



**NIAGARA PENINSULA
CONSERVATION
AUTHORITY**

**FULL AUTHORITY
MEETING MINUTES**

Wednesday, June 19, 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
L. Feor (not in attendance after reconvening at 12:31 p.m.)
R. Foster
K. Gibson
B. Greenwood
D. Huson (not in attendance after reconvening at 12:31 p.m.)
J. Ingrao
B. Mackenzie
J. Metcalfe
E. Smith
B. Steele (left at 1:20 p.m.)
R. Shirton
T. Whalen
B. Wright
G. Zalepa (not in attendance after reconvening at 12:31 p.m.)

MEMBERS ABSENT: B. Clark
B. Johnson

STAFF PRESENT: G. Wood, CAO / Secretary – Treasurer
G. Bivol, Interim Clerk
R. Bisson, Community Engagement Manager
A. Christie, Acting Senior Manager, Operations and Special Projects
D. Deluce, Senior Manager, Planning and Regulations
J. Diamond, Water Quality Specialist
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
G. Verkade, Manager, Information Management and Technology Systems

The Board Chair called the meeting to order at 9:33 a.m. and introduced the new Members of the Board.

1. ADOPTION OF AGENDA

- a) Change in Order of Items – Members spoke to the issue of better informing the public if convening a closed session at the beginning of the meeting. Staff was directed to bring the matter to the upcoming Governance Committee meeting for discussion.

Resolution No. FA-126-19

Moved by Board Member Beattie

Seconded by Board Member Shirton

THAT the agenda for the Full Authority Meeting of the Niagara Peninsula Conservation Authority dated June 19, 2019 **BE AMENDED** to allow for Item 7. Closed Session to occur immediately preceding Item 3. Presentations.

AND THAT the agenda **BE ADOPTED** as amended.

CARRIED

2. DECLARATIONS OF CONFLICT OF INTEREST

Chair Bylsma and Member Smith declared conflicts of interest with respect to item 7.d) of the closed session portion of the agenda. Neither individual voted or was in attendance for deliberation on item 7. d).

Member Wright declared a potential conflict of interest in respect to Report No. FA-65-19 RE: Niagara Region New Official Plan DRAFT Watershed Planning Discussion Paper based on a past Board report he had written as a member of staff.***(Minutes amended as per Resolution No. FA-157-19 on July 17, 2019 to denote a declaration made by Member Wright.)*

7. BUSINESS – IN CAMERA

Motion to convene in Closed session

Resolution No. FA-127-19

Moved by Board Member Feor

Seconded by Board Member Foster

THAT the meeting of the Board of Directors of the Niagara Peninsula Conservation Authority **CONVENES** in closed session at 9:42 a.m. in accordance Section 11.1 of the NPCA Administrative By-law for the discussion of matters relating to:

- a) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- b) Litigation or potential litigation;
- c) Labour relations, Human Resources or employee negotiations;
- d) Personal matters and an identifiable individual(s), including NPCA employees;
- e) Land Acquisition - Report No. FA-66-19 (Property in the vicinity of the Binbrook Conservation Area).

CARRIED

Motion to reconvene in to Open Session – Vice Chair Huson presided over the following vote before calling for a recess.

Resolution No. FA-128-19
Moved by Board Member Foster
Seconded by Board Member Feor

THAT the meeting of the Board of Directors of the Niagara Peninsula Conservation Authority **RECONVENES** in open session at 11:40 a.m.

CARRIED

The Board of Directors meeting recessed from 11:41 to 11:45 a.m. after which time Chair Bylsma assumed the chair calling for the following votes:

Business Arising from Closed Session

Resolution No. FA-129-19
Moved by Board Member Gibson
Seconded by Board Member Greenwood

THAT Report No. FA-66-19 RE: Land Acquisition **BE RECEIVED** to remain private and confidential.

THAT staff **BE AUTHORIZED** to negotiate a land purchase in the vicinity of Binbrook Conservation Area at an upset limit discussed within the closed session.

