



**NIAGARA PENINSULA CONSERVATION AUTHORITY
FULL AUTHORITY MEETING MINUTES**

Monday November 24, 2014; 6:30 pm.
3292 Sixth Avenue; Jordan, ON Ball's Falls Centre for Conservation -Elgin Room

MEMBERS PRESENT:

B. Timms (Chairman)

A. Jeffs –Vice Chair

M. Bagu
B. Baty
S. Beattie
D. Dick
D. DiFruscio
B. Maves
D. Ransom
B. Sharpe
B. Steckley

MEMBERS ABSENT:

T. Dalimonte (*regrets*)
D. Joyner (*regrets*)
D. Zimmerman (*regrets*)

STAFF PRESENT:

C. D'Angelo, CAO/Secretary-Treasurer
J. Long, Sr. Manager, Corporate Services
P. Graham, Director Watershed Management
D. Barrick, Sr. Manager, Operations
J. Hagar, HR Specialist
M. Brickell, Project Manager
J. Baker, Supervisor, Restoration
G. Furtney, CA Supervisor
G. Verkade, Supervisor, GIS
M. Reles, Communications Specialist
L. Conte, Recording Secretary

OTHERS PRESENT:

Len Aarts, M. Edwards, Erika Furney, Greg Furney, Pam Garner, Anthony Kaluzny, Jerry Lemick (Greenbelt), John MacLellan, Glen Robins, Willie Wakulich

Chairman, B. Timms called the meeting to order at 6:30 pm.

Resolution as follows:

Resolution No. FA-193-14

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

THAT the meeting move to closed session to discuss personnel matters, a proposed acquisition of land, labour relations and possible or potential litigation matters.

CARRIED

DECLARATION OF CONFLICT OF INTEREST

None

BUSINESS – Closed Session:

1. [Compensation Guidelines](#)
2. [Violations Status – Report No. CR-96-14](#)
3. [Forestry By-law Status - Report No. CR-97-14](#)
4. [Proposed Property Transfer - Report No. CR-114-14](#)

Resolution No. FA-194-14

Moved by: M. DiFruscio
Seconded by: M. Bagu

THAT the meeting move to open session.

CARRIED

Following the closed session, Chair Timms welcomed all in attendance.

ROLL CALL:

Three members send their regrets.

DECLARATION OF CONFLICT OF INTEREST

Member Steckley declared a conflict should discussions arise about the Thanksgiving Festival at Ball's Falls. Steckley participated as a vendor.

D. B. Timms related the items discussed in closed session with the following resolutions:

Resolution No. FA-195-14

Moved by: D. Dick
Seconded by: A. Jeffs

THAT the direction given to the C.A.O. relative to compensation, be followed.

CARRIED

Resolution No. FA-196-14

Moved by: M. Bagu
Seconded by: S. Beattie

THAT Report No. CR-96-14 regarding the status of outstanding violations be received for information purposes; and,
THAT staff follow direction relative to the Wakulich appeal and other directions that involve litigations or potential litigations.

CARRIED

Resolution No. FA-197-14

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

THAT Report No. CR-97-14 regarding the status of the Tree and Forest Conservation By-law be received for information.

CARRIED

Resolution No. FA-198-14

Moved by: M. Bagu
Seconded by: B. Sharpe

THAT the NPCA Board approves the land transfer of the subject parcel (Parcel A as shown in Map 1) of approx. 15.5 acres from the City of Welland (Part Lot 28, Concession 6) to the NPCA for \$1;
THAT this approval be conditional upon the City of Welland accepting an additional land transfer to the NPCA of the westerly connecting lands (Parcel B as outlined in Map 1) of approx. 30.6 acres for \$1; and,
THAT the intent for these lands be for conservation, education and recreational purposes.

CARRIED

Note: Members A. Jeffs and B. Maves recorded as opposed to the motion.

ADOPTION OF AGENDA

Chairman Timms noted the additional item to the Agenda and the change in date for the board meeting with the following resolution;

Resolution No. FA-199-14

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

THAT all Reports before the Board dated November 19, 2014 have been deferred for consideration by the Board to November 24, 2014 due to inclement weather.

CARRIED

BUSINESS ITEMS IN OPEN SESSION:

1. **Approval of the Minutes - Full Authority Board Meeting September 17, 2014**

Resolution No. FA-200-14

Moved by: D. Dick

Seconded by: A. Jeffs

THAT the minutes of the Full Authority Meeting held September 17, 2014, be approved as presented.

CARRIED

2. **Business Arising from the Minutes**

None.

3. **Correspondence**

Resolution No. FA-201-14

Moved by: D. Ransom

Seconded by: D. Dick

THAT the correspondence be received for information purposes.

