

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

19th June, 2013; 7:00 p.m.
250 Thorold Road; 3rd Floor; Welland, ON

- MEMBERS PRESENT:** B. Timms (Chairman)
A. Jeffs (Vice-Chair)
D. Barrick
B. Baty
S. Beattie
C. D'Angelo
D. DiFruscio
T. Easton
D. Eke
D. Ransom
B. Sharpe
B. Steckley
- MEMBERS ABSENT:** T. Dalimonte (with regrets)
D. Joyner (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
G. Verkade, Supervisor, GIS
D. Lindblad, Restoration Project Lead
S. Mastroianni, Planning Approvals Analyst
L. Hamilton, Watershed Biologist
P. McKinnon, GIS Technician
- OTHERS PRESENT:** Dennis Dick, Todd MacDonald, Bev Lepard, Gerry Beneteau, Klara Young-Chin, John Sonneveld, Glen Robins, Gerry Prentice, Lennie Aarts
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ROLL CALL

The Chairman called the meeting to order at 7:10 p.m. and welcomed all in attendance. B. Timms thanked Board member Dave Eke for his contribution to the Board and welcomed Dennis Dick who is sitting in tonight as a guest. The Region will be appointing a new Board member to replace Dave Eke. We will be advised on their decision.

DECLARATION OF CONFLICT OF INTEREST

No conflict of interest declared.

BUSINESS:

(1) **MINUTES – Full Authority Meeting – 15th May, 2013**

FA-93-13

Moved by: Dave Eke
Seconded by: Doug Ransom

THAT: the Minutes of the Full Authority Meeting held 15th May 2013, be received and approved as printed with correction being made to B. Steckley to reflect member absent.
"CARRIED"

Brian Baty commented that Item 9 “Member per Diems and Chair Honourarium Policies Report 43-13” is unclear and requested that it be amended to reflect that there is currently no policy regarding this matter in place.

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

It was agreed that item 9 from the minutes of the May 15 meeting will be discussed on tonight’s agenda as part of Other Business.

(3) **CHAIRMAN’S REMARKS**

- Bruce Timms and Tony D’Amario will be going to the Conservation Ontario meeting in Toronto on June 24th and will report to the board items of interest or concerns arising from that meeting.
- Lisa Conte & Bruce Timms met with the Regional Clerk and we will attempt to follow the Region’s protocol regarding reports at our meetings.
- Strategic Plan presentation needs to move down on our agenda tonight as the Consultant will be arriving later.
- Following resolution presented.

FA-94-13

Moved by: Bart Maves
Seconded by: Trevor Easton

THAT: the strategic plan presentation be moved prior to Other Business and following item #9 of the agenda.
"CARRIED"

- Bruce Timms attended the Welland Floodplain Association meeting with our CAO and Director of Communications. NPCA has received minutes and a copy of their presentations and are available for any members interested in receiving these.
- We are in receipt of a letter from the Association to follow through under “Other Business” on the Agenda.

- Under the Chairman's signature, correspondence was sent to OPG, St. Lawrence Seaway Corporation and City of Welland requesting presentations to the board. To-date we have received response from OPG who will present at the Sept. 18th meeting.
- Bruce Timms advised that former board Chairman, Doug Elliot passed away on June 10th and noted that it would be appropriate for the NPCA to do something to commemorate him. To be discussed under "Other Business".
- The Bob Welch Golf Tournament scheduled for June 13th was cancelled due to inclement weather and has been rescheduled for Wednesday, July 24th. This gives an opportunity to recruit golfers and funds raised are being directed to the Jordan Harbour project.

Carmen D'Angelo asked for a copy of the Welland River Association's letter. Mary Stack will be circulating a copy to all the members.

(4) CAO'S REMARKS

- Tony D'Amario presented the proposed Watershed Report Card; a copy of which was provided to members.
- A Source Protection meeting did not take place in June. An update of the work accomplished to date will be presented at the July meeting.
- The Board was made aware of two recent incidents that occurred at the Binbrook Conservation Area and received media attention. One incident involved a near drowning & health issue at the pier; and a second incident involved ongoing police investigation and recovery.
- An addendum to tonight's agenda for the 2014 budget will be added to follow item #5 (Budget Status Report).

