

**FULL AUTHORITY
MEETING MINUTES
Wednesday, August 14, 2019
9:30 a.m.
Ball's Falls
Centre for Conservation – Glen Elgin Room
3292 Sixth Avenue, Jordan, ON**

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 Administrative By-law Section 14.5*

- MEMBERS PRESENT:**
- D. Bylsma (Chair)
 - S. Beattie
 - R. Brady
 - B. Clark
 - D. Cridland
 - L. Feor (arrived at 10:56, departed at break)
 - R. Foster
 - D. Huson (departed at break)
 - J. Ingrao
 - B. Johnson
 - B. Mackenzie
 - J. Metcalfe
 - E. Smith
 - B. Steele (departed at 11:40)
 - T. Whalen
 - B. Wright
- MEMBERS ABSENT:**
- R. Shirton
 - G. Zalepa
- STAFF PRESENT:**
- G. Wood, CAO / Secretary – Treasurer
 - D. Gullett, Interim Clerk
 - R. Bisson, Community Engagement Manager
 - A. Christie, Acting Senior Manager, Operations and Special Projects
 - D. Deluce, Senior Manager Planning and Regulations
 - M. Ferrusi, Human Resources Consultant
 - L. Gagnon, Director, Corporate Services
 - D. MacKenzie, Director, Watershed Management
 - S. Miller, Senior Manager, Water Resources and Restoration
 - E. Navarro, Communications Specialist

The Chair called the meeting to order at 9:30 a.m. and welcomed everyone. At this time, he read the following acknowledgement:

The Niagara Peninsula watershed is located on the traditional territory of Indigenous peoples dating back countless generations. We want to show our respect for their contributions and recognize the role of treaty-making in what is now Ontario.

1. ADOPTION OF AENDA

a) Adoption of Agenda

Resolution No. FA-182-19

Moved by Board Member Huson

Seconded by Board Member Mackenzie

THAT the agenda **BE ADOPTED** as amended to reflect that Mr. Bev Lepard will present on item # 3a) and that item 6i) be moved ahead of item 6a).

CARRIED

b) Addition of Items

Resolution No. FA-183-19

Moved by Board Member Wright

Seconded by Board Member Smith

THAT an agenda item **be added** for the closed session agenda to include an additional personal matter about an identifiable individual regarding a Code of Conduct matter and Conflict of Interest explanation.

DEFEATED

2. DECLARATIONS OF CONFLICT OF INTEREST

Board Member Wright declared a potential, non-pecuniary obligation Conflict of Interest on the two presentations and items 6b, 6c & 6e. Board Member Huson declared a Conflict of Interest for Report FA-110-19 in closed session.

3. PRESENTATIONS (and/or Delegations)

a) Presentation by Mr. Bev Lepard, Welland River Floodplain Association
RE: NPCA's Welland River Floodplain Mapping update – Discussion ensued.

b) Presentation by Mr. Ed McDonnell, CEO Friends of Greenbelt Foundation
regarding the Positively Green Project. He introduced his colleague Shelly Petrie.
Discussion ensued.

Resolution No. FA-184-19

Moved by Board Member Brady

Seconded by Board Member Cridland

THAT the following delegations **BE RECEIVED**:

- Presentation by Mr. Bev Lepard, Welland River Floodplain Association
RE: NPCA's Welland River Floodplain Mapping update;
- Presentation by Mr. Ed McDonnell, CEO Friends of the Greenbelt Foundation
RE: Positively Green Project.

CARRIED

Resolution No. FA-185-19

Moved by Board Member Huson

Seconded by Board Member Smith

1. **THAT** the NPCA Board of Directors endorse the Greenbelt “Positively Green Initiative”; and
2. **THAT** staff be directed to work with the Greenbelt Foundation on project development, seek Board approval, and engage municipalities on 2020 budget submissions.