THAT staff **REPORT** to the Board regarding the ongoing negotiation.

CARRIED

Resolution No. FA-130-19
Moved by Board Member Foster
Seconded by Board Member Feor

THAT staff **BE DIRECTED** to proceed as instructed in closed session with regards to items 7. a) b) and d).

CARRIED

3. PRESENTATIONS (and/or Delegations)

a) Presentation by Joshua Diamond, NPCA Water Quality Specialist on Report No. FA-57-19 RE: NPCA Water Quality Monitoring Program Summary Report for the Year 2018 – Mr. Diamond provided a PowerPoint presentation to the Board. Members offered questions to Mr. Diamond. Discussion ensued with respect to the quarry issue in Port Colborne, the restoration program and partnering organizations, levies and funding mechanisms, Bill 108 and watershed report cards. With the adoption of the following resolution, the Board recessed from 12:16 p.m.

Resolution No. FA-131-19
Moved by Board Member Greenwood
Seconded by Board Member Gibson

THAT Report No. FA-57-19 RE: NPCA Water Quality Monitoring Program Summary Report for the Year 2018 **BE RECEIVED** for information.

CARRIED

The meeting reconvened at 12:31 a.m. with Members Feor, Huson, Zalepa and Foster no longer in attendance.

4. ADMINISTRATIVE BUSINESS

- a) Approval of the Minutes - Full Authority Meeting dated May 3, 2019 – In response to a question by Member Mackenzie, CAO Gayle Wood indicated that a report would be coming forward to a subsequent closed session with respect to a request for an apology to a former Board Member Bill Hodgson.

Resolution No. FA-132-19
Moved by Board Member Ingrao
Seconded by Board Member Greenwood

THAT the minutes of the Niagara Peninsula Conservation Authority (Full Authority) meeting dated May 3, 2019 **BE ADOPTED** as presented.

CARRIED

- b) Business Arising from Minutes - None
- c) Correspondence - From Steve Clark, Minister of Municipal Affairs and Housing regarding Bill 108 More Homes, More Choice Act, 2019

Resolution No. FA-133-19
Moved by Board Member Mackenzie
Seconded by Board Member Ingrao

THAT the correspondence from Steve Clark, Minister of Municipal Affairs and Housing regarding Bill 108 More Homes, More Choice Act, 2019 **BE RECEIVED** for information.

CARRIED

- d) Chair's Comments

The Chair spoke to his attendance at the Treetop Trekking ribbon cutting, the Ohni:kara Geopark stakeholder meeting, Pathstone Mental Health healing garden ribbon-cutting, new Board Member orientation and the recent meeting with the Honourable Rod Phillips, Minister of the Environment, Conservation and Parks.

- e) Chief Administrative Officer's Comments

Ms. Wood opted to forego comments in light of the time constraints on the meeting.

5. BUSINESS FOR INFORMATION

- a) Minutes of the Council meeting #1/19 of Conservation Ontario dated April 1, 2019
- b) Report No. FA-59-19 RE: Risk Based Plan Permit Compliance
- c) Report No. FA-63-19 RE: 2019 Restoration Program Workplan – Member Mackenzie posed questions to staff regarding past relationships between the NPCA and other partnering organizations. Ms. Wood addressed the revitalization of NPCA programs and partnerships. Member Beatty raised concerns with respect to the consistency and

Page | 4

clarity in agreements between the NPCA and its partners involved in various restoration initiatives.

