



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

July 16, 2014; 6:00 pm.
250 Thorold Road West; 3rd Floor; Boardroom

MEMBERS PRESENT:

B. Timms (Chairman)

A. Jeffs –Vice Chair

M. Bagu

B. Baty

S. Beattie

D. DiFruscio

B. Maves

D. Ransom

B. Sharpe

B. Steckley

D. Zimmerman

MEMBERS ABSENT:

T. Dalimonte (*regrets*)

D. Dick (*regrets*)

D. Joyner (*regrets*)

STAFF PRESENT:

C. D'Angelo, CAO/Secretary-Treasurer

J. Hagar, HR Specialist & Interim Corp. Services Manger

P. Graham, Director Watershed Management

D. Barrick, Sr. Manager, Operations

M. Brickell, Project Manager

B. Wright, Manager Watershed Projects

G. Furtney, CA Supervisor

M. Stack, Supervisor Marketing & Community Relations

M. Reles, Communications Specialist

D. Drennan, Forester

L. Conte, Recording Secretary

OTHERS PRESENT:

Gerry Prentice, D. Grogan, Chris Powell, Shiloh Berriman, Glen Robins, Don Smith, Lennie Aarts, Willie Wakulich, Bev Lepard, Betty Ronc, Gerry Beneteau, Klara Young-Chin

ROLL CALL:

Meeting called to order at 6:10 pm.

DECLARATION OF CONFLICT OF INTEREST

Member B. Steckley declared a conflict of interest should any discussion arise related to the Ball's Falls Thanksgiving Festival as he will be participating as a vendor for that event.

BUSINESS:

1. **Approval of the Minutes - Full Authority Board Meeting June 18, 2014**

Chairman noted a revision to page 6 of the minutes

Resolution No. FA-137-14

Moved by: B. Baty

Seconded by: M. Bagu

THAT: the minutes of the Full Authority Meeting held June 18, 2014, be approved with the noted revisions on page 6.

CARRIED

2. **Business Arising from the Minutes**

None.

3. **Correspondence**

Two items of correspondence, one from Abe J. Huebner regarding warnings and dangers of fast floods and the second item is an email from Loretta Shields with regards to the NRW's request for property access on the Gord Harry Trail.

Resolution No. FA-138-14

Moved by: B. Maves

Seconded by: D. Ransom

THAT: the correspondence be received.

Note: the second item of correspondence to be referred to item no. 8 of the agenda.

MOTION CARRIED

4. **Chairman's Remarks**

Chair, Timms attended the Doug Elliott memorial; various conservation areas noting their productivity; met with concerned property owners and remarked that Carmen D'Angelo presented the Strategic Plan to Welland City Council July 15th.

5. **CAO Remarks**

The dates to present the NPCA's Strategic Plan to the municipalities have now been arranged and a completed schedule will be circulated to the members.

6. **Delegation – Mr. W. Wakulich**

As a delegate to the board, Mr. Wakulich appealed to members about reviewing their decision with regards to the slope stability issue of the structure on his property.

Resolution No. FA-139-14

Moved by: B. Maves

Seconded by: M. Bagu

THAT: the Wakulich delegation be received

CARRIED

C. D'Angelo recommended this item go in-camera for discussion with the other in-camera items in order to reach a resolution to the matter. Members agreed.

7. **Delegation – NRWC Niagara Region Wind Corp.**

On behalf of NRWC, Chris Powell from Stantec explained the request made to NPCA and how it intends to use a portion of the Gord Harry Trail to access the wind turbines.

Resolution No. FA-140-14

Moved by: D. DiFruscio

Seconded by: A. Jeffs

THAT: the NRWC's (Niagara Region Wind Corp) presentation be received.

