



**NIAGARA PENINSULA CONSERVATION AUTHORITY (NPCA)  
FULL AUTHORITY  
MEETING MINUTES**

Monday, March 26, 2018  
9:30 a.m.  
Ball's Falls  
Centre for Conservation – Glen Elgin Room  
3292 Sixth Avenue, Jordan, ON

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**MEMBERS PRESENT:** S. Annunziata (Chair)  
B. Baty (at 11:30 a.m.)  
S. Beattie  
F. Campion (left at 10:00 a.m.)  
D. DiFruscio  
J. Diodati (at 10:00 a.m.)  
A. Jeffs  
D. Joyner (at 10:00 a.m.)  
J. Kaspersetz (Vice-Chair)  
P. MacPherson  
J. Maloney  
T. Quirk  
R. Shirton (at 10:15 a.m.)  
B. Timms

**MEMBERS ABSENT:** P. Darté

**STAFF PRESENT:** M. Brickell, Chief Administrative Officer/Secretary-Treasurer  
D. Barrick, Senior Director, Corporate Resources  
G. Furtney, Acting Director, Watershed Management  
L. McManus, Clerk/ Executive Coordinator

**NOTE:** The archived recorded meeting is available on the NPCA website. The recorded video of the Full Authority meeting is not considered the official record of that meeting. The official record of the Full Authority meeting shall consist solely of the Minutes approved by the Full Authority Board. *NPCA Board of Directors Policy Handbook Regulation #2, Meeting Procedures Sec. 16.0*

The Board Chair called the meeting to order at 9:51 a.m. and welcomed those Board, staff and community members present.

## 1. ADOPTION OF AGENDA

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### 1.1 Addition of Items

Upon a request to add a correspondence item respecting Litigation to the agenda and the Board Chair ruling that item out of order, the following resolution was considered.

Resolution No. FA-74-18

Moved by Board Member Campion

Seconded by Board Member Beattie

That the ruling of the Chair **BE OVERTURNED**.

**CARRIED**

Resolution No. FA-75-18

Moved by Board Member Campion

Seconded by Board Member Beattie

That the Agenda **BE AMENDED to add a correspondence item respecting litigation to be dealt with immediately following Agenda Item 4.3.1.**

**CARRIED**

### 1.2 Change in Order of Items

There were no changes in order of items on the agenda.

### 1.3 Approve Agenda

Resolution No. FA-76-18

Moved by Board Member Kaspersetz

Seconded by Board Member MacPherson

That the agenda **BE ADOPTED as amended**.

**CARRIED**

## 2. DECLARATION OF CONFLICT OF INTEREST

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There were no declarations of Conflict of Interest.

## 3. PRESENTATIONS (and/or Delegations)

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### 3.1 Presentations

#### 3.1.1 Living Landscape Policy Dillon Consulting Limited

Patrick Kennedy, Partner, Dillon Consulting Limited, provided Board Members with information respecting the Living Landscape Policy. Topics of the delegation included:

- Status Update on the Policy Document Project
  - Function of the policy document

- Process
- Consultation and engagement
- Feedback
- Key comments
- Final steps

### 3.2 Delegations

#### 3.2.1 Fill Permits and Building in the Floodplain

Ken DePodesta, P.Eng., Principal, KD<sup>2</sup> Consulting

Mr. DePodesta provided Board Members with information respecting Fill Permits and Building in the Floodplain. Topics of the delegation included:

- What is a regulatory floodline-floodplain?
- Ontario Regulation 155/06 (May 4 2006 NPCA: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses).
- Current Regulations/Conservation Authorities application of the regulations

## 4. ADMINISTRATIVE BUSINESS

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### 4.1 Approval of Draft Minutes

#### 4.1.1 Full Authority Board Minutes – February 28, 2018

##### Resolution No. FA-77-18

Moved by Board Member Shirton

Seconded by Board Member Kaspersetz

That the Full Authority Board minutes of the meeting held on February 28, 2018 **BE APPROVED** as presented.

**CARRIED**

### 4.2 Business Arising from Minutes

There was no business arising from the minutes.

### 4.3 Correspondence

#### 4.3.1 Withdrawal of Request for Endorsement Ramsar Designation for Niagara River -

##### Resolution No. FA-78-18

Moved by Board Member Quirk

Seconded by Board Member Jeffs

That the letter, dated March 20, 2018, from the Niagara River Ramsar Site Steering Committee, respecting Withdrawal of Request for Endorsement, Ramsar Designation for Niagara River **BE CONSIDERED** with information Report 32-18 (Agenda Item 5.1) respecting Designation of the Niagara River as a RAMSAR Site.