- d) Report No. FA-65-19 RE: Niagara Region New Official Plan DRAFT Watershed Planning Discussion Paper
- e) Report No. FA-70-19 RE: NPCA 2018 FOI Annual Statistics
- f) Report No. FA-71-19 RE: Communications Update April-May, 2019
- g) Report No. FA-73-19 RE: Update - Auditor General Report Recommendations

Resolution No. FA-134-19

Moved by Board Member Metcalfe

Seconded by Board Member Shirton

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

Minutes of the Council meeting #1/19 of Conservation Ontario dated April 1, 2019

Report No. FA-59-19 RE: Risk Based Plan Permit Compliance

Report No. FA-63-19 RE: 2019 Restoration Program Workplan

Report No. FA-65-19 RE: Niagara Region New Official Plan DRAFT Watershed Planning Discussion Paper

Report No. FA-70-19 RE: NPCA 2018 FOI Annual Statistics

Report No. FA-71-19 RE: Communications Update April-May, 2019

Report No. FA-73-19 RE: Update - Auditor General Report Recommendations.

CARRIED

6. BUSINESS FOR CONSIDERATION

- a) Standing Committee Report - Minutes of the Watershed Floodplain Committee meeting dated June 13, 2019 (tabled) - Discussion ensued with respect to the need for a third party peer review of the Welland River Watershed report.

Resolution No. FA-135-19

Moved by Board Member Wright

Seconded by Board Member Mackenzie

THAT a consultant **BE RETAINED** to conduct a third party peer review of the Welland River Watershed Report.

DEFERRED BY RESOLUTION NO. FA-136-19

Resolution No. FA-136-19

Moved by Board Member Beatty

Seconded by Board Member Foster

THAT the motion to retain a third party consultant to conduct a peer review of the Welland River Watershed **BE DEFERRED** to the next meeting to allow a report back from staff on the matter.

CARRIED

Resolution No. FA-137-19

Moved by Board Member Shirton

Seconded by Board Member Metcalfe

THAT the Minutes of the Watershed Floodplain Committee meeting dated June 13, 2019 as tabled **BE APPROVED**.

CARRIED

b) Report No. FA-62-19 RE: NPCA Standing and Ad Hoc Committee Update

Resolution No. FA-138-19

Moved by Board Member Whalen

Seconded by Board Member Steele

1. **THAT** Report No. FA-62-2019 RE: NPCA Standing and Ad Hoc Committee / NPCF Update **BE RECEIVED** for information.
2. **THAT** the Water Quality Improvement Grant Review Committee and the NPCA Conservation Ontario Biennial Tour Planning Committee **BE DISSOLVED** with responsibilities for this initiative shifted to NPCA staff, with reporting as required to the Board of Directors.
3. **THAT** the following two Board Members **BE APPOINTED** to the C.A.O. Selection Committee: S. Beattie and R. Foster.
4. **THAT** Board Member J. Ingrao **BE APPOINTED** to the Watershed Floodplain Committee for a term consistent with the other Board Member appointees to the Committee.

CARRIED

c) Report No. FA-55-19 RE: Ontario Power Generation (OPG) Memorandum of Understanding (MOU) Update

Resolution No. FA-139-19

Moved by Board Member Smith

Seconded by Board Member Shirton

1. **THAT** Report No. FA-55-19 RE: Ontario Power Generation (OPG) Memorandum of Understanding (MOU) Update **BE RECEIVED**.
2. **THAT** the Board of Directors **AUTHORIZE** the Interim CAO/Secretary-Treasurer and Chair to sign the Memorandum of Understanding, included as Appendix 1 to Report No. FA-55-19, with Ontario Power Generation (OPG).

CARRIED

d) Report No. FA-60-19 RE: NPCA Policy Housekeeping Amendments – D. Deluce addressed questions of the Board.

Resolution No. FA-140-19

Moved by Board Member Smith

Seconded by Board Member Steele

THAT Recommendation 2 within Report No. FA-60-19 RE: NPCA Policy Housekeeping Amendments **BE AMENDED** to denote that proposed changes under Section 1 of Appendix 1 within the report be subject to the public consultation process and a report to the Board.

