

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

December 18, 2013; 7:00 pm.
3292 Sixth Avenue; Jordan, ON Ball's Falls Centre for Conservation -Elgin Room

MEMBERS PRESENT:

B. Timms (Chairman)

A. Jeffs (Vice-Chair)

B. Baty

S. Beattie

T. Dalimonte

D. Dick

D. DiFruscio

T. Easton

D. Joyner

B. Maves

D. Ransom

B. Sharpe

B. Steckley

STAFF PRESENT:

T. D'Amario, CAO/Secretary-Treasurer

M. Stack, Supervisor, Marketing and Community Relations

Brian Wright; Manager, Watershed Development Services

L. Conte, Recording Secretary

Kathy Smith, Conservation Planner

Debbie Gullett, Administrative Assistant Operations

Tom Staton, Restoration Project Lead

Steve Gillis, Restoration Project Lead

Rob Diermair, Restoration Project Lead

Katleya Young-Chin, Restoration Program Assistant

Robert Winninger, Site Administrator - Ball's Falls CA

Loretta Sawatzky, Admin. Assistant / Gift Shop Mgr.- Ball's Falls

Lisa Staton, Program Assistant - Ball's Falls

Gregg Furtney, Superintendent – Binbrook

Jeff Fazekas, Contract Labourer – Chippawa

OTHERS PRESENT:

D. Barrick, C. D'Angelo, Jen Lawson, John Bacher, Bev Lepard,
Linda Wierstra, Janet Kellam, Tim Sebourn, Albert Garofalo,
Willie Wakulich, Ted Hinks, Glen Robins, Jeff Krete/DUC, Archie
McLarty/DUC, Gerry Prentice, Barry Porter/Niagara Restoration
Council, Donna Cridland, Joan Davison, Mark Neufeld/Source
Protection, Klara Young-Chin, Jane Hanlon

ROLL CALL:

The Chairman called the meeting to order at 7:26 p.m. and welcomed all in attendance.

DECLARATION OF CONFLICT OF INTEREST

No conflict of interest declared.

BUSINESS:

(1) **MINUTES – Full Authority Meeting – Nov 20, 2013**

FA-197-13

Moved by: S. Beattie

Seconded by: B. Sharpe

THAT: the Minutes of the Full Authority Meeting held 20th November 2013, be received and approved as printed.
“CARRIED”

Member Steckley reminded the recording secretary that a conflict of interest was declared by member Steckley for Resolution FA193-13 item 17c of the Minutes and to ensure that it be adjusted in the finalized minutes.

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

Member Ransom asked for a status update on the property acquisition. Chairman Timms advised that this will be dealt with in-camera.

(3) **CHAIRMAN'S REMARKS**

Chairman Timms announced the new senior management team at NPCA. The new Director of Watershed Management is Peter Graham; Jen Lawson as the Manager of Corporate Services and David Barrick as the Manager of Operations. Timms thanked NPCA staff for entrusting the committee with the selection of the new Management Team and expressed confidence that the new Team will provide the NPCA with the necessary leadership as we move forward towards the delivery of quality programs and services in our communities.

- Member Ransom requested to speak further on the appointments of the New Management Team in-camera.
- Through the use of a PowerPoint presentation (attached), Chairman Timms thanked the 413 volunteers and the 203 guests that attended the Conservation Achievement Awards Ceremony held on November 26.
- On December 4th at Glanbrook, Carmen D'Angelo, Bruce Timms and Brenda Johnson attended the Binbrook Master Plan Public meeting. The committee provided long term directions for development and operations of the CA.
- Chairman Timms reminded the board of the Land Acquisition Criteria. With regards to the strategic plan update, member Baty explained that of particular interest are the comments from the public meeting respecting “properties outside criteria”. Since concerns have been raised on proposed criteria vs. the imagined criteria, this item should be flagged and addressed.

- Member Ransom stated that there are many comments from the public about the land acquisition and disposal policy and we should be prepared to explain the policy clearly as we move forward.
- Chairman Timms commented that Niagara Regional Council expressed concern over the \$500,000 apportionment in the Authority's budget for land acquisition. The board will clarify the purposes of this fund so that moving forward this will be clearly enunciated and hopefully alleviate further queries.

