



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

Wednesday July 15, 2015; 6:30 pm
Ball's Falls Centre for Conservation
3292 Sixth Avenue, Jordan, ON

MEMBERS PRESENT: S. Annunziata (Vice-Chair)
B. Baty
S. Beattie
F. Champion
P. Darte
D. DiFruscio
J. Diodati
A. Jeffs
D. Joyner
J. Kaspersetz
J. Maloney
T. Quirk
R. Shirton
B. Timms (Chair)

MEMBERS ABSENT: B. Hodgson (*Regrets*)

STAFF PRESENT: C. D'Angelo, CAO/Secretary-Treasurer
D. Barrick, Sr. Manager, Operations
P. Graham, Director, Watershed Management
M. Brickell, Project Manager
G. Furtney, Conservation Areas Supervisor
B. Wright, Manager, Watershed Projects
J. Baker, Project Manager, RAP and Restoration
K. Vallier, Business Development Manager
M. Reles, Communications Specialist
J. Diamond, Water Quality Specialist
E. Augustino, Water Quality Technician
S. Gillis, Project Lead Restoration
D. Lindblad, Project Lead Restoration
M. MacIntyre, Superintendent – Long Beach CA
N. Devos, Superintendent – Ball's Falls CA
L. Conte, Administrative Assistant; Office of CAO

GUESTS PRESENT: Greg & Erika Furney, Don Smith, Lennie Aarts, Glen Robins, Mark Neufeld, Peter Partington; Ramsar Advisor, Theresia Zierle, Betty Konc, Mary Kovacs, Bonnie Tuson, S. Berriman, Chris Powell; Stantec, Adam Rosso; Boralex.

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

Resolution No. FA – 119 - 15

Moved by: R. Shirton
Seconded by: D. Joyner

That the meeting move to closed session to discuss violations before the Provincial Offences Court, a land acquisition in Wainfleet and the CAO Vehicle allowance.

CARRIED

DECLARATION OF CONFLICT OF INTEREST

Member J. Maloney declared a conflict of interest pertaining to the Violation "Wakulich"

BUSINESS – Closed Session:

1. [Verbal update on Violations before the Provincial Offences Court](#)
2. [Land Acquisition – Report No. CR-68-15](#)
3. [CAO Vehicle Allowance – Report No. CR-86-15](#)

Resolution No. FA – 120 - 15

Moved by: P. Darte
Seconded by: A. Jeffs
THAT the meeting rise from closed session with report

PUBLIC MEETING

Resolution No. FA – 121 - 15

Moved by: R. Shirton
Seconded by: J. Kaspersetz

THAT the Full Authority meeting be adjourned.

CARRIED

NOTE: Full Authority meeting adjourned to hold the The Source Protection Authority meeting.

The Full Authority Board meeting reconvened at 7:15 pm
Chair Timms recognized and welcomed Peter Partington former Regional Chair who is attending this evening in support of the Ramsar application designation.

The following resolutions resulted from the discussions held in closed session:

Resolution No. FA – 122 - 15

Moved by: B. Baty
Seconded by: T. Quirk

THAT the land acquisition as outlined in REPORT # CR-68-15 be received and that no further action be taken.

CARRIED

Resolution No. FA - 123 - 15

Moved by: T. Quirk
Seconded by: P. Darte

THAT board direction to staff on the Wakulich file be followed which includes notification to neighbours, Conservation Ontario and associated Ministries.

CARRIED

Resolution No. FA – 124 - 15

Moved by: J. Diodati
Seconded by: P. Darte

THAT the CAO vehicle allowance as outlined in REPORT # CR-86-15 be approved.

CARRIED

Noted that Member J. Maloney declared a conflict of interest regarding the Wakulich violation and was excused from the meeting during such discussions.

DECLARATION OF CONFLICT OF INTEREST:

No conflicts declared for items in Public Session.

ADOPTION OF AGENDA:

Resolution No. FA – 125 - 15

Moved by: A. Jeffs
Seconded by: T. Quirk

THAT the Agenda be revised so that item 20 of the Agenda regarding the NRWC be considered under Business Arising from the Minutes.

CARRIED

DELEGATIONS:

A. Water Quality – Joshua Diamond (NPCA Staff)

The 2014 Water Quality Report has been posted on the NPCA website;
http://www.npca.ca/board/outgoing/Draft-2015-NPCA-Water-Quality-Report_web.pdf

Resolution No. FA – 126 - 15

Moved by: D. Joyner
Seconded by: R. Shirton

THAT the presentation by Joshua Diamond regarding Water Quality be received.

CARRIED

- Member Baty expressed concern that the water management is not working in the 40 north subdivision, headwaters of the 12 mile creek. Staff will look into this.

B. Ramsar/RAP designation – Jocelyn Baker & Deanna Lindblad (NPCA Staff)

Resolution No. FA – 127 - 15

Moved by: S. Annunziata

Seconded by: T. Quirk

THAT the presentation by NPCA staff, J. Baker & D. Lindblad regarding the Ramsar/RAP Designation be received.