(5) Budget Status Report for period ending May 31, 2013 – Report No. 55-13

- Tony D'Amario presented the status report indicating that human resources shared services costs are at 85% and he will continue to monitor this. No other variances were reported.

Resolution presented as follows:

FA-95- 13

Moved by: Bart Maves
Seconded by: Stewart Beattie

THAT: the Budget Status Report No. 55-13 for the period ending May 31, 2013 be received.

"CARRIED"

(6) **2014 Council Budget Timeline - Report No 62-13**

Tony D’Amario presented the attached 2014 budget schedule adopted by Niagara Region with a 2.7% guidance recommendation.

It was noted that relevant sections of the CA Act sets out the powers of an Authority to levy their member municipalities for Capital and Administration costs. Tony explained that the apportionment may be adjusted based on current value assessment and percentage of population in the watershed. CA’s have the legislative ability to levy and enforce payment.

The schedule suggests that the Region is requesting a budget submission by August 26th. There are some challenges both financial and timeline to meet this requirement.

Tony D’Amario presented five options for the Board’s consideration and recommended they adopt the first option: “ to approve a preliminary budget within the requested guidance and timelines for Niagara as in previous years, include anticipated budget needs for Hamilton/Haldimand and make any levy adjustments to their respective guidance if desired.”

Bart Maves stated that the Region has backed up its budget process for the past 5 years and commented that the NPCA is an organization whose operations are affected by City of Hamilton and Haldimand County, therefore, we should ensure a letter is sent to the Region stating that this is a preliminary budget only and may be impacted by other factors.

Carmen D’Angelo suggested the Budget Steering Committee make a recommendation to the Board. Tony D’Amario will attempt to adopt a schedule to achieve recommendation from the Budget Review Committee.

FA- 96 -13

Moved by: Bart Maves
Seconded by: Mickey DiFruscio

THAT: the 2014 Budget Timing Report No. 62-13 be received and that staff be directed to adopt a schedule towards approval of a 2014 preliminary budget at the September 18, 2013 Board meeting and send correspondence to the Region of Niagara stating that the budget from NPCA is preliminary and subject to revision in order to meet service delivery objectives and timelines.

‘CARRIED’

(7) **PFOS Update Report for Binbrook C. A. – REPORT NO. 56-13**

Darcy Baker updated the Board on 2 key things;

Water testing at Binbrook for PFOS levels are undetectable. Swimming beach samples show levels are lower than the prior year. He commented that this is not a trend, and more samples will be taken.

He also noted that he met with the City of Hamilton and the MOE to discuss mitigation measures/opportunities with the airport. The MOE presented their approach for tackling remediation efforts downstream. Their priority is to focus on the source of the problem at the airport site and prevent further contamination of lands downstream. Not a lot of new information was available and the group is waiting for Transport Canada to come to the table.

He also noted that public comments have been made about these meetings and our office received email correspondence from Joe Minor an advocate for cleanup. This correspondence was circulated to the Board and commented that mercury is commonly found at elevated levels in reservoirs for several decades after construction. NPCA is committed to provide a healthy and safe environment for our visitors. Swimming is not considered a health risk associated with PFOS exposure. The larger potential for human exposure is consumption of fish from the reservoir. The Conservation Authority is eager to get under way with downstream remediation activities; however, we can't take this initiative on our own. We will continue to communicate with all agencies involved and update the Board as information becomes available.