CARRIED

As a result of the correspondence item from Sullivan Mahoney, the following motion was presented; that, staff be directed to waive the permit fee of \$2,720.00 relative to the Henley Island Bridge Project as requested by Bruce A. MacDonald on behalf of the Canadian Henley Rowing Corporation.

Board members requested more information be brought back to the board with the motion being resolved with the following deferral:

Resolution No. FA-202-14

Moved by: B. Baty

Seconded by: B. Sharpe

THAT the motion to waive the permit fee of \$2,720.00 relative to the Henley Island Bridge Project as requested by Bruce A. MacDonald on behalf of the Canadian Henley Rowing Corporation, be deferred to the December board meeting.

CARRIED

4. **Chairman's Remarks**

- The new NPCA board will meet January 21, 2015 and a board executive will be elected at that time. It is our request to council that an appointment be made before our first board meeting on Jan 21, 2015. In the case where neither mayor nor regional councilor is appointed from a municipality, it is the responsibility of Niagara Region, City of Hamilton and Haldimand County as the appointing bodies to advertise for private citizens. Our goal is to have all positions filled by Jan. 21st.

- The Community Liaison Advisory Committee met last Thursday evening and provided comments on Cave Springs. The appointment of the co-chair (non-board member) was deferred to allow enough time to review the terms of reference and the code of conduct.
- The Chair invited all board members to attend the Conservation Achievement Awards on Nov 26th; 6:30pm at Ball's Falls in recognition of all the volunteers and to assist in presenting the awards.

5. **CAO Remarks**

- C.A.O. introduced Jeff Long, Senior Manager, Corporate Services and welcomed him to the NPCA.
- The job posting for the newly created position of Business Development Manager closes Wednesday November 25th and the Sr. Manager, Corporate Services will lead this selection process.
- NPCA is in the process of re-establishing the tree bylaw and associated agreement with Niagara Region.
- In 2015 the Niagara Escarpment Act will have its 10 year reviews and the intent of NPCA is to provide comments to the Board and then forward our comments to the Provincial Government for consideration. Chairman Timms added that the NPCA will provide its own comments on its watershed as the NPCA is an Authority under its own Act.
- Water testing was conducted at Binbrook and PFOS levels were unusual and have been forwarded to the Hamilton Public Health Department, McMaster University and Environment Canada. NPCA is doing its due diligence and going to the specialists to find out what this means. In response to member Beattie's request to have water testing forwarded to the City of Hamilton Council, the NPCA will wait for Public Health to assess the situation and will advise Council only if negative consequences are reported in the assessment.

6. **PROJECT STATUS REPORTS:**

- i. **Watershed Management – Report No. 98-14**
Member Jeffs would like an update on the DFO and drainage. P. Graham will respond to her query.
- ii. **Operations Status – Report No. 99-14**
Members provided commendation to both the CAO and Staff for the success of the Festival.
- iii. **Corporate Services - Report No. 100-14**

7. **Financial Status – Month Ending October 31, 2014 – Report No. 101-14**

- In response to concerns about expenditures for a dog park in Pelham, Operations Manager Barrick reported that this is a Regional property and NPCA maintains various Regional properties. The board was assured that cost recovery on the maintenance we provide, will be billed to the Region at year's end.
- Member's queries on grants and legal fees reported, do not represent actual to-date figures. D'Angelo explained that Jeff Long is changing the current practice and in upcoming reports, expenditures will be applied as they occur.

- Due to drainage issues, the road leading to the Comfort Maple frequently gets washed out, explained D. Barrick. As a result, the amount budgeted for the road work to this CA, has not to-date been applied until the drainage issue is addressed.

8. **Development Tracking - Report No. 102-14**
9. **Trans-Canada Trail – Report No. 103-14**
10. **St. Johns Centre Update – Report No. 104 -14**

Following the Board's comments on "Reports for Information", the following resolution was made:

Resolution No. FA-203-14

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

THAT Reports 98, 99, 100, 101, 102, 103, and 104 submitted to the board for information purposes be received.

CARRIED

REPORTS FOR CONSIDERATION:

11. **2015 Operating & Capital Budget – Steering Committee – Report No. 105-14**

C. D'Angelo explained that the funding municipalities; in particular Niagara Region, are requesting a preliminary budget by mid-December and a Budget Steering Committee would have to meet prior to this. In view of a new Board commencing in January 2015, members commented that this report and recommendation not be adopted tonight due to the fact that forming a new Budget Steering Committee would be comprised of current members who may not be here in January. As such, the Board resolved the following:

Resolution No. FA-204-14

Moved by: Bart Maves
 Seconded by: Stew Beattie

THAT Report No. 105-14 regarding the 2015 Budget Schedule and Guidance be deferred until the inaugural board meeting of January 21, 2015

CARRIED

12. **Dispute Resolution Process – Report No. 106-14**

Resolution No. FA-205-14

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

THAT Report No. 106-14 be received for information; and,
 THAT the NPCA Board approve the Dispute Resolution Process for NPCA Staff Policy and Technical Decisions.

