



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

Wednesday, February 20, 2019  
9:30 a.m.

Ball's Falls Centre for Conservation - Glen Elgin Room  
3292 Sixth Avenue, Jordan, ON

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**MEMBERS PRESENT:** D. Bylsma (Chair)  
S. Beattie  
P. Chiocchio  
B. Clark  
K. Gibson  
B. Greenwood  
B. Heit  
D. Huson (Vice-Chair)  
T. Insinna  
B. Johnson  
J. Jordan  
J. Metcalfe  
B. Steele  
R. Shirton  
T. Whalen  
B. Wright  
G. Zalepa

**MEMBERS ABSENT:** R. Foster

**STAFF PRESENT:** G. Furtney, Interim Senior Director, Corporate Services  
D. MacKenzie, Director, Watershed Management  
K. Caputo, Director, Communications & Administration (Designated Clerk)  
M. Reles, Senior Manager, Communications

**NOTE:** The archived recorded meeting is available on the NPCA website. The recorded video of the Source Protection Authority meeting is not considered the official record of that meeting. The official record of the Source Protection Authority meeting shall consist solely of the Minutes approved by the Source Protection Authority Board. *NPCA Administrative By-law Section 14.5*

The Board Chair called the meeting to order at 10:16 a.m.

# 1. ADOPTION OF AGENDA

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## 1.1 Addition of Items

Member Steele requested under Section 7. Business in Camera to:

- Add 7.0A to suspend the by-law regarding staff being present at the in-camera session; and
- Add 7.0B to appoint Joanne Scime as the designated clerk.

Member Chiocchio questioned the time allowed for presentations and delegations and asked to suspend the rules to allow for Mr. Ken Kawall and Mr. Ed Smith to speak.

### Resolution No. FA-45-19

Moved by Member Chiocchio

Seconded by Member Johnson

To suspend the rules to allow (2) five minute presentations. As per Appendix 5 section 9 of the Administrative By-Law a Motion to Suspend the Rules requires two-thirds majority to carry. Recorded vote was requested, it was:

Yes (16): Beattie, Chiocchio, Clark, Gibson, Greenwood, Heit, Huson, Insinna, Johnson, Jordan, Metcalfe, Shirton, Steele, Whalen, Wright, Zalepa

No (1): Bylsma

**CARRIED**

Member Zalepa requested Item 5.2 – Detailed Operating & Capital Budget be lifted for discussion.

The Chair would like to pull Item 4.1.2 Special Board Meeting February 15, 2019.

The Chair requested remove Item 6.1.2 NPCA CAO Selection Committee Minutes dated February 19, 2019 as they are not complete.

Vice-Chair Huson asked Item 6.1.1 NPCA CAO Selection Committee Minutes dated January 30, 2019 be removed as these are not complete.

## 1.2 Change in Order of Items

There were no changes in order of agenda items.

## 1.3 Adoption of Agenda

### Resolution No. FA-46-19

Moved by Member Johnson

Seconded by Member Insinna

That the Agenda **BE APPROVED** 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 Mr. Ken Kawall, Town of Lincoln did a presentation on “Turning Around the NPCA”, and Mr. Ed Smith, A Better Niagara presented a brief chronology of the NPCA.

**STAFF DIRECTION:** Obtain copies of the preceding presentations to be distributed to Board of Directors.

- 3.2 Delegations

There were no delegations.

## 4. ADMINISTRATIVE BUSINESS

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- 4.1 Approval of Draft Minutes

- 4.1.1 Full Authority Meeting – January 23, 2019

Resolution No. FA-47-19  
Moved by Member Steele  
Seconded by Member Insinna

That the Full Authority Board minutes of the meeting held on January 23, 2019 **BE APPROVED** as presented.

**CARRIED**

- 4.2 Business Arising from Minutes

There was no business arising from the minutes.

- 4.3 Correspondence

Letter dated Feb. 12, 2019 from Haldimand County  
RE: Council Resolution Supporting the Funding of Shoreline Rehabilitation.  
The following resolution was presented:

Resolution No. FA-48-19  
Moved by Member Shirton  
Seconded by Member Chiocchio

That the Board **DIRECTS** staff to report if there is a possibility of funding for any of this project, or if there are records of NPCA funding any other projects similar to this.