CARRIED

8. **NRWC Request for NPCA Access – Gord Harry Trail Report No. 56-14**

Having noted that the Township of Wainfleet resolved to give NRWC consent to a single crossing and not allow access to the trail in its entirety; members discussed the various options before the board and resolved the following:

Resolution No. FA-141-14

Moved by: A. Jeffs

Seconded by: B. Baty

THAT: the NPCA Board RECEIVES Report No. 56-14 for information, and that the NPCA Board AUTHORIZE staff to enter into a Land Use agreement granting NRWC access to cross the Gord Harry Trail as per Option 2 outlined in this report.

Option 2 - The Township noted its preference for option A2 (Appendix 3 map) in its Resolution. This would include collector/fibre lines and a construction/permanent access road at a single crossing of the trail.

**NOTE: A Recorded vote was taken (attached)
Motion to accept Option 2 CARRIED 8 in favour and 3 opposed.**

9. **Emerald Ash Update – Presentation by Dan Drennan, NPCA Forester**

In a brief presentation to the Board, NPCA Registered Professional Forester, Dan Drennan provided a background of his role with NPCA, the use of Good Forestry Practices and further provided some insight into the problem affecting the Emerald Ash trees and what is being done to control the infestation of the emerald ash borer. **Presentation attached.**

Resolution No. FA-142-14

Moved by: B. Steckley

Seconded by: D. Ransom

THAT: the presentation on the Emerald Ash by NPCA Forester, Dan Drennan, be received for information.

CARRIED

10. **Financial Statement – Month Ending June 30, 2014 REPORT NO. 66-14**

A copy of the OPG Reserves as at December 31st was circulated to board members and Acting Corp. Services Mgr. J. Hagar reported that NPCA is working with our Vendor AccPac in upgrading our current software in order to provide more comprehensive reporting.

Resolution No. FA-143-14

Moved by: D. Zimmerman

Seconded by: B. Maves

THAT: Report No. 66-14 on the Financial Statements be received for information.

CARRIED

11. **PROJECT STATUS REPORTS:**

1) **Watershed Management – Report No. 67-14**

Resolution No. FA-144-14

Moved by: S. Beattie

Seconded by: B. Steckley

THAT: Watershed Status Report No. 67-14 be received for information.

MOTION CARRIED

2) **Operations Status – Report No. 68-14**

Resolution No. FA-145-14

Moved by: S. Beattie

Seconded by: D. DiFruscio

THAT: the NPCA Board RECEIVE Operations Status Report No. 68-14 for information.

MOTION CARRIED

2) Corporate Services - Report No. 69-14

Resolution No. FA-146-14

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

THAT: the Corporate Services Project Status Report No. 69-14 be received for information.

MOTION CARRIED

12. Welland River Flood Plain Review & Implementation Update Report No 70-14

As a result of the meeting held by the Welland River Floodplain Review & Implementation Committee, whereby recommendations were made to the board, Chair, B. Timms, suggested separate motions be put forward for each of the recommendations made as follows:

Resolution No. FA-147-14

Moved by: B. Sharpe
Seconded by: D. Zimmerman

THAT: Board approve the Welland River Floodplain Review and Implementation Committee's (WRFRIC) request to expand its Terms of Reference to include two (2) non-voting members of the Welland River Floodplain Association (WRFA).

CARRIED

Resolution No. FA-148-14

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

THAT: That direction be provided to NPCA staff pertaining to the three (3) items articulated in the motion brought forth by the WRFRIC;

That the NPCA direct staff to determine what other models can be appropriately used to generate flood lines on the Welland River and report back to the Committee.

CARRIED

Resolution No. FA-149-14

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

THAT: That direction be provided to NPCA staff pertaining to the three (3) items articulated in the motion brought forth by the WRFRIC;

That the NPCA examine their existing policies and work with municipalities towards developing a two zone model framework unique to the Welland River watershed.

MOTION CARRIED

Members discussed at length the committee's recommendation (item 3) "to pursue" the Wainfleet resolution by "engaging in a widespread study of the Welland River concurrent with the ongoing efforts and existing mandate of the WRFRIC" with the following motion

Resolution No. FA-150-14

Moved by: B. Steckley
Seconded by: D. Zimmerman

THAT: **Item 3** be deferred with staff direction to include City of Niagara Falls and City of Thorold as part of the proposed stakeholder group.