CARRIED

- Member Baty inquired about the continued monitoring and management of water quality once the Niagara River has been delisted and whether there would be funding available for this. J. Baker stated that once the River is de-listed, we enter into the monitoring and recovery phase and we anticipate continued financial support.

BUSINESS ITEMS IN OPEN SESSION:

1. Approval of the Minutes - Full Authority Board Meeting June 17, 2015

Resolution No. FA – 128 - 15

Moved by: T. Quirk

Seconded by: P. Dart

THAT the minutes of the Full Authority Meeting held June 17, 2015 be approved as presented.

CARRIED

2. Business Arising from the Minutes

At the last board meeting consideration of Report 64-15 regarding the NRWC and easement agreement to the Gord Harry Trail was deferred. Follow-up Report 85-15 was considered as the noted change in the Agenda.

Easement Agreement – NRWC – Report No. 85-15

- The following were some suggestions made by various members
 - that daily biological monitoring take place during the construction phase;
 - that the agreement specify the trail be returned back to its original or better state, before and after construction pictures to be documented;
 - that should ownership of the wind turbines change during the 20 year agreement, the contract amount should be paid out in full;
 - that members Joyner, Jeffs, Quirk, Chair and Vice-Chair be involved in finalizing the agreement

Resolution No. FA – 129 - 15

Moved by: J. Diodati

Seconded by: P. Dart

THAT the easement steering committee be comprised of, Chair, Vice-Chair, D. Joyner, A. Jeffs and T. Quirk to finalize negotiations of legal agreement.

CARRIED

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Resolution No. FA – 130 - 15

Moved by: T. Quirk
Seconded by: P. Darte

That the NPCA Board of Directors authorize an Easement Agreement between the NPCA and NRWC for the approximate 635 m use of the Gord Harry Trail, and, to provide direction to the Chief Administrative Officer to finalize the agreement in consultation with NPCA legal counsel and the Easement Steering Committee.

MOTION CARRIED 12-2

RECORDED VOTE

| NAME | YES | NO |
|---|--------------------------|----|
| ANNUNZIATA, Sandy (Vice-Chair) | ✓ | |
| BATY, Brian | ✓ | |
| BEATTIE, Stewart | ✓ | |
| CAMPION, Frank | ✓ | |
| DARTE, Pat | ✓ | |
| DIFRUSCIO, Dominic | ✓ | |
| DIODATI, Jim | ✓ | |
| HODGSON, Bill | <i>NOT IN ATTENDANCE</i> | |
| JEFFS, April | | ✓ |
| JOYNER, Douglas | | ✓ |
| KASPERSETZ, James | ✓ | |
| MALONEY, John | ✓ | |
| QUIRK, Tony | ✓ | |
| SHIRTON, Rob | ✓ | |
| TIMMS, Bruce (CHAIR) | ✓ | |
| TOTALS | 12 | 2 |

3. **Correspondence**

Resolution No. FA – 131 - 15

Moved by: S. Annunziata

Seconded by: D. Joyner

THAT the correspondence item listed on the agenda be received for information.

CARRIED

- Member Quirk asked that the Children’s Water Festival be part of the 2016 budget discussions, given Niagara Region’s net 0 guidance.

4. **Chairman’s Remarks**

- Chair and CAO attended the Conservation Ontario meeting where issues were raised owing to an increase in frequency of flooding, extreme weather events and the subsequent need for updated floodplain mapping. Concern was also raised about the lack of knowledge and understanding that JP’s and Justices have and how they interpret and apply policies under the Conservation Authorities Act.
- Chair will be attending the 2015 Conservation Authorities Biennial tour September 20 – 23. Chair acknowledged member Quirk’s suggestion that the NPCA offer to host a future C. A. biennial tour.

5. **CAO Remarks**

- CAO provided an update to the City of Hamilton’s appeal; they were paying levies based on the 2014 figures and were therefore in arrears, they have now agreed to pay the 2015 amounts.

Reports for Information:

6. **Project Status Reports:**

6.1 **Watershed Status Report No. 69-15**

Member Annunziata requested an update on Permit #3587, staff will respond.

6.2 **Operations Status Report No. 70-15**

6.3 **Corporate Services Status Report No. 71-15**

7. **Financials & Reserve - Month Ending June 30 – Report No. 72-15**

8. **Forestry Bylaw – Report No. 73-15**

9. **Moveable Assets Policy – Report 74-15**

10. **Capital Projects – Status Update - 75-15**

Resolution No. FA – 132 - 15

Moved by: J. Kaspersetz
Seconded by: B. Baty

THAT Reports 69, 70, 71, 72, 73, 74 and 75, be received for information purposes.

CARRIED

Reports for Consideration:

11. 2015 Annual Water Quality Report - Report No. 76-15

Resolution No. FA – 133 - 15

Moved by: T. Quirk
Seconded by: R. Shirton

That Report No. 76-15 regarding the 2015 NPCA Water Quality Report be received for information and approved for placement on the NPCA website.