The following questions were presented:

- Trevor Easton asked what defines a toxic level of PFOS.
Darcy responded that PFOS is a harmful substance, the challenge being that there are no guidelines established. We may get to that down the road with a health assessment.
- Stewart Beattie stated that Public Health was questioned with regards to the data existing as it pertains to mice, but that none was available as to how it impacts humans. Upon further research it was determined that this data is from American and Great Britain sources.
- Bob Steckley believes that the MOE's approach to the problem is unacceptable. Why is the focus on one area only and not considering the downstream effects?
Darcy reiterated that due to high volumes they have stemmed the flow problem downstream and their approach is to trace back to find the source and shut that off to stop further flow and deal with downstream later.
- Bob Steckley asked to go on record as stating that he is opposed to the MOE's approach, they are a huge agency and as such they should be able to handle both issues simultaneously.
- Carmen D'Angelo stated he also attended the meetings and there was open discussion, however, the problem with MOE; although there is a remediation plan proposed to the Ministry, there is no funding available at this time to execute remediation. Also they are in agreement to a health study downstream, but again, no funding source is available for that study. They do not want ownership, and are looking to the Federal Government for funding. At this time the Federal Government has not come to the table and are looking for ways to see if the NPCA can draw them in.
- Trevor Easton asked if there are any health studies on Ex-firefighters. Could someone expand on data available?
Darcy Baker responded that we do not have such a study, possibly because the exposure is not bad; ingesting it poses a health risk. Darcy went on to explain that as a landowner inviting the public on our property, we want to ensure public

safety and would like to move this forward, but there is a big hesitation because whoever initiates the actions could be expected to absorb the financial costs, so at this point everyone is holding back.

- Bart Maves inquired about what request was made to the Federal Government to participate. Darcy responded that the City of Hamilton engaged the Federal Government in written format. Bart Maves requested to see a copy of the formal request made and the formal reply received.

The following resolution:

FA-97-13

Moved by: Carmen D'Angelo

Seconded by: Stewart Beattie

THAT: Report No. 56-13 regarding PFOS Compounds at the Binbrook Reservoir and the email correspondence attached be received.

"CARRIED"

(8) Canopies for Kids – Update Report No. 57 -13

Tony D'Amario followed up from last meeting providing the board with details on the success rate of the program. The program was well received by all those involved. The allocation of staff and funds are attached.

Comment from last meeting the board was interested to increase scope – We had a waiting list of 30-40 schools who showed interest however of those only 18 were candidates for various reasons including grounds maintenance agreements. Of those who showed interest, some are doing work to update their facilities to maintain the trees – 4 are plant-ready for 2014. This program will eventually wind down.

Tony D'Amario reminded the board members that we do replace some trees due to mortality and vandalism. In the case of some trees we have the supplier's guarantee and they replace these. The budget cost of \$106K for materials & supplies is mainly in the large trees.

Members expressed appreciation for this program and the educational component involved. Doug Ransom requested that if there are any decisions regarding changes to the program that it be brought to the board.

Barry Sharpe asked where the \$45K coming from? Tony D'Amario responded from Niagara Region's Watersmart program.

Carmen D'Angelo requested that the amendment be referred to the Budget Steering Committee.

The following resolution was presented:

FA-98-13

Moved by: Bob Steckley
Seconded by: Doug Ransom

THAT: Report No. 57-13 regarding the 2013 Canopies for Kids Program be received.
"CARRIED"

(9) Project Status Report – Report No. 58 - 13

The following resolution was presented:

FA- 99 -13

Moved by: Brian Baty
Seconded by: Dave Eke

THAT: Report No. 58-13 outlining the status of Authority projects / programs be received for information.

'CARRIED'

Brian Baty announced that the St. John's Centre volunteer appreciation luncheon will be held on the 27th of June at the St. John's Centre. Invitations have been sent out and he requested that this be extended to all board members. He also requested that information regarding the St. John's Centre be added to future reports/agenda.