- Board Members concurred that staff contact the proposed stakeholders; as identified in the Wainfleet resolution (including the City of Niagara Falls and the City of Thorold); as to their willingness to participate in the study group.

CARRIED

Resolution No. FA-151-14

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

THAT: **Report No. 70-14** be received for information purposes.

CARRIED

13. C L A C Update – Report No. 71-14

Recommendations were made to the board to appoint individuals from various sectors in the community to represent the Community Liaison Advisory Committee.

Resolution No. FA-152-14

Moved by: B. Baty
Seconded by: B. Maves

THAT: **the recommended appointments to the Community Liaison Advisory Committee as identified within Report No. 71-14** be approved.

CARRIED

A member's suggestion made regarding the interviewing procedure for candidates was taken under advisement by the CAO when filling upcoming vacancies.

14. New NPCA Unsolicited Proposal Policy – Report No. 72-14

Resolution No. FA-153-14

Moved by: B. Sharpe
Seconded by: D. Zimmerman

THAT: **the NPCA Board APPROVE the NPCA Unsolicited Proposal Policy as outlined in Report No. 72-14.**

CARRIED

15. **Accessibility Standard Compliance Policy - Report No. 73-14**

CAO D'Angelo noted that the onus is on NPCA to train staff and volunteers, however, we need only include a clause in our contracts that contractors hired by NPCA are to follow legislated policies. The policy is intended for staff awareness in making our services accessible to customers with disabilities.

Resolution No. FA-154-14

Moved by: D. Ransom

Seconded by: S. Beattie

THAT: the NPCA Board approve the Accessibility Standards Compliance Policy as outlined in Report No. 73-14.

CARRIED

16. **Changes to Implementation of O.Reg 155/06 – Report No. 74-14**

The changes requested are meant to improve the permit approvals process and improve the level of transparency.

Resolution No. FA-155-14

Moved by: B. Sharpe

Seconded by: M. Bagu

THAT:

1. the NPCA Board delegate the following staff positions to approve permissions under Ontario Regulation 155/06:
 - (a) CAO, Secretary-Treasurer
 - (b) Director, Watershed Management

And further that the NPCA adopt a policy where permissions will generally be granted for a period of 12 months (1 year) for typical applications, with staff delegated approval responsibility for these applications, including responsibility for granting an extension for permit validity up to the allowable maximum of 24 months.

And further, that the NPCA Hearings Board will be responsible for issuing approvals for a validity period of 24 months for major municipal infrastructure projects and other major developments where it has been demonstrated to the Hearing Board's satisfaction that, due to the scope of the project, an extended implementation period is warranted and will be assessed on a case-by-case basis, with provisions for an extension of permit validity not to exceed 60 months.

2. the Board direct staff to address the two categories of permissions in the update to the NPCA policy document.

3. staff be directed to update the NPCA's Hearing Guidelines to address the 2013 Amendments to Regulation 155/06.

4. staff be directed to update the NPCA Permit Application form to address the following:

- (a) Freedom of Information changes
- (b) To allow signature by agent or landowner
- (c) To get permission for staff to access the property
- (d) To have the applicant confirm conformity with municipal planning requirements

5. Upon completion of changes to the NPCA permit application form, staff be directed to prepare monthly reports to the Board on permits that have been approved.

CARRIED

17. **Land Use Agreement - Fort Erie Conservation Club Inc. - Report No. 75-14**

Resolution No. FA-156-14

Moved by: B. Steckley

Seconded by: M. Bagu

THAT: the NPCA Board AUTHORIZE the CAO and Board Chair to execute the attached 1-year Lease with the Fort Erie Conservation Club Inc.

The board agreed that we currently proceed with a one year term agreement and consideration for multiple years be offered in future negotiations.