That the letter dated February 12, 2019 from Haldimand County **BE RECEIVED** for information.

**CARRIED**

#### 4.4 Chairman's Remarks

The Chair mentioned that the chair's portfolio is a challenging role and is very and that he is thankful for Vice-chair Huson. Also, he thanked the board for being cohesive and working together to be responsible to the citizens. He will be going to the Niagara Region requesting an extension to the Regional representatives' terms. Also really appreciates the enthusiasm everyone has around this table.

## 5. BUSINESS FOR INFORMATION

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#### 5.1 NPCA 2018 Annual Report Report No. 09-19

#### 5.2 NPCA 2019 Detailed Operating & Capital Budget Report No. 10-19

#### 5.3 Operating Parks – Financials 2012 - 2018 Report No. 11-19

#### 5.4 2012 Memorandum of Understanding (MOU) between Niagara Region & NPCA Report No. 12-19

Resolution No. FA-49-19  
Moved by Member Beattie  
Seconded by Member Zalepa

That Reports FA-09-19 to FA-12-19 **BE RECEIVED** for information.

**CARRIED**

Resolution No. FA-50-19  
Moved by Member Zalepa  
Seconded by Member Whalen

That the NPCA staff meet with Niagara Region staff to reduce the Niagara's portion of the Special Levy by a total 1.6 million dollars.

Recorded vote on Resolution FA-50-19, members voted as follows:

Yes (14): Chiochio, Clark, Gibson, Greenwood, Heit, Huson, Insinna, Johnson, Jordan, Steele, Whalen, Wright, Zalepa, Bylsma

Abstain (3): Beattie, Metcalfe, Shirton

The Board Chair called the question on Resolution FA-50-19 and declared it was,

**CARRIED**

**STAFF DIRECTION:** To report back to the board in regards to the restoration program with:

1. Dylan Report forward to the Board of Directors for review; and
2. Update on commitment made to meet with OPG and where this stands.

## 6. BUSINESS FOR CONSIDERATION

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### 6.1 Standing Committee Reports

#### 6.1.3 NPCA Governance Committee Minutes February 4, 2019

Resolution No. FA-51-19  
Moved by Member Beattie  
Seconded by Member Huson

That the Governance Committee recommends to the Full Authority:

1. That the DRAFT Governance Committee Terms of Reference **BE APPROVED** as presented.
2. That the Niagara Peninsula Conservation Authority Administrative By-law **BE AMENDED** as presented with the deletion of the last sentence in section 5.5, page 4. (*see attached minutes for recommended amendments*).
3. That the February 4, 2019 Governance Committee Minutes **BE RECEIVED** for information.

**CARRIED**

### 6.2 Reports

#### 6.2.1 DRAFT RFP IT Services Report No. 13-19

Resolution No. FA-52-19  
Moved by Member Shirton  
Seconded by Member Metcalfe

That the NPCA Board of Directors **APPROVE** the issuance of the attached Request for Proposal (RFP) in order to ensure continued Information Technology services for the NPCA as amended.

**CARRIED**

#### 6.2.2 Facility Use Agreement Renewal – Binbrook CA Report No. 14-19

Resolution No. FA-53-19  
Moved by Member Johnson  
Seconded by Member Beattie

1. That Report 14-19 respecting the Staycation Beach and Boat Rentals Inc. Facility Use Agreement Renewal **BE RECEIVED** as amended; and
2. That the NPCA Board of Directors **AUTHORIZE** the Interim CAO to enter into a one (1) year Facility Use Agreement (Appendix1) with Staycation Beach and Boat Rentals Inc. to operate at Binbrook Conservation Area.

**CARRIED**

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6.2.3 Annual Policy Resolutions 2019  
Report No. 15-19

Resolution No. FA-54-19  
Moved by Member Johnson  
Seconded by Member Beattie

1. That Report 15-19 respecting the Annual Policy Resolutions **BE RECEIVED**; and
2. That the Health and Safety Polity Statement and Workplace Violence & Harassment Prevention Policy attached to Report No. 15-19 as Appendix 1 and Appendix 2 **BE APPROVED**, as per Section 25(2)(j) of the Occupational Health and Safety Act.