CARRIED

4. ADMINISTRATIVE BUSINESS

- a) Approval of Draft Minutes Full Authority Meeting July 17, 2019
- b) Approval of Draft Minutes Full Authority Closed Session Meeting July 17, 2019 - As circulated under separate cover to remain private and confidential.
- c) Approval of Draft Minutes Governance Committee Meeting July 24, 2019

Resolution No. FA-186-19

Moved by Board Member Whalen

Seconded by Board Member Steele

THAT the following minutes **BE APPROVED**:

- Minutes of the Full Authority Meeting dated July 17, 2019 (with amendment to reflect Board Member Wright):
 - 1) The minutes state that he had declared a conflict of interest under item 2.0 Conflict of Interest and Item 6 for Report No. FA-76-19;
 - 2) It was alleged that he was in a conflict of interest; and
 - 3) However, he actually said that he should have declared a conflict of interest or at least potential conflict of interest, based on what he was informed in the July 17 meeting recess.
- Minutes of the Full Authority Closed Session Meeting dated July 17, 2019 to remain private and confidential; and
- Minutes of the Governance Committee Meeting dated July 24, 2019

CARRIED

Resolution No. FA-187-19

Moved by Board Member Beattie

Seconded by Board Member Huson

THAT the following motion **BE APPROVED** as amended:

1. **THAT** the Board **direct** staff to prepare an information session on the 2019 Welland River Floodplain Mapping Report and the Reg. 155 Policy Document. That the info session should include: the NPCA Board plus the new members being seated in September / October, NPCA Staff, the Welland River Floodplain Committee, the consultant hired to do the floodplain mapping and the consultant hired to do the Policy Document update.

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The session should include the process used to develop the 2019 Welland River Floodplain Map, the process used to bring all the relevant legislation together, to ensure the Policy Document was properly updated and the numerous community sessions held to ensure open and transparent communications with the community.

This session would enable the Board to make an informed decision on the Welland River Report, review the Policy Document and give Board members more knowledge of floodplain issues as we move forward with more mapping in the Niagara Watershed.

2. **THAT** the Board **direct** staff to release the draft document and allow a minimum thirty day commenting period prior to the four community meetings to present the draft 2019 Welland River Floodplain Mapping Report for public review. This completes the commitment made by the 2011 NPCA Board and supported by the 2015 NPCA Board for an open public consultation process.
3. **THAT** Resolution No. FA-135-19, asking for a third-party peer review of the 2019 Welland River Floodplain mapping **be deferred** until the above items 1 and 2 are completed.

CARRIED

Resolution No. FA-188-19

Moved by Board Member Clark

Seconded by Board Member Beattie

THAT item 3 of Resolution FA-187-19 **be removed** from the motion.

CARRIED

Resolution No. FA-189-19

Moved by Board Member Clark

Seconded by Board Member Johnson

THAT Item 4d) of the August 14, 2019 meeting **be removed** from the agenda.

CARRIED

- d) Business Arising from Minutes

There was no business arising from the minutes.

- e) Correspondence

- 1) Conservation Ontario Council Meeting dated June 24, 2019
- 2) Town of Fort Erie dated July 16, 2019
- 3) Ministry of Natural Resources and Forestry dated July 18, 2019
- 4) Niagara Region - Representation of the NPCA Board of Directors dated July 19, 2019
- 5) Conservation Ontario letter to AMO dated July 19, 2019
- 6) Conservation Ontario letter to BILD dated July 19, 2019
- 7) Conservation Ontario letter to OHBA dated July 19, 2019
- 8) Conservation Ontario letter to RESCON dated July 19, 2019
- 9) NPCA letter to MNRF dated July 24, 2019

Resolution No. FA-190-19

Moved by Board Member Steele

Seconded by Board Member Huson

THAT the following items of correspondence **BE RECEIVED** for information:

- 1) Conservation Ontario Council Meeting dated June 24, 2019
- 2) Town of Fort Erie dated July 16, 2019
- 3) Ministry of Natural Resources and Forestry dated July 18, 2019
- 4) Niagara Region - Representation of the NPCA Board of Directors dated July 19, 2019
- 5) Conservation Ontario letter to AMO dated July 19, 2019
- 6) Conservation Ontario letter to BILD dated July 19, 2019
- 7) Conservation Ontario letter to OHBA dated July 19, 2019
- 8) Conservation Ontario letter to RESCON dated July 19, 2019
- 9) NPCA letter to MNRF dated July 24, 2019

CARRIED

f) Chair's Comments

Chair Bylsma was very pleased to sign the land purchase agreement that was long negotiated by the members of Hamilton, most particular Member Beattie. He also thanked the other Members from Hamilton Members Clark, Johnson and Wright. Had an opportunity with CAO Gayle Wood and Sr. Manager Adam Christie to sign that which concludes a very long and arduous journey. The Chair congratulated the members from Hamilton for working on this purchase.