CARRIED

18. **Ball's Falls Septic System – Report No. 76-14**

Resolution No. FA-157-14

Moved by: B. Baty

Seconded by: D. Zimmerman

THAT: the NPCA Board RECIEVE Report No. 76-14 for information

CARRIED

19. **University of Guelph – Proposed Research Study Niagara - Report No. 77-14**

Resolution No. FA-158-14

Moved by: D. Zimmerman

Seconded by: M. Bagu

THAT: the letter of endorsement for the University of Guelph's groundwater research study be received for information.

CARRIED

20. Other Business

1. Member B. Baty expressed concern about getting better representation on the advisory committee to move forward in the development of the St. Johns Centre Master Plan.
2. Member DiFruscio brought 20 milkweed plants to NPCA office on July 3rd and staff planted these in some of our conservation areas.
3. S. Beattie requested that the video on the Monarch Butterfly he provided to NPCA staff be viewed by the board at the next board meeting.
4. D. Zimmerman commented that the Aquafor report was considered at the Region and suggested the NPCA Geological Survey and related reports be shared with the Region. It was noted by P. Graham that this has been done.

With no further business, the following resolution was presented;

Resolution No. FA-159-14

Moved by: S. Beattie
Seconded by: A. Jeffs

THAT: the meeting move in-camera, to discuss the Agenda items and include consideration of the Wakulich delegation.

CARRIED

21. In Camera

1. Wakulich delegation

The Board Members gave consideration to and discussed the request made earlier by Mr. Wakulich and came to a resolve.

Resolution No. FA-160-14

Moved by: D. Zimmerman
Seconded by: D. Ransom

CARRIED with 2 opposed

2. Regulation Status Report No. CR-78-14

Various regulation violations were discussed with the following resolution;

Resolution No. FA-161-14

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

THAT: Report No. CR-78-14 regarding the status of outstanding violations be received for information purposes.

CARRIED

3. Forestry By-law Status Report No. CR-79-14

Resolution No. FA-162-14

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

THAT: Report No. CR-79-14 regarding the status of the Tree and Forest Conservation By-law be received for information.

CARRIED

4. St. Johns Centre – Operating Review Report No. CR-80-14

Members discussed the confidential correspondence received and the operations affecting the Centre with the following resolutions:

Resolution No. FA-163-14

Moved by: D. Zimmerman
Seconded by: S. Beattie

THAT: Confidential correspondence be received.

CARRIED

Resolution No. FA-164-14

Moved by: B. Baty
Seconded by: B. Maves

CARRIED

5. HQ Report No. CR-81-14

Various needs of the HQ were discussed .

Resolution No. FA-165-14

Moved by: D. Ransom
Seconded by: D. Zimmerman

CARRIED with 2 opposed

6. Land Acquisition Report No. CR-65-14

A possible acquisition was discussed with board providing direction to staff.

Resolution No. FA-166-14

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

CARRIED with 2 opposed

With no further in-camera business,

Resolution No. FA - 167 - 14

Moved by: B. Maves
Seconded by: B. Baty

THAT: the meeting rise from in-camera with report

CARRIED

Resolution No. FA - 168- 14

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

THAT: direction from in-camera report be approved with the exception of the land acquisition to be decided in a separate vote.

CARRIED

Resolution No. FA - 169- 14

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

THAT: to approve board direction on land acquisition Report No CR-65-14

CARRIED

NOTE: Members D. Zimmerman and D. Ransom recorded as opposed to motion

Resolution No. FA - 170- 14

Moved by: D. Zimmerman
Seconded by: D. Ransom

THAT: NPCA staff bring recommendation to board on a policy for property appraisals.

CARRIED

ADJOURNMENT

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

Resolution No. FA - 171 - 14

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

THAT: the Full Authority meeting be adjourned. Received at 11:46 pm

CARRIED

Lisa Conte, Recording Secretary

D. Bruce Timms, Chairman