CARRIED

13. RAP Agreement – Report No. 107-14

Supervisor, Restoration J. Baker commented that consultant fees are covered by the funding amount and Environment Canada's new funding agreement is on the way. A public committee meeting will be arranged in the New Year and NPCA will begin to maintain a page on the website respecting RAP news and updates.

Resolution No. FA-206-14

Moved by: D. Dick
Seconded by: M. Bagu

THAT the Board approve the NPCA to continue to provide the Ministry of the Environment and Climate Change (MOECC) with coordination services for the implementation of the Niagara River Remedial Action Plan (RAP) through the approval of the 2014/15 RAP Agreement.

CARRIED

14. Website Redesign – Report No. 108-14

Member's concerns that \$35,000 may not suffice, were assured by Supervisor GIS, G. Verkade that specs have been put together by experienced staff and are very confident of the recommendation before the Board.

Resolution No. FA-207-14

Moved by: S. Beattie
Seconded by: M. Bagu

THAT the Board provide direction to issue the Website Re-design Request for Proposal and assess respondents in accordance with the recommended evaluation criteria; and,

THAT the Board approve a budget of \$35,000 to be used for the redesign, development and implementation of an NPCA website that achieves the desired results as set out in the RFP.

CARRIED

15. Conservation Area Fee Schedules 2016 / 2017 – Report No. 109-14

In discussing the proposed increases, C. D'Angelo made reference to the fact that Ball's Falls is currently operating at a deficit. It is NPCA's goal to have Ball's Falls become revenue neutral so as to alleviate the taxpayer subsidy.

Resolution No. FA-208-14

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

THAT the proposed Ball's Falls Fee Schedule for 2016/2017 be approved.

CARRIED

16. **Jordan Ellis – Report No. 110-14**

Resolution No. FA-209-14

Moved by: D. Ransom

Seconded by: B. Sharpe

THAT the NPCA Board does not renew the Jordan Ellis Ontario Heritage Trust (OHT) Stewardship Agreement.

CARRIED

17. **Regulations Revised - Report No. 111-14**

Prompted by the need to prepare a manual to new and returning board members, the proposed regulations would replace a currently out dated manual. These three regulations clarify issues that have arised over the years and capture amended policies with up-to-date procedures.

Members are agreeable to receive these three regulations however suggest that the Community Liaison Advisory Committee (CLAC) be engaged to review and provide comments, furthermore noting that these regulations should be made amendable in order to fine tune as necessitates.

Noting the revision to Regulation # 1 Page 8 regarding Chair and Vice Chair responsibility; second bullet to read; “*recommending* the annual salary and pay performance for CAO / Secretary Treasurer for *consideration to the board of directors.*” With the following resolution:

Resolution No. FA- 210-14

Moved by: B. Sharpe

Seconded by: B. Maves

**THAT the Board of Directors approve Niagara Peninsula Conservation Authority’s revised Regulations 1, 2, 3 (as attached to Report No. 111-14 with the noted amendment on Reg. #1 page 8) in association of Section 28 and 30 of the Conservation Authorities Act; and,
THAT this board request that CLAC review and provide feedback to the new board on the regulations with a deadline for Board’s consideration by March 2015.**

CARRIED

18. **WaterSmart Funding – Watershed Plans Report No. 112-14**

Resolution No. FA- 211-14

Moved by: M. Bagu

Seconded by: D. Dick

THAT the NPCA Board endorse the project entitled “How to Re-establish a program to Develop, Maintain, Update and Implement Watershed Plans in the NPCA Watershed”; and,

THAT the NPCA Board authorize staff to hire a consultant, in accordance with the NPCA Consultant Selection Policies, to carry out the project.

CARRIED

19. **RFP for Legal Services - Report No. 113-14**

Resolution No. FA-212-14

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

THAT the Board of Directors authorize the issuance of a Request For Proposal (RFP) relative to legal services required by the Niagara Peninsula Conservation Authority.

CARRIED

20. **Other Business**

Member DiFruscio requested whether an inquiry can be made through National Geographic to explore the possible existence of a lake at Cave Springs as some have suggested. D'Angelo confirmed that this is an item being identified through the Master Plan. DiFruscio further requested to be selected as a member on the Cave Springs Master Plan Committee should he be reappointed to the Board and was advised to request a recommendation from the new board.

ADJOURNMENT

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

Resolution No. FA-213-14

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

THAT the Full Authority meeting be adjourned. Received at 10:22 pm

CARRIED

Lisa Conte, Recording Secretary

D. Bruce Timms, Chairman