DEFEATED

Resolution No. FA-141-19
Moved by Board Member Steele
Seconded by Board Member Wright

1. **THAT** Report No. FA-60-19 RE: NPCA Planning and Permitting Policy Housekeeping Amendment **BE RECEIVED**;
2. **THAT** the proposed changes under Section 1 of Appendix 1 of the Planning and Permitting Policy Housekeeping Amendment **BE APPROVED**;
3. **THAT** the manner of public consultation described in this report for the proposed changes under Section 2 of Appendix 1 **BE APPROVED**;
4. **THAT** subject to Recommendation 3 and having considered all public comments, NPCA staff **BE DIRECTED** to bring the proposed changes (as amended via consultation) under Section 2 of Appendix 1 to the Board for consideration.

CARRIED

- e) Report No. FA-62-19 RE: NPCA Standing and Ad Hoc Committee Update – This matter was moved to be addressed prior to item 6. b) on the agenda.
- f) Report No. FA-64-19 RE: NPCA Drone Policy – Member Beattie requested an analysis of other options for drone services.

Resolution No. FA-142-19
Moved by Board Member Wright
Seconded by Board Member Ingrao

1. **THAT** Report No. FA 64-19 RE: NPCA Drone Policy **BE APPROVED**; and
2. **THAT** the NPCA Board of Directors **AUTHORIZE** the NPCA to integrate the NPCA Drone Company Operations Manual (COM) into the NPCA's organizational policies.

CARRIED

- g) Report No. FA-67-19 RE: NPCA Harassment Policy

Resolution No. FA-143-19
Moved by Board Member Beattie
Seconded by Board Member Wright

1. **THAT** Report No. FA-67-19 RE: NPCA Workplace Harassment Policy **BE APPROVED**.
2. **THAT** the existing Workplace Harassment Policy dated September 16, 2016 be **REPEALED** and **REPLACED** with the NPCA Workplace Harassment Policy attached hereto as Appendix 1.

CARRIED

- h) Report No. FA-68-19 RE: NPCA Recruitment and Selection Policy

Resolution No. FA-144-19
Moved by Board Member Gibson
Seconded by Board Member Greenwood

1. **THAT** Report No. FA-68-19 RE: NPCA Recruitment and Selection Policy **BE APPROVED**.

2. **THAT** the Recruitment Policy dated May 16, 2016 **BE REPEALED AND REPLACED** with the NPCA Recruitment & Selection Policy attached hereto as Appendix 1.

CARRIED

- i) Report No. FA-72-19 RE: Annual Workplan – June – December, 2019 – Ms. Wood spoke to the report and addressed inquiries by Members with respect to future amendments of the plan.

Resolution No. FA-145-19

Moved by Board Member Beattie

Seconded by Board Member Greenwood

THAT Report No. FA-72-19 RE: Annual Work Plan – June-December, 2019 **BE RECEIVED** and **APPROVED**.

CARRIED

7. BUSINESS – IN CAMERA (CHANGED BY RESOLUTION FA-126-19 TO OCCUR BETWEEN ITEMS 2 AND 3 ON THE AGENDA)

8. NOTICE OF MOTION

- a) Notice of motion by Member Smith RE: Climate Emergency and the NPCA – Members requested additional information from staff.

9. NEW BUSINESS

- a) Member Greenwood spoke to her pending replacement on the Board. Discussion ensued.
- b) Member Whalen requested that staff look into a means of providing D. DiFruscio an honorary Board Membership.

Resolution No. FA-146-19

Moved by Board Member Whalen

Seconded by Board Member Beattie

THAT staff investigate options for an honorary Board membership for D. DiFruscio and report back to the Board.

CARRIED

10. ADJOURNMENT

Resolution No. FA-147-19

Moved by Board Member Ingrao

Seconded by Board Member Greenwood

THAT this meeting of the NPCA Board of Directors be hereby adjourned at 1:26 p.m.

CARRIED

Dave Bylsma
Chair
Niagara Peninsula Conservation Authority

Grant Bivol
Interim Clerk
Niagara Peninsula Conservation Authority