(16) Other Business

Doug Ransom asked if there is any land acquisition on the horizon.

Bart Maves stated that he and Darcy are working on a report that will go to the strategic planning committee to suggest conditions of acquisitions; and review currently owned properties' operations and capital costs. They anticipate this being done in the month of May. Chairman Timms asked if there are any properties being considered. Darcy responded that there are three properties up for consideration, however, details will be provided in -camera at the next meeting.

Carmen D'Angelo raised a generic question about an issue appearing on the agenda as an in-camera item. Much discussion ensued about keeping the issue in-camera or pulling into public meeting. Chair ruled to leave issue in-camera, that ruling was challenged. Board voted 7 to 1 in support of upholding Chair's ruling.

(17) In-Camera

The following resolution was presented:

FA- 68 - 13

Moved by: Stewart Beattie
Seconded by: Doug Ransom

**THAT: the meeting move in-camera
'CARRIED'**

**a) Regulations Status Report - Report No. CR-39 -13
FA-69-13**

b) Tree By-law Status - Report No. CR-40 – 13

The following resolution was presented:

FA- 70- 13

Moved by: Barry Sharpe
Seconded by: Robert Steckley

THAT: meeting rise from in-camera
"CARRIED"

The following resolution was presented:

FA- 71- 13

Moved by: Doug Ransom
Seconded by: Robert Steckley

THAT: Staff be directed to act in accordance with board direction
from closed session.
"CARRIED"

Barry Sharpe suggested staff provide a letter of support with regards to the grant application by Welland Canal Corp. and noted that the deadline is April 24, 2013.

Resolution as follows:

FA- 72- 13

Moved by: Barry Sharpe
Seconded by: Doug Joyner

THAT: to support in principle participation in great lakes community
fund project as part of the WRCC application
"CARRIED"

ADJOURNMENT

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

FA-73-13

Moved by: Robert Steckley
Seconded by: Carmen D'Angelo

THAT: this meeting do now adjourn. Received at 11:25 p.m.
"CARRIED"



"L. Conte, Recording Secretary


Bruce Timms, Chairman"