CARRIED

- CAO, C. D'Angelo noted that the Water Quality Report has been posted on our website and the action plan is to provide this information to homeowners.
http://www.npca.ca/board/outgoing/Draft-2015-NPCA-Water-Quality-Report_web.pdf

12. Proposed Niagara River Ramsar Designation - Report No. 77-15

Resolution No. FA – 134 - 15

Moved by: P. Darte
Seconded by: S. Annunziata

That the NPCA Board receive Report 77-15 for information; and,
That the NPCA Board endorse the proposed Niagara River Ramsar designation and to have Board members S. Annunziata, P. Darte, B. Baty, J. Kaspersetz, and Tony Quirk volunteer to sit on the Ramsar Steering Committee pending approval of the Ramsar Steering Committee.

CARRIED

13. Niagara River RAP Agreement – Report No. 78-15

Resolution No. FA – 135 - 15

Moved by: J. Diodati
Seconded by: S. Beattie

That the NPCA continue to provide Environment Canada with project management and coordination services for the implementation of the Niagara River Remedial Action Plan (RAP) through the approval of the 2015/20 RAP Funding Agreement.

CARRIED

14. **Great Lakes Sustainability Fund Agreement - Report No. 79-15**

Resolution No. FA – 136 - 15

Moved by: T. Quirk
Seconded by: S. Beattie

That the NPCA enter into an agreement with Environment Canada (EC) to accept the Great Lakes Sustainability Fund (GLSF) funding of \$135,000 for the implementation of environmental remediation, protection and conservation projects required to meet the goals and objectives identified in the Great Lakes Water Quality Agreement and the Canada-Ontario Agreement (COA).

CARRIED

15. **National Wetland Conservation Fund Agreement – Report No. 80-15**

Resolution No. FA – 137 - 15

Moved by: J. Kaspersetz
Seconded by: S. Beattie

That the NPCA enter into an agreement with Environment Canada (EC) to accept the National Wetland Conservation Fund (NWCF) grant of \$19,350 for the implementation of the Willoughby Marsh / Niagara River Corridor Wetland Improvement Project.

CARRIED

16. **Land Use Agreement-Fort Erie Conservation Club Lease - Report No. 81-15**

Resolution No. FA – 138 - 15

Moved by: T. Quirk
Seconded by: F. Champion

That the NPCA Board authorize staff to execute the attached 3-year Lease with the Fort Erie Conservation Club Inc. regarding the use of Stevensville Conservation Area.

CARRIED

17. **Land Management Agreement – NCC – Lathrop - Report No. 82-15**

Resolution No. FA – 139 - 15

Moved by: T. Quirk
Seconded by: S. Beattie

That the NPCA Board not renew the Nature Conservancy of Canada (NCC) Land Management Agreement.

CARRIED

- It was noted that the Board is not agreeable to renewing *this* agreement, however, there may be an opportunity to consider alternative agreements.

18. **Naming of Assets & Facilities Policy – Report No. 83-15**

Resolution No. FA – 140 - 15

Moved by: S. Annunziata
Seconded by: P. Darte

That Report No. 83-15 be received for information; and That the attached Naming of Assets and Facilities policy (Appendix 1) be approved.

CARRIED

19. **Mountainview Conservation Area – Report No. 84-15**

Resolution No. FA – 141 - 15

Moved by: S. Annunziata
Seconded by: P. Darte

That the NPCA Board of Directors authorize the Chief Administrative Officer to proceed with directing the NPCA's solicitor to execute the necessary quit claim/transfer of the identified portion of the Martin estate land which overlaps the Mountainview Conservation Area, once the Martin estate registers the appropriate Reference Plan.

CARRIED

20. **Other Business**

- Member Jeffs suggested revisiting our board meeting schedule so as to hold the meetings in the evening vs. the day time in order to accommodate the public that may wish to attend. Chair, Timms stated that according to our currently board approved schedule, our September meeting is scheduled for 6:30 pm and Oct, Nov and Dec meetings are scheduled for 9:30 am. Mayor Jeffs' suggestion will certainly be considered when determining our 2016 schedule.
- The scheduled August board meeting will be cancelled; with the following resolution,

Resolution No. FA – 142 - 15

Moved by: S. Beattie
Seconded by: J. Kaspersetz

THAT the currently scheduled board meeting of August 12, is cancelled.

CARRIED

- Member B. Baty attended the FCM conference with a very informative floodplain presentation. It was suggested that the Presenter be contacted for a copy of the presentation and invited to present to the NPCA Board. It was further suggested that arrangements be made to have NPCA staff presentations (ie Ramsar, Water Quality) aired on Cogeco for public viewing & information.

- Member Baty commended the NPCA staff for attending Board meetings and delivering their presentations as this helps the board better understand the issues NPCA deals with on a day-to-day basis. Commendation was also given to Carmen D'Angelo for his great leadership.
- Chair Timms echoed member Baty's commendation to staff and CAO. Timms noted that NPCA's applications for funding from the Waterfront Enhancement Strategy 2015 funds for Wainfleet was granted by the Region.

ADJOURNMENT

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

Resolution No. FA – 143 - 15

Moved by: S. Beattie
Seconded by: J. Kaspersetz

THAT the Full Authority meeting be adjourned. Received at 9:45 pm



Lisa Conte; Recording Secretary



D. Bruce Timms, Chair, NPCA