**CARRIED**

6.2.4 Freedom of Information (FOI) Annual Statistics Report & Designation  
Report No. 16-19

Resolution No. FA-55-19  
Moved by Member Johnson  
Seconded by Member Shirton

That Report 16-19 respecting the Freedom of Information Annual Statistics Reporting and Designation **BE DEFERRED** to the next Full Authority Meeting.

## 7. BUSINESS – IN CAMERA

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7.0A Suspend the Rules to Appoint a Clerk Designate.

Resolution No. FA-56-19  
Moved by Member Steele  
Seconded by Member Huson

As per Appendix 5 section 9 of the Administrative By-Law a Motion to Suspend the Rules requires two-thirds majority to carry. Recorded vote was requested, it was:

Yes (17): Bylsma, Beattie, Chiocchio, Clark, Gibson, Greenwood, Heit, Huson, Insinna, Johnson, Jordan, Metcalfe, Shirton, Steele, Whalen, Wright, Zalepa

**CARRIED**

7.0B Appoint Designated Clerk Joanne Scime for the in-camera session.

Resolution No. FA-57-19  
Moved by Member Steele  
Seconded by Member Gibson

The Chair requested a recorded vote, it was:

Yes (17): Bylsma, Beattie, Chiochio, Clark, Gibson, Greenwood, Heit, Huson, Insinna, Johnson, Jordan, Metcalfe, Shirton, Steele, Whalen, Wright, Zalepa

**CARRIED**

7.1 Motion to move in to Closed Session:

Resolution No. FA-58-19

Moved by Member Johnson

Seconded by Member Heit

That the NPCA Full Authority meeting **DO NOW MOVE** in to Closed Session, as per NPCA Administrative Bylaw Section 11.1, for the purpose of:

7.1.1 Personnel matters about an identifiable individual(s) including NPCA employees

7.1.2 A Proposed or Pending Acquisition of Land

7.1.3 Solicitor-Client Privilege – Hamilton Appeal letter dated January 22, 2019 (update on Judicial Review – verbal)

7.2 Motion to reconvene in Open Session:

Resolution No. FA-59-19

Moved by Member Metcalfe

Seconded by Member Insinna

That the NPCA Full Authority meeting **RECONVENE** in Open Session.

7.3 Business Arising from Closed Session

7.3.1 Resolution No. FA-60-19

Moved by Member Shirton

Seconded by Board Member Greenwood

1. That Legal Counsel be hereby **AUTHORIZED TO PROCEED** as directed in Closed Session with respect to a personnel matter related to identifiable individuals.

**CARRIED**

Resolution No. FA-61-19

Moved by Member Whalen

Seconded by Board Member Shirton

2. That the Chair and Vice-Chair **BE DIRECTED** to retain an external firm to conduct a Forensic Accounting and Human Resource Audit.

**CARRIED**

7.4 Other Business

7.4.1 Resolution No. FA-62-19

Moved by Member Steele

Seconded by Member Metcalfe

That this board set a Budget Committee consisting of the Chair, Vice-Chair and at least three board members appointed by the Full Authority Board.

Committee consists of:

Chair Bylsma, Vice-Chair Huson, Members Metcalfe, Wright & Zalepa.

**CARRIED**

- 7.4.2 Resolution No. FA-63-19  
Moved by Member Steele  
Seconded by Member Whalen

That staff set up a Budget Review Meeting with all directors who wish to attend to bring the Board up to speed on the 2019 budget, including the past three years budgets and actuals.

**CARRIED**

## 8. NOTICE OF MOTION

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This item is pulled.

## 9. NEW BUSINESS

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There was no new business.

## 10. ADJOURNMENT

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There being no further business, the Full Authority meeting adjourned at 1:57 p.m. with the following resolution;

Resolution No. FA- 64-19  
Moved by Member Zalepa  
Seconded by Member Johnson

That the February 20, 2019 meeting of the NPCA Board of Directors do now adjourn.

**CARRIED**

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David Bylsma, Board Chair  
Niagara Peninsula Conservation Authority

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Debbie Gullett, Designated Clerk  
Niagara Peninsula Conservation Authority