(4) CAO'S REMARKS

- CAO, T. D'Amario extended a warm welcome to the new Management Team.
- CAO, T. D'Amario addressed member DiFruscio's concern regarding Cave Springs and how to maintain an endless "protection status" and/or how to make it part of the World Biosphere. T. D'Amario explained that within the Niagara Escarpment Plan, Cave Springs is designated as a "Nature Reserve". Member Joyner asked when Cave Springs will come up for review. Member Baty stated that will be in 2015 and that we need to hold a public forum in early spring. B. Baty will find out specifics with regards to UNESCO and report back to the board. B. Baty noted that he can advise T. D'Amario of the lawyer that normally deals with these matters.
- Member Maves stated that NPCA shows up on the Region's Accounts as a Debt and asked if the auditors can clear up this matter especially in light of the Authority's powers to levy.

(5) Delegation – Ducks Unlimited Canada

On behalf of Ducks Unlimited Canada, Jeff Krete expressed appreciation and recognizes the partnership with NPCA over the past 25 years. As a non-profit organization established 75 years ago, DUC's 350 volunteers across Canada (32 in Ontario) are intent to conserve, restore and enhance wetlands, improve local water quality and wildlife habitat. As part of a new initiative, DUC has provided private landowners with habitat projects through technical advice and financial assistance to improve their properties. This partnership has resulted in improved water quality, increase in property value for landowners and an enhanced wildlife habitat restoration.

In appreciation of the Sponsorship partnership, Ducks Unlimited Canada awarded NPCA with the Diamond Life Sponsor Award. NPCA staff was honoured to accept this award.

The following resolution was presented;

FA-198-13

Moved by: B. Steckley
Seconded by: B. Maves

THAT: the presentation of Ducks Unlimited be received for information
'CARRIED'

(6) Per Diem Update – Report 115-13

CAO, T. D’Amario noted that the survey conducted in regards to per diems paid by other Authorities and agencies does not have any consistent rationale as regards amounts. The OMB (Ontario Municipal Board) issued their response in the attached letter denying NPCA’s request for an increase in per diem and honourarium rates for board members.

The following resolution was presented;

FA-199-13

Moved by: Barry Sharpe
Seconded by: Joyner

THAT: NPCA staff forward a copy of the per diem survey and agency comparisons to all Regional Councilors, and

That the OMB response be included.
‘CARRIED’

Member Baty directed staff to update the survey as required.

(7) Permit Requirement Submission – St. Catharines - Report No. 116-13

CAO, T. D’Amario explained that NPCA had previously provided the applicant of 5 Pine Street with engineering criteria required to allow for a permit. The attached report deals with the Geotechnical Slope assessment #2 of November 19 conducted by Coffey Geotechnics Inc. and it fails to adequately address any of the additional information required as outlined in the NPCA Report No 41-13. NPCA will provide a copy of this report to the neighbor as they have requested information to this regard.

- Member Baty expressed concern that this might be a legal issue and as such should be discussed in-camera. CAO explained that this is not the case. This is an application that was put forth discussing technical issues and is a matter of public record. As such, this would not be considered in-camera. Member Joyner stated that we only go in-camera when in litigation which this is not. Member April concurred that this matter is treated as correspondence.

The following resolution was presented;

FA-200-13

Moved by: D. Ransom
Seconded by: B. Baty

THAT: the Geotechnical Letter Report – Slope Stability Assessment #2 at 5 Pine Street, St. Catharines, Ontario” dated 19 November 2013 by Coffey Geotechnics Inc. is insufficient to address the outstanding concerns of the NPCA and,

That the requirements as previously requested be reaffirmed to the applicant; and

That the correspondence email from neighbor Lancaster at 5 Pine Street be received for information.

‘CARRIED’

(8) Strategic Plan Update - Report No. 117-13

T. D'Amario provided an update with regard to the public consultation meetings held on Nov 12 and 13 whereby the public had until the 6th of December to submit comments regarding the Draft Strategic Plan. A total of 42 submissions were received including 4 in the past week. All these comments have been forwarded to Consultant, Todd MacDonald at Performance Concepts, all Board of Directors and the Strategic Plan Committee. These will be reviewed and the committee will meet in January to discuss changes if necessary, to the Strategic Plan.

