

**FULL AUTHORITY
IN-PERSON AND
ONLINE VIDEO CONFERENCE
MEETING MINUTES
Friday, September 16, 2022
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*

MEMBERS PRESENT: R. Foster (Chair)
S. Beattie
R. Brady
D. Cridland
L. Feor
J. Hellinga
J. Ingraio
K. Kawall (departed 10:45 a.m.; returned 11:00 a.m.)
B. Mackenzie
J. Metcalfe
W. Rapley
E. Smith
B. Steele
M. Woodhouse

MEMBERS ABSENT: B. Clark
D. Huson
B. Johnson
R. Shirton
B. Wright

STAFF PRESENT: C. Sharma, CAO / Secretary – Treasurer
G. Bivol, Clerk
E. Baldin, Manager, Land Planning
A. Christie, Director, Land Operations
D. Deluce, Senior Manager, Environmental Planning and Policy
L. Gagnon, Director, Corporate Services
E. Gervais, Procurement Specialist
R. Hull, Manager, Strategic Business Planning
L. Lee-Yates, Director, Watershed Management
S. Miller, Senior Manager, Water Resources
A. Powell, Manager, Conservation Areas Programs and Services

G. Shaule, Administrative Assistant
G. Verkade, Senior Manager, Integrated Watershed Planning /
Information Management

ALSO PRESENT: Elham Arbaban, Risk Assessor, Arcadis Inc.,
Lynn Kumita, Senior Environmental Specialist, Public Services and
Procurement Canada
Sean McKee, Environmental Scientist, Arcadis Inc.
Jennifer Shearn, Senior Environmental Advisor, Transport Canada
Joshua Won, Environmental Specialist, Public Services and
Procurement Canada

Chair Foster called the meeting to order at 9:30 a.m..

1. APPROVAL OF AGENDA

Resolution No. FA-72-2022
Moved by Member Beatty
Seconded by Member Rapley

THAT the agenda for the Full Authority Meeting dated September 16, 2022 **BE APPROVED.**
CARRIED

2. DECLARATIONS OF CONFLICT OF INTEREST

None declared.

3. APPROVAL OF MINUTES

- a) Minutes of the Full Authority Meeting dated July 15, 2022
- b) Minutes of the Full Authority Closed Session Meeting dated July 15, 2022

Resolution No. FA-73-2022
Moved by Member Smith
Seconded by Member Steele

THAT the following **BE APPROVED:**

- Minutes of the Full Authority meeting dated July 15, 2022; and
- Minutes of the Full Authority Closed Session meeting dated July 15, 2022 to remain private and confidential.

CARRIED

4. CHAIR'S UPDATE

Chair Foster spoke on the forthcoming volunteer recognition event and membership changes that will result with the end of the municipal term.

5. CORRESPONDENCE

- a) Email from Jacki Oblak to NPCA Chair Rob Foster dated August 22, 2022 RE: Resignation
- b) Email from Jennifer Keyes, Director, Resources Planning and Development Policy Branch, Ministry of Natural Resources and Forestry date August 28, 2022 to Conservation Authority Partners RE: An Update Concerning Conservation Authority Act Governance – Members commented on the transfer of Conservation Authority oversight responsibilities to the Ministry of Natural Resources and Forestry.

Resolution No. FA-74-2022
Moved by Member Cridland
Seconded by Member Ingraio

THAT the following correspondence items **BE RECEIVED**:

- Email from Jacki Oblak to NPCA Chair Rob Foster dated August 22, 2022 RE: Resignation; and
- Email from Jennifer Keyes, Director, Resources Planning and Development Policy Branch, Ministry of Natural Resources and Forestry date August 28, 2022 to Conservation Authority Partners RE: An Update Concerning Conservation Authority Act Governance.

CARRIED

6. PRESENTATIONS

- a) PowerPoint Presentation by Jennifer Shearn, Regional Senior Environmental Advisor, Transport Canada RE: Update on Transport Canada's Risk Assessment Study of Upper Welland River System Downstream of Hamilton International Airport – Ms. Shearn introduced Elham Arbaban, Risk Assessor, Arcadis Inc., who presented on behalf of the group. Members posed questions and discussion ensued with respect to involvement and participation from the City of Hamilton.
- b) PowerPoint Presentation by Josh Diamond, NPCA Water Quality Specialist RE: Water Quality Monitoring Program Summary Report of the Year 2021 (For Receipt - This presentation is in conjunction with agenda item 9.b) Report No. FA-34-22 RE: Water Quality Monitoring Program Summary Report for the Year 2021) – Mr. Diamond presented. Members posed questions and discussion ensued. Member Rapley requested information on the status of sewage lagoons in Niagara-on-the-Lake. Staff were also requested to investigate monitoring of the Wignell Drain.