**CARRIED**

#### 4.3.2 Litigation

Resolution No. FA-79-18

Moved by Board Member Quirk

Seconded by Board Member Kaspersetz

That the letter, dated March 23, 2018, from the City of Welland, respecting Litigation **BE RECEIVED**; and

That staff **BE DIRECTED** to provide an in-camera update on Litigation and Enforcement at the next meeting of the NPCA Full Authority.

**CARRIED**

#### 4.4 Chairman's Remarks

- Chairman Annunziata spoke briefly to Board Member Campion's concerns and assured Board Members that requests of this nature are always vetted to ensure that they are in line with NPCA processes and policies.

#### 4.5 Chief Administrative Officer Comments

Mr. Brickell's comments were as follows:

- Welcome to Mr. Eric Gervais, Procurement Specialist to the NPCA team. He stated that Mr. Gervais comes to us from Brock University with great qualifications and that he was already filling key gaps.
- Thank you to the Town of Lincoln for allowing a presentation of the NPCA 8 Initiatives; a warm reception, productive conversation, partnership and collaboration opportunities discussions.
- Reminder of the Hawk Watch on Friday, March 30<sup>th</sup> from 10:00 a.m. to 3:00 p.m. with a ribbon cutting to open the new platforms at approximately 12 noon.
- Explanation provided respecting the Provincial changes in the methodology on how the Sunshine List is generated.
- Thank you to the Treetop Trekking individuals for their work towards creating an agreement.
- Welcome to Friends of Fort Erie Creeks, who were present to answer any questions respecting Report No. 31-18. Great opportunity for collaboration due to the Trillium Grant.
- Thank you to NPCA staff for their work with Mr. Ken DePodesta, their due diligence in ensuring that a proper peer review was completed is a great example of how well staff work with the public.
- Announcement: Updates respecting litigation are always available upon request.

Upon a request and with Board Chair agreement Report No. 34-18 (Agenda Item 6.2.1) and Report No. 31-18 (Agenda Item 6.2.2) were considered at this time.

## 6. BUSINESS FOR CONSIDERATION

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### 6.2 Reports

#### 6.2.1 Treetop Trekking at Binbrook Conservation Area Report No. 34-18

##### Resolution No. FA-80-18

Moved by Board Member Quirk

Seconded by Board Member Beattie

1. That Report No. 34-18 respecting Treetop Trekking at Binbrook Conservation Area **BE RECEIVED**; and
2. That the Draft Lease Agreement with Treetop Trekking, for its operations at Binbrook Conservation Area, attached to Report No. 34-18 as Appendix 1 **BE APPROVED**.

**CARRIED**

#### 6.2.2 Request from Friends of Fort Erie's Creeks Report No. 31-18

##### Resolution No. FA-81-18

Moved by Board Member Diodati

Seconded by Board Member Beattie

1. That Report No. 31-18 respecting a Request from Friends of Fort Erie's Creeks **BE RECEIVED**;
2. That the request from Friends of Fort Erie's Creeks (FOFEC) to construct a building at Stevensville Conservation Area **BE SUPPORTED IN PRINCIPLE** subject to securing all necessary permits and approvals; and
3. That staff **BE DIRECTED** to prepare a report to the NPCA Board of Directors, once all details have been confirmed, for final approval.

**CARRIED**

## 5. BUSINESS FOR INFORMATION

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5.1 Designation of the Niagara River as a RAMSAR Site  
Report No. 32-18

Resolution No. FA-82-18

Moved by Board Member Kaspersetz  
Seconded by Board Member Joyner

1. That Report 32-18 respecting Designation of the Niagara River as a RAMSAR Site and the correspondence item, being a letter, dated March 20, 2018, from the Niagara River Ramsar Site Steering Committee, respecting Withdrawal of Request for Endorsement, Ramsar Designation for Niagara River **BE RECEIVED** for information.

**CARRIED**

5.2 Financial and Reserve Report – Month Ending February 2018  
Report No. 33-18

Resolution No. FA-83-18

Moved by Board Member Quirk  
Seconded by Board Member MacPherson

1. That Report 33-18 respecting Financial and Reserve Report – Month Ending February 2018 **BE RECEIVED** for information.

**CARRIED**

5.3 NPCA Awareness Survey Secondary Study  
Report No. 38-18

Resolution No. FA-84-18

Moved by Board Member Baty  
Seconded by Board Member Timms

1. That Report 38-18 respecting NPCA Awareness Survey Secondary Study **BE RECEIVED** for information.

**CARRIED**

## 6. BUSINESS FOR CONSIDERATION

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6.1 Standing Committee Reports

Upon a request Report No. 37-18 (Agenda Item 6.1.4) would be dealt with immediately following NPCA 2018-2021 Strategic Plan presentations (Agenda Item 6.1.1.).