(10) Strategic Plan Update Presentation

Todd MacDonald provided an overview of the Strategic Plan Analysis Recap:

2011 – 2012

- Internal consulting with staff on strengths, weaknesses and changes required.
- External stakeholder consultations were held.
- Identified the challenges

2012 – 2013

- Five working groups each chaired by board members with kick off in the fall 2012
- 6 months of intensive work – tasked with an element of change

Groups

1. **Set Policies & Priorities:** Phase 1: Mission & Vision Statements; Phase 2 Set priority for Lines of Business; Phase 3 Review and Revise Policies

2. **Development Process:** Phase 1: Process improvement - NPCA development review and permit approval process; Phase 2: Add targeted processing capacity to achieve approved turnaround times; Phase 3: Update existing development review and permit approval policies; Phase 4: Conduct stakeholder outreach; Phase 5 Implement performance measurement.

3. **Managing Assets and Lands Program:** Phase 1: Develop new acquisition criteria; Phase 2: review existing holdings using new criteria; Phase 3; update land acquisition strategy; Phase 4; complete asset inventory & condition reporting; Phase 5: develop long range asset management plan.

4. Effective Communications with Stakeholders and Public: Phase 1: improve internal issue management practices; Phase 2: resource capacity building; Phase 3: Improve & modernize externally focused strategies, tools & tactics.

5. Governance & Accountability: Phase 1-Governance transparency improvements (non-legislative); Phase 2 lines of business endorsed and key performance measures selected and populated; Phase 3 – budget & accounting restructuring.

Moving forward, the objectives are to meet with the stakeholders from all 5 working groups (early July), and that the Draft Plan be presented for review at the at the July board meeting; followed by public consultation in Sept/Oct; with the goal to finalize the plan by Nov/Dec 2013. Mr. MacDonald thanked the Chairs of the working groups for their participation.

Questions from the Board;

- Dave Eke expressed concern that Phase 1 & 2 are a little aggressive and asked if each of the committees feel they can meet the timelines? Mr. MacDonald will look to make sure they are supportable.
- Dave Eke asked how we will ensure to engage the public for feedback moving forward. Mr. MacDonald stated that we will utilize web-enabled feedback and hold public meetings (Sep/Oct) with working groups and stakeholders.
- Dave Eke asked if there is specific criteria if we require funding. Mr. MacDonald stated that we need an inventory of assets – this would help in obtaining funding moving forward.
- Doug Ransom stated for the record that he would like the wording to state “management of land assets and not “disposal”. Todd MacDonald did not agree.
- Dave Barrick asked how the plan’s recommendations will fit in with our budget process and timelines. Mr. MacDonald explained that with the public consultations taking place in Sep/Oct, we should be stable position to work within the budget. The Strategic Plan will provide recommendations to move forward but will not give specific budget or staffing information and noted that perhaps resourcing needs will be considered.
Tony D’Amario responded that the Board will not make a decision unless we know what we will be implementing.
- Brian Baty stated that comments from staff are welcomed. Tony D’Amario commented that he would be making this presentation available to all staff.

Resolution as follows:

FA-100-13

Moved by: Dave Barrick
Seconded by: Trevor Easton

THAT: The strategic Plan presentation be received as presented in conjunction with the templates from 5 working groups for information and; Establish specific timelines; and proceed with holding a meeting of stakeholders from all 5 working groups to adopt “Next Steps 2” bullets1, 2, 3 of the presentation. (attached slide)

“CARRIED”