Resolution No. FA-75-2022
Moved by Member Mackenzie
Seconded by Member Woodhouse

THAT the following PowerPoint presentations **BE RECEIVED**:

- PowerPoint presentation by Jennifer Shearn, Regional Senior Environmental Advisor, Transport Canada RE: Update on Transport Canada's Risk Assessment Study of Upper Welland River System Downstream of Hamilton International Airport; and
- PowerPoint presentation by Josh Diamond, NPCA Water Quality Specialist RE: Water Quality Monitoring Program Summary Report of the Year 2021.

CARRIED

7. DELEGATIONS

None

8. CONSENT ITEMS

- a) Report No. FA-35-22 RE: NPCA Comments on Minister's Zoning Order Request for 0 and 8656 Mountain Road, City of Niagara Falls – Members posed questions to Steve Miller, Senior Manager, Water Resources and Leilani Lee-Yates, Director, Watershed Management.
- b) Report No. FA-39-22 RE: Completion of Purchase – Rockway Community Centre

Resolution No. FA-76-2022
Moved by Member Hellinga
Seconded by Member Smith

THAT following reports **BE RECEIVED**:

- Report No. FA-35-22 RE: NPCA Comments on Minister's Zoning Order Request for 0 and 8656 Mountain Road, City of Niagara Falls; and
- Report No. FA-39-22 RE: Completion of Purchase – Rockway Community Centre.

CARRIED

9. DISCUSSION ITEMS

- a) Report No. FA-33-22 RE: Contract Award – Skycomp Solutions Inc. – Consulting and Professional Services in Information Technology - Lise Gagnon, Director, Corporate Services spoke to the report.

Resolution No. FA-77-2022
Moved by Member Cridland
Seconded by Member Metcalfe

1. **THAT** Report No. FA-33-22 RE: Contract Award – Skycomp Solutions Inc. – Consulting and Professional Services in Information Technology **BE RECEIVED**.
2. **THAT** the Board **APPROVES** the NPCA Consulting and Professional Services in Information Technology contract award to Skycomp Solutions Inc. in the base amount of \$150,240 per year (plus non-recoverable HST) with annual price escalation tied to Bank of Canada Consumer Price Index (CPI) for a 5-year term (2022-2027).
3. **THAT** staff **BE AUTHORIZED** to execute all necessary documents as appropriate.

CARRIED

- b) Report No. FA-34-22 RE: Water Quality Monitoring Program Report for the Year 2021 - Discussion ensued.

Resolution No. FA-78-2022
Moved by Member Smith
Seconded by Member Rapley

1. **THAT** Report No. FA-34-22 RE: Water Quality Monitoring Program Report for the Year 2021 **BE RECEIVED**.
2. **THAT** a copy of the Watershed Quality Stewardship Fact Sheet 2021, as appended, and website link to the Water Quality Monitoring Program Report for the Year 2021 **BE CIRCULATED** to municipalities, Ministry of Natural Resources and Forestry (MNRF), Ministry of the Environment and Parks (MECP) and the Federal Ministry of Environment and Climate Change Canada (ECCC).
3. **AND FURTHER THAT** the stewardship actions and best practices highlighted in the “Water Quality Monitoring Program Report for the Year 2021” and Associated Stewardship Fact Sheet **BE DISSEMINATED** to stakeholders and the public to advance collaborative implementation of recommendations to improve local water quality.

CARRIED

- c) Report No. FA-38-22 RE: Law Crushed Stone Quarry – Joint Agency Review Team Memorandum of Understanding – Leilani Lee-Yates spoke to the report. Members posed questions.

Resolution No. FA-79-2022

Moved by Member Ingrao

Seconded by Member Steele

1. **THAT** Report No. FA-38-22 RE: Law Crushed Stone Quarry – Joint Agency Review Team Memorandum of Understanding **BE RECEIVED**.
2. **THAT** the Chief Administrative Officer / Secretary - Treasurer **BE AUTHORIZED** to sign the Joint Agency Review Team Memorandum of Understanding for the Wainfleet Law Quarry attached as Appendix 2 to Report No. FA-38-22 RE: Law Crushed Stone Quarry – Joint Agency Review Team Memorandum of Understanding.

CARRIED

10. COMMITTEE ITEMS

10.1 FINANCE COMMITTEE

- a) Minutes from the Meeting of the Finance Committee dated July 27, 2022
 - i) Report No. FA-36-22 RE: 2023 Budget Planning and Timelines
- b) Minutes of the Closed Session of the of the Finance Committee Meeting dated July 27, 2022

Resolution No. FA-80-2022

Moved by Member Mackenzie

Seconded by Member Woodhouse

THAT the following **BE RECEIVED**:

- Minutes from the meeting of the Finance Committee dated July 27, 2022; and
- Minutes of the Closed Session of the of the Finance Committee meeting dated July 27, 2022.