6.1.1 Presentations

6.1.1.1 NPCA 2018-2021 Strategic Plan

Todd MacDonald, Performance Concepts Consulting, provided Board Members with information respecting the following:

#### 6.1.1.1 NPCA 2018-2021 Strategic Plan

1. Primer & Strategic Themes
2. Mandate & Mission Statements
3. Have Your Say: Strategic Plan Consultation

##### Resolution No. FA-85-18

Moved by Board Member Quirk

Seconded by Board Member Kaspersetz

1. That the Primer & Strategic Themes, Mandate & Mission Statements, Have Your Say: Strategic Plan Consultation **BE ENDORSED** as presented.

Board Members requested that each of the three NPCA 2018-2021 Strategic Plan presentations (Agenda Items 6.1.1.1) be dealt with separately.

##### Resolution No. FA-86-18

Moved by Board Member Beattie

Seconded by Board Member Kaspersetz

That slide seven (7) of the Primer & Strategic Themes presentation **BE AMENDED to read:**

***NPCA Must Triage & Group Its Strategic Priorities into Workable/Smaller “Bundles” to Ensure Successful Execution.***

**CARRIED**

##### Resolution No. FA-87-18

Moved by Board Member Quirk

Seconded by Board Member Diodati

1. That the Primer & Strategic Themes **BE ENDORSED as amended.**

**CARRIED**

##### Resolution No. FA-88-18

Moved by Board Member Baty

Seconded by Board Member MacPherson

1. That the Mandate & Mission Statements **BE ENDORSED** as presented.

Resolution No. FA-89-18

Moved by Board Member Baty

Seconded by Board Member Timms

That the Mandate & Mission Statements **BE AMENDED as follows:**

As prescribed by the Conservation Authorities Act; to establish and undertake **programs and services on a watershed basis**, to further the conservation, restoration, development and management of natural resources.

**CARRIED**

Resolution No. FA-90-18

Moved by Board Member Timms

Seconded by Board Member Baty

That the Mandate **BE AMENDED, pending staff qualification, as follows:**

As prescribed by the Conservation Authorities Act; to establish and undertake **programs and services on a watershed basis**, to further the conservation, restoration, development and management of natural resources.

**and: Slope protection, shoreline erosion and floodplain management.**

**CARRIED**

Resolution No. FA-91-18

Moved by Board Member Quirk

Seconded by Board Member Diodati

1. That the Mandate & Mission Statements **BE ENDORSED as amended.**

**CARRIED**

Resolution No. FA-92-18

Moved by Board Member Quirk

Seconded by Board Member Diodati

1. That the Have Your Say: Strategic Plan Consultation **BE ENDORSED** as presented.

**CARRIED**



6.1.4 Strategic Planning – Public Consultation  
Report No. 37-18

Resolution No. FA-93-18

Moved by Board Member Quirk

Seconded by Board Member Kaspersetz

1. That Report No. 37-18 respecting the Strategic Planning Public Consultation **BE RECEIVED**;
2. That the purchase of Bang the Table software **BE APPROVED** as the NPCA online engagement tool platform; and.
3. That the following costs associated with the purchase of Bang the Table software, **BE FUNDED** from the General Operating Reserve:

Annual Software and Support Fees (1-year agreement)	\$19,995
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**CARRIED**

6.1.2 Strategic Planning Committee – March 9, 2018

Resolution No. FA-94-18

Moved by Board Member Baty

Seconded by Board Member MacPherson

1. That the Strategic Planning Committee minutes of the meeting held on March 9, 2018 **BE RECEIVED** for information.

**CARRIED**

6.1.3 Strategic Planning Committee – March 19, 2018

Resolution No. FA-95-18

Moved by Board Member Quirk

Seconded by Board Member Baty

1. That the Strategic Planning Committee minutes of the meeting held on March 19, 2018 **BE RECEIVED** for information.

**CARRIED**

6.2.3 Proposed Niagara River Ramsar Designation  
Report No. FA-77-15

Resolution No. FA-96-18

Moved by Board Member Quirk

Seconded by Board Member Joyner

That Report FA-77-15 respecting the Proposed Niagara River Ramsar Designation **BE RECEIVED** for information.