There was a Governance Committee Meeting, which the minutes are attached continuing doing the work to advance the organization. The Chair thanked Member Whalen as this is his last meeting for his contributions providing stability, accountability and transparency in improving this organization.

g) Chief Administrative Officer's Comments

Ms. Wood added her thanks to member Whalen who has given her excellent guidance over the last five months. The Region of Niagara will be considering the last of the five appointees to the Board of Directors tomorrow night at Regional Council. They will be considering members from Lincoln, Niagara-on-the-Lake, Thorold, West Lincoln and Port Colborne.

The CAO noted in the audience is Mr. Ken Kawall who is being recommended by the Region to be the representative from Lincoln. We will get an announcement out in the media, and an orientation session for the members before the September meeting.

The CAO heard concerns from the public regarding the barrier that we used to put up in the past indicating a separation of the Board and the public which is certainly not the perception which we want to send out anymore. So, if you note today, the barrier is gone and we continue to welcome members from the community to join us for the board meetings, so thank you for your patience with that.

Member Whalen would like to thank this board for giving him the opportunity to work with such a great committee and staff for the past six or seven months. He thanked the staff being a great competent team and to the CAO Gayle from coming on board the last few months.

5. BUSINESS FOR INFORMATION

- a) Report No. FA-88-19 RE: Conservation Ontario Guidance Documents for CA Planning and Regulations Program
- b) Report No. FA-99-19 RE: Financial and Reserve Report Year to Date Ending June 2019
- c) Report No. FA-106-19 RE: Update – Auditor General Report Recommendations
- d) Report No. FA-113-19 RE: Niagara River MOU and Special Levy - \$ 1.6M
- e) Report No. FA-116-19 RE: Media Coverage and Communications Update August 2019

Resolution No. FA-191-19

Moved by Board Member Smith

Seconded by Board Member Johnson

THAT the following reports **BE RECEIVED** for information:

- Report No. FA-88-19 RE: Conservation Ontario Guidance Documents for CA Planning and Regulations Program;
- Report No. FA-99-19 RE: Financial and Reserve Report Year to Date Ending June 2019;
- Report No. FA-106-19 RE: Update – Auditor General Report Recommendations;
- Report No. FA-113-19 RE: Niagara River MOU and Special Levy - \$ 1.6M;
- Report No. FA-116-19 RE: Media Coverage and Communications Update August 2019;

CARRIED

6. BUSINESS FOR CONSIDERATION

- a) Report No. FA-69-19 RE: NPCA Promotion Policy

Resolution No. FA-192-19

Moved by Board Member Johnson

Seconded by Board Member Metcalfe

THAT Report No. FA-69-19 **BE APPROVED**

CARRIED

- b) Report No. FA-74-19 RE: Stormwater Outlets in Valleylands - Member Brady suggested it would be useful to use Option # 3 on an interim basis, but to ask staff if there's a part in establishing the variance process to look into those and see if there is a better process that can be used in the future.

Resolution No. FA-193-19

Moved by Board Member Johnson

Seconded by Board Member Metcalfe

1. **THAT** Report No. FA-74-19 RE: Stormwater Outlets in Valleylands **BE RECEIVED** and;

2. **THAT** the Board **APPROVE** Option 3 of Report FA-74-19 regarding Stormwater Outlets in Valleylands to be utilized as a NPCA Procedure

CARRIED

- c) Report No. FA-89-19 RE: NPCA Floodplain Mapping

Resolution No. FA-194-19

Moved by Board Member Metcalfe

Seconded by Board Member Johnson

1. **THAT** Report No. FA-89-19 RE: NPCA Floodplain Mapping Workplan **BE RECEIVED** for consideration and;
2. **THAT** the Board direct staff to secure funding from the NPCA's member municipalities in order to undertake the Floodplain Mapping Workplan through a long-term capital submission.

CARRIED

- d) Report No. FA-92-19 RE: Honorary Member

Resolution No. FA-195-19

Moved by Board Member Mackenzie

Seconded by Board Member Ingrao

1. **THAT** Report No. FA-92-19 RE: Confidential Honorary Member **BE RECEIVED** and;
2. **THAT** the Board of Directors appoint Mr. Mickey Difruscio as an Honorary Member of the NPCA for the 2019 year in an ex-officio, non-voting capacity

CARRIED

- e) Report No. FA-98-19 RE: Re-Appointment of NPCA Section 28 Regulations Officer

Resolution No. FA-196-19

Moved by Board Member Ingrao

Seconded by Board Member Mackenzie

1. **THAT** Report No. FA-98-19 RE: Re-appointment of NPCA Regulations Officer **BE RECEIVED** and:
2. **THAT** the Board **re-appoint** Amy Parks, Regulations Officer, for the term of her employment with the NPCA, as an Officer pursuant to section 28 of the Conservation Authorities Act and Ontario Regulation 155/06 (as amended).