CARRIED

Resolution No. FA-81-2022
Moved by Member Smith
Seconded by Member Mackenzie

1. **THAT** Report No. FA-36-22 RE: 2023 Budget Planning and Timelines **BE RECEIVED**.
2. **THAT** the budget planning and timelines for the 2023 Operating and Capital Budgets as identified in the report **BE APPROVED** for use in the development of the 2023 budgets.
3. **THAT** staff **BE DIRECTED** to include a provision for an economic increase (COLA) to satisfy the terms of the OPSEU collective agreement and address inflationary pressures on non-salary in the spirit of municipal budget guidelines, once released.
4. **THAT** staff **BE DIRECTED** to incorporate Conservation Authorities (CA) Act amendments, levy regulations and approved programs and services inventory structure into the draft 2023 budgets.
5. **THAT** staff **BE DIRECTED** to continue discussions relative to known funding gaps, service level agreements and/or memoranda of understanding with municipal partners.
6. **THAT** a list of current known unfunded priorities **BE PREPARED** for the Board's consideration in conjunction with 2023 budgets.
7. **AND FURTHER THAT** staff **BE DIRECTED** to submit the Preliminary 2023 Budget to the funding municipalities in accordance with their guidelines and schedules.

CARRIED

11. NOTICES OF MOTION

None

12. MOTIONS

None

13. NEW BUSINESS

- a) C.A.O. Updates – Verbal – Ms. Sharma, Chief Administrative Officer spoke on the death that occurred at the Binbrook Conservation Area on the Labour Day weekend, status of Conservation Authority Act transition requirements, meetings with municipalities on programs and services, internal budget transition, Indigenous engagement and collaborative events, the Thanksgiving Festival, successful funding grants and the forthcoming Great Lakes Forum and Internal Joint Commission Water Quality Board activities.
- b) Niagara Peninsula Conservation Foundation Update – Verbal – Chair Foster indicated that there were no items to report at this time.

14. CLOSED SESSION

- a) Litigation or Potential Litigation - Update on Ontario Land Tribunal (OLT) Appeals
- i) 61 Princess St, Town of Niagara-on-the-Lake
 - ii) 200 John Street East and 588 Charlotte Street, Town of Niagara-on-the-Lake
- b) Labour Relations, Human Resources or Employee Negotiations – Update on Collective Bargaining – The Board opted to not deliberate collective bargaining in closed session.

Resolution No. FA-82-2022

Moved by Member Beattie

Seconded by Member Rapley

THAT in accordance with Section 10.1 of the NPCA Administrative By-law, the Board hereby **PROCEEDS** into closed session at 11:17 a.m. for discussion on litigation or potential litigation being an update on Ontario Land Tribunal (OLT) Appeals RE: 61 Princess St, Town of Niagara-on-the-Lake, 200 John Street East and 588 Charlotte Street, Town of Niagara-on-the-Lake.

CARRIED

Resolution No. FA-83-2022

Moved by Member Beattie

Seconded by Member Cridland

THAT the Board **RECOVENES** in open session at 11:33 a.m..

CARRIED

Resolution No. FA-84-2022

Moved by Member Ingrao

Seconded by Member

THAT the verbal update from L. Lee-Yates, Director, Watershed Management RE: Litigation or Potential Litigation - Update on Ontario Land Tribunal (OLT) Appeals, 61 Princess St, Town of Niagara-on-the-Lake and 200 John Street East and 588 Charlotte Street, Town of Niagara-on-the-Lake **BE RECEIVED**.

CARRIED

Resolution No. FA-85-2022

Moved by Member Hellinga

Seconded by Member Smith

1. **THAT** Report No. FA-37-22 RE: OPSEU Collective Bargaining Agreement (2022-2024) **BE RECEIVED**.
2. **THAT** the Board of Directors **ENDORSES** the Finance Committee's approval of the Collective Bargaining Agreement between NPCA and OPSEU – Local 212 (2022 – 2024).
3. **AND FURTHER THAT** the Board of Directors **APPROVES** the negotiated amendments of the Collective Agreement to be applied to non-union employees in the areas of

“Vacation”, “Statutory Holidays”, “Benefits”, “Mileage”, “Uniforms” and “Wages” in order to afford non-union employees the same benefits and to avoid wage compression.

CARRIED

15. ADJOURNMENT

The meeting adjourned at 11:23 a.m..

Robert Foster, Chair
Niagara Peninsula Conservation Authority

Chandra Sharma, MCIP, RPP
Chief Administrative Officer / Secretary-
Treasurer
Niagara Peninsula Conservation Authority

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