**CARRIED**

6.2.4 Lake Access Agreement Renewal – Catholic Youth Organization (Camp Marydale) at Binbrook CA  
Report No. 35-18

Resolution No. FA-97-18

Moved by Board Member Beattie  
Seconded by Board Member Maloney

1. That Report No. 35-18 respecting Lake Access Agreement Renewal - Catholic Youth Organization (Camp Marydale) at Binbrook Conservation Authority **BE RECEIVED**; and
2. That the NPCA Board **AUTHORIZE** staff to enter into an Access Agreement, attached to Report 35-18 as Appendix 1, with the Catholic Youth Organization (CYO) to utilize a dock on Lake Niapenco within the Binbrook Conservation Area.

**CARRIED**

6.2.5 Watershed Floodplain Committee – DRAFT Terms of Reference and Selection Process  
Report No. 36-18

Resolution No. FA-98-18

Moved by Board Member Joyner  
Seconded by Board Member Quirk

1. That Report No. 36-18 respecting the NPCA Watershed Floodplain Committee – DRAFT Terms of Reference **BE RECEIVED**;
2. That the NPCA Watershed Floodplain Committee DRAFT Terms of Reference attached to Report No. 36-18 as Appendix 1 **BE APPROVED**;
3. That the NPCA Board immediately **PROCEED** to the selection process for the purposes of identifying board membership on the NPCA Watershed Floodplain Committee; and
4. That the following Board Members **BE APPOINTED** to the NPCA Watershed Floodplain Committee effective immediately:

Annunziata, Baty, Beattie, Jeffs, Joyner, Kaspersetz, Timms, Quirk

**CARRIED**

6.2.6 Meeting and Agenda Management Solution  
UPDATED Report No. 23-18

Resolution No. FA-99-18

Moved by Board Member Quirk  
Seconded by Board Member Joyner

1. That **UPDATED** Report No. 23-18 respecting the Meeting and Agenda Management Solution **BE RECEIVED**;

2. That eSCRIBE software solution Option 2, highlighted in Appendix 1 to **UPDATED** Report No. 23-18, **BE APPROVED** as the NPCA Meeting and Agenda management solution; and
3. That the following costs associated with Option 2, highlighted in Appendix 1 to **UPDATED** Report No. 23-18, **BE FUNDED** from the General Capital Reserve:

eSCRIBE Accessibility Bundle with YouTube Integration

Annual Software and Support Fees	\$18,500
Implementation and Training Fees	\$5,250
<b>Total Year 1 Fees</b>	<b>\$23,750</b>

Resolution No. FA-100-18

Moved by Board Member Baty

Seconded by Board Member Joyner

That **UPDATED** Report No. 23-18 respecting the Meeting and Agenda Management Solution **BE REFERRED** to the Budget Steering Committee for consideration.

**CARRIED**

## 7. BUSINESS – IN CAMERA

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There were no Closed Session items.

## 8. NOTICE OF MOTION

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### 8.1 City of Hamilton/ NPCA Board Representation

Board Member(s) Beattie and Kaspersetz advised that they would be bringing forward a motion to the next Board meeting respecting the City of Hamilton representation on the Niagara Peninsula Conservation Authority.

## 9. NEW BUSINESS

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### 9.1 Conservation Authorities of Ontario

Conservation Ontario has advised that voting delegates must be appointed by their Conservation Authority (Board Resolution) as per the By-Laws of the Association of Conservation Authorities of Ontario. The voting delegate (Board Chair) and both (2) alternates (Board Vice-Chair and 1 Board Member) are then registered with Conservation Ontario annually.

Resolution No. FA-101-18  
Moved by Board Member Joyner  
Seconded by Board Member Quirk

That the following individuals **BE SELECTED** as the 2018 Conservation Authorities of Ontario voting delegate and alternates:

Sandy Annunziata, Voting Delegate  
James Kaspersetz, 1<sup>st</sup> Alternate  
Bruce Timms, 2<sup>nd</sup> Alternate

**CARRIED**

9.2 Agenda/ Meeting Management Solution

Board Member Diodati requested that staff provide an information report respecting additional agenda/meeting management solutions at the next Budget Steering Committee.

## 10. ADJOURNMENT

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There being no further business, the Full Authority meeting adjourned at 1:05 p.m. with the following resolution;

Resolution No. FA-102-18  
Moved by Board Member Joyner  
Seconded by Board Member Diodati

That the Full Authority Meeting **BE NOW ADJOURNED.**

**CARRIED**

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Sandy Annunziata  
Board Chair,  
Niagara Peninsula Conservation Authority

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Lisa McManus  
Clerk,  
Niagara Peninsula Conservation Authority