Resolution as follows:

FA-201-13

Moved by: B. Maves
Seconded by: D. Joyner

**THAT: Report No. 117-13 be received for information, and
That Board members receive all public comments; and
That all the comments be referred to the Strategic Plan Committee.**

'CARRIED'

Member Baty suggested that new and old changes be reflected on the plan and that since the public expressed displeasure with the consultant, we should consider having the Chairman offer the final presentation. The committee's working group will make that decision.

(9) Ball's Falls Fees Schedule - Report No 118-13

T. D'Amario provided a summary of the report before the board with the proposed facility rental fees for 2014/2015. Rob Winninger, site administrator at Ball's Falls explained that the facilities at this Conservation Area are a popular location for weddings and other events. It is being proposed that the rental rates for the Barn for 2015 increase to correspond with rates of comparable facilities in the marketplace. Staff also proposes a decrease in admission rates during the winter months since the historical buildings are not open during the winter season.

Member Joyner suggested that we consider providing discounts for Niagara Region residents. R. Winninger stated that they will be looking at special campaigns for next year's schedule of events.

The following resolution was presented;

FA-202-13

Moved by: B. Baty
Seconded by: M. DiFruscio

THAT: the proposed Ball's Falls Fee Schedule for 2014 / 2015 be approved and shared with St. Johns advisory committee along with participation reports.

'CARRIED'

(10) Proposed 2014 Hunting Permit Fees for CA's – Report No. 119-13

T. D'Amario explained that the administration fee for the issuance of hunting permits was initiated as a cost recovery and not as a revenue generating program. The information collected through the harvest reports allows staff to make resource management decisions, serves as authorized identification for the hunter and outlines terms and procedures for hunting activities. Staff recommends the program continue with an unchanged permit fee level of \$25.00

The following resolution was presented;

FA-203-13

Moved by: M. DiFruscio

Seconded by: T. Dalimonte

**THAT: Report No. 119-13 regarding the 2014 Conservation Areas Hunting Permit fee be approved.
'CARRIED'**

(11) Budget Status Report – Report No 120-13

T. D'Amario provided a budget status update for the period ending November 30th. He noted the Jordan stairs are anticipated to be installed shortly; the legal fees have not been spent, the tree bylaw is at 41% of budget. Numbers are low due to the strategic plan. The land program budget of \$600,000 will have to be added to the budget.

The year-end position will be much clearer once the report is prepared for the board in January and recommendations will be made at that time for any reallocations or shortfalls.

The following resolution was presented;

FA-204-13

Moved by: B. Sharpe

Seconded by: S. Beattie

**THAT: the Budget Status Report No. 120-13 for the period ending November 30, 2013 be received.
'CARRIED'**

(12) 2014 Full Authority meeting Schedule – Report No. 121-13

The Full Authority Meeting Schedule for 2014 has been provided to the board based on the meetings customarily held the third Wednesday of each month; with the exception of August. Meeting time will remain at 7:00 pm at the Welland office boardroom unless otherwise advised. With no other update to report, the following resolution was presented;

FA-205-13

Moved by: A. Jeffs

Seconded by: D. Joyner

**THAT: the 2014 Full Authority Meeting Schedule as outlined in Report No. 121-13 be approved.
'CARRIED'**

- Member Jeffs requested staff send “Outlook” invitations to board members for 2014 meetings.

(13) Project Status Report No 122-13

T. D’Amario thanked the Ransom family for the Jordan site pavilion and stated that both the pavilion and memorial stone have been completed. The site will be attended to in the spring for the next operating season.

- Member Sharpe inquired about the upgrade of AMP service to Long Beach. D’Amario responded that the intent is to have the upgrade completed before the camping season begins.

The following resolution was presented;

FA-206-13

Moved by: B. Steckley
Seconded by: M. DiFruscio

THAT: Report No. 122-13 outlining the status of Authority projects / programs be received for information.
‘CARRIED’

(14) CORRESPONDENCE

Correspondence was received by Haldimand County with the appointment of Councilor Tony Dalimonte to NPCA for the term commencing December 1, 2013 and ending November 30, 2014.