(11) **OTHER BUSINESS**

- Brian Baty stated that with no policy in place there is a lack of clarity whether the Chair and Vice-Chair receive a per diem above and beyond the honourarium. Tony D'Amario responded that there has been confusion about this practice however, no change was adopted. The practice has been that the Chair does receive a per diem and honourarium. Brian Baty requested that Staff prepare a policy to clearly state this process and asked that this be prepared for the next meeting.
- In response to the Watershed Report that was circulated at the meeting Carmen D'Angelo commented that the ranking for water quality is missing. He also asked how this would be distributed. Mary Stack responded that there is not enough data to rank the water quality at this time. Carmen D'Angelo asked if there is a more detailed report. Mary responded that there is a 150 page report that will be available on-line. She stated that the watershed report card you have in front of you was developed in collaboration with Conservation Ontario and participating conservation authorities from all reaches of the province with the intent that all 36 Conservation Authorities would present the information in a similar manner and gather data using the same research techniques. Carmen D'Angelo stated that the detailed report be made available to the board for review. Mary noted that the intent was that all 36 Conservation Authorities would launch their reports simultaneously during World Water Day in March; however, this did not occur for various reasons. She felt it was important that this information be shared with the board prior to releasing it publically. She noted that we would make the detailed report available to members through setting up an FTP site and the board would be able to provide comments on any areas of concern. In response to Carmen's question about how this report will be distributed, Mary noted that since these are too expensive to send to all in our watershed, we will only print enough copies to distribute to our member municipalities, federal and provincial representatives and agencies, libraries, colleges and universities, interested stakeholders etc. The information will also be made available on line once it has been finalized.
- Bob Steckley believes there may be some errors in the data provided for Fort Erie and asked where the data from forest conditions came from. Bob Steckley will follow-up with proper staff and review with Mary.
- Regarding the passing of Doug Elliott, Doug Ransom suggested we follow a moment of silence and set up a memorial bench with plaque at St. John's Centre. Tony D'Amario suggests we consult with the family for the most appropriate location and get back to the Board next meeting.
- A minute of silence followed in honour of Doug Elliott.
- Welland River Floodplain Association sent correspondence requesting that a meeting with key stakeholders be arranged. Bruce Timms asked that we give consideration to their request prior to July 17th. Bruce Timms stated that OPG will present at Sept 18th board meeting and noted that we would follow-up with regards to our request to City of Welland and Welland Recreational Canal Corporation to establish dates for their presentations

The following resolution was presented:

FA- 101 - 13

Moved by: Dave Barrick
Seconded by: April Jeffs

THAT: we receive correspondence from Welland River Association.
“CARRIED”

(12) **In-Camera**

The following resolution was presented:

FA- 102 - 13

Moved by: Stewart Beattie
Seconded by: Bob Steckley

THAT: the meeting move in-camera
“CARRIED”

a) **Regulations Status - Report No. CR-59 -13**

FA- 103 - 13

Moved by: Dave Eke
Seconded by: Stewart Beattie

THAT: Report No. CR-59-13 regarding the status of active legal matters related to NPCA Development, Interference with Wetlands, and Alteration to Shorelines and Watercourses Regulations, O.Reg. 155/06, as amended, be received for information.
“CARRIED”

b) **Tree By-law Status - Report No. CR-60 – 13**

FA- 104 - 13

Moved by: Dave Eke
Seconded by: Brian Baty

THAT: Report No. CR-6013 regarding the status of the Tree and Forest Conservation By-law be received for information.
“CARRIED”

c) **Land Acquisition – Report No. CR 61-13**

FA- 105 - 13

Moved by: Bob Steckley
Seconded by: Doug Ransom

THAT: Report No. CR-61-13 regarding the status of the Land Acquisition Program be received for information.
“CARRIED”

The following resolution was presented:

FA- 106- 13

Moved by: Trevor Easton

Seconded by: Brian Baty

THAT: meeting rise from in-camera
"CARRIED"

ADJOURNMENT

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

FA-107-13

Moved by: Doug Ransom

Seconded by: David Barrick

THAT: this meeting do now adjourn. Received at 9:35 p.m.
"CARRIED"



"L. Conte, Recording Secretary


Bruce Timms, Chairman"



Next Steps (cont'd.)

2. Seeking Board direction today to proceed with production of DRAFT Strategic Plan.
 - Meeting with stakeholders from all 5 Working Groups and Board Members. (early July/August)
 - Final Meeting of each working group to consider comments from committee members and board.
 - Board meeting to review final reports and DRAFT plan. (Special Board Meeting in August or September)
 - Public Consultations via postings on website and Public Meeting to review DRAFT Plan. (September/October)
 - FINALIZE Plan (November/December, 2013)
3. Full speed ahead on NPCA change agenda in late Fall - via completed Strategic Plan. (January 1, 2014)