CARRIED

- f) Report No. FA-103-19 RE: Proposed 2021 Wedding Fee Schedule – Ball's Falls Conservation Area

Resolution No. FA-197-19

Moved by Board Member Foster

Seconded by Board Member Cridland

1. **THAT** Report No. FA-103-19 RE: respecting the Proposed 2021 Wedding Fee Schedule – Ball’s Falls Conservation Area **BE RECEIVED**.
2. **THAT** the Proposed 2021 Ball’s Falls Wedding Fee Structure outlined in Appendix 1 of Report FA-103-19 **BE APPROVED**.

CARRIED

- g) Report No. FA-105-19 RE: Updated – Governance Committee Revised Terms of Reference

Resolution No. FA-198-19
Moved by Board Member Smith
Seconded by Board Member Cridland

1. **THAT** Report No. FA-105-19 RE: Update – Governance Committee Terms of Reference, August 14, 2019 **BE APPROVED**.

CARRIED

- h) Report No. FA-107-19 RE: Board of Directors Training and Development

Resolution No. FA-199-19
Moved by Board Member Cridland
Seconded by Board Member Beattie

1. **THAT** Report No. FA-107-19 RE: Board of Directors Training and Development **BE RECEIVED**.
2. **THAT** staff be directed to finalize a 2019 training and development program as approved by the Board of Directors, including an introduction to Strategic Planning.

CARRIED

- i) Report No. FA-112-19 RE: CAO Selection Committee Next Steps

Resolution No. FA-200-19
Moved by Board Member Beattie
Seconded by Board Member Cridland

1. **THAT** Report No. FA-112-19 RE: CAO Selection Committee – Next Steps **BE APPROVED**.
2. **THAT** Member Brady **replace** Member Foster on the CAO Selection Committee.

CARRIED

- j) Report No. FA-115-19 RE: Public Advisory Committee Terms of Reference

Resolution No. FA-201-19
Moved by Board Member Brady
Seconded by Board Member Whalen

1. **THAT** Report No. FA-115-19 RE: NPCA Public Advisory Committee (PAC) Terms of Reference be **RECEIVED** for information; and

2. **THAT** the Board of Directors **APPROVE** the revised Terms of Reference (TOR) for the NPCA Public Advisory Committee (PAC).

DEFERRED

- k) Report No. FA-117-19 RE: Revised Communications Policy

Resolution No. FA-202-19

Moved by Board Member Beattie

Seconded by Board Member Brady

THAT Report FA-117-19 RE: Revised NPCA Media and Communications Policy **BE APPROVED**.

CARRIED

7. BUSINESS – IN CAMERA

- a) Motion to convene in Closed session

Resolution No. FA-203-19

Moved by Board Member Whalen

Seconded by Board Member Ingrao

THAT the meeting of the Board of Directors of the Niagara Peninsula Conservation Authority convene in closed session at 1:34 p.m. in accordance with Section 11.1 of the NPCA Administrative By-law for the discussion on:

- a) Labour relations, human resources or employee negotiations;
- b) Advice that is subject to solicitor-client privilege; and
- c) Personal matters about identifiable individual(s), including NPCA employees.

CARRIED

- b) Motion to reconvene in to Open Session

Resolution No. FA-204-19

Moved by Board Member Beattie

Seconded by Board Member Brady

THAT the meeting of the Board of Directors of the Niagara Peninsula Conservation Authority **RECONVENE** in open session at 2:26 p.m.

CARRIED

- c) Business Arising from Closed Session

Resolution No. FA-205-19

Moved by Board Member Whalen

Seconded by Board Member Johnson

THAT Confidential Reports No. FA-109-19, FA-110-19, FA-118-19 **BE RECEIVED** to remain private and confidential and any recommendations therein approved.

CARRIED

8. NOTICE OF MOTION

None

9. NEW BUSINESS

None

10. ADJOURNMENT

Resolution No. FA-206-19

Moved by Board Member Foster

Seconded by Board Member Beattie

THAT this meeting **BE** hereby **ADJOURNED** at 2:30 p.m.

CARRIED

Dave Bylsma
Chair
Niagara Peninsula Conservation Authority

Debbie Gullett
Interim Clerk
Niagara Peninsula Conservation Authority