Correspondence was also received by the MNR as a result of questions resulting from the OPG presentation at the September 18, Full Authority board meeting.

- Member Jeffs directed staff to send a copy of this letter to the Welland River Floodplain Committee and recommends the author of the letter, Joad Durst be invited to present either to the full board or the Welland River Floodplain Committee.
- Member Sharpe inquired about what the upstream level and downstream level positions are based upon. We can examine siltation upstream however there is no reference to the downstream.
- CAO, T. D’Amario commented that there are two siphons that impact Welland; the siphon from St. Lawrence Seaway has been there 40 years and they responded to our invitation for discussion by stating they have been maintaining their siphons.
- Members stated that siphons are causing flooding and siltation and suggest that an Engineer study be conducted. What would it take to remove the concrete siphons and replace with aqueducts? Staff input is requested if they feel an Engineering study is viable; would NPCA staff support undertaking a study? Will OPG funding be utilized? CAO, D’Amario believes it would be a good idea to do a preliminary study. Members of the board have requested that staff provide their opinion to the committee about undertaking an engineering study.

The following resolution was presented;

FA-207-13

Moved by: A. Jeffs
Seconded by: B. Maves

THAT: Correspondence be received for information, and

That the correspondence from MNR be forwarded to the Floodplain Committee; and

That NPCA extend an invitation to MNR to present to full board and invite Welland Floodplain Committee to attend; and

That NPCA staff opinion be provided to Welland River Floodplain Committee about undertaking an engineering study.

‘CARRIED’

(15) OTHER BUSINESS

- Member Baty stated that the Binbrook Committee needs a point person for that project. It was noted that the new Manager of Operations will be responsible and S. Beattie offered to be a point person in relations to this.

Resolution as follows:

FA-208-13

Moved by: T. Easton
Seconded by: D. Ransom

THAT: authority be given to S. Beattie to book January meetings and to proceed with Binbrook project.

‘CARRIED’

Chairman Timms brought to the board’s attention that Report 99-13 from October 16, 2013 in Land Management had an error that was overlooked and the report needs to be revised to reflect Niagara not Hamilton reserve fund.

The following resolution was presented:

FA-209-13

Moved by: B. Sharpe
Seconded by: A. Jeffs

THAT: Report No. 99-13 of October 16, 2013, page 2 under the heading, Land Management; first paragraph; second sentence; be corrected as follows:

No land acquisitions for 2013 in Niagara which will result in a \$500,000 amount to be placed in the Niagara land acquisition reserve account.

‘CARRIED’

With no further business, the following resolution was presented;

FA-210-13

Moved by: B. Baty
Seconded by: D. Dick

THAT: the meeting move in-camera to discuss Tree by-law status, Violations status and personnel issues.
‘CARRIED’

(16) In Camera

a) Tree By-law Status Report - Report No. CR-123 -13

The following resolution was presented:

FA-211-13

Moved by: B. Maves
Seconded by: S. Beattie

THAT: Report No. CR-123-13 regarding the status of the Tree and Forest Conservation By-law be received for information.
“CARRIED”

b) Regulations Status – Report No. CR-124-13

The following resolution was presented:

FA-212-13

Moved by: T. Easton
Seconded by: D. Joyner

THAT: Report No. CR-124-13 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”

c) Personnel

The Strategic Plan Implementation Consultant provided an update to the interview process that was conducted by the Implementation Committee and their selection of the new Management Team and discussed office configuration to help improve communications.

Following a discussion with regards to a personnel issue, resolution number **FA-213-13** was carried.

The following resolution was presented:

FA-214-13

Moved by: B. Maves
Seconded by: T. Easton

THAT: meeting rise from in-camera with report.
"CARRIED"

ADJOURNMENT

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

FA-215-13

Moved by: B. Maves
Seconded by: M. DiFruscio

THAT: this meeting is now adjourned. Received at 11:37 p.m.
"CARRIED"



Lisa Conte, Recording Secretary



D. Bruce Timms, Chairman