

**FULL AUTHORITY
MEETING MINUTES
Wednesday, July 17, 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)
R. Brady (arrived 9:41a.m.)
B. Clark (departed during closed session)
D. Cridland
L. Feor (arrived 11:10 a.m.; departed 12:46 p.m.)
R. Foster
D. Huson
J. Ingrao
B. Johnson
B. Mackenzie
J. Metcalfe
E. Smith
T. Whalen (departed during closed session)
B. Wright
G. Zalepa

MEMBERS ABSENT:

S. Beattie
R. Shirton
B. Steele

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
M. Ferrusi, Human Resources Consultant
L. Gagnon, Director, Corporate Services
N. Green, Project Manager, Remedial Action Plan
D. MacKenzie, Director, Watershed Management
S. MacPherson, Restoration Grant Co-ordinator
S. Miller, Senior Manager, Water Resources and Restoration
E. Navarro, Communications Specialist
G. Verkade, Manager, Information Management and Technology Systems

OTHERS PRESENT: J. Oblak
I. Smith
E. Spanton

The Chair called the meeting to order at 9:32 a.m. and introduced the new Members of the Board.

1. **ADOPTION OF AGENDA**

a) Addition of Items

Resolution No. FA-153-19
Moved by Board Member Smith
Seconded by Board Member Whalen

THAT the following items **BE ADDED** to the agenda:

- The motion from Member Smith RE: Climate Emergency and the NPCA be added as New Business Item 9. c); and
- Correspondence dated May 3, 2019 to the Auditor General of Ontario from John Lynn RE: Review of the Special Audit of NPCA added as Administrative Business Item 4. i).

CARRIED

b) Change in Order of Items

Resolution No. FA-154-19
Moved by Board Member Cridland
Seconded by Board Member Foster

THAT the agenda **BE** further **AMENDED** with the following:

- Item 6. c) Minutes of the Closed Session of the CAO Selection Committee dated June 28, 2019 be deliberated subsequent to today's Closed Session; and
- Item 7. Closed Session be moved to occur after New Business.

CARRIED

c) Adoption of Agenda

Resolution No. FA-155-19
Moved by Board Member Whalen
Seconded by Board Member Zalepa

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

CARRIED

2. **DECLARATIONS OF CONFLICT OF INTEREST**

At the commencement of deliberations on the matter, Member Brady declared a conflict of interest on Report FA-56-19 RE: GR Paradise (Thundering Waters) Update by reason of his past involvement as a consultant on that development project. He did not speak nor did he participate in deliberations on the matter.

During the July 17, 2019 deliberation of the Resolution No. 135-19 regarding Welland River Floodplain Mapping Peer Review, Member Wright declared a conflict of interest by reason of his past role as a Manager with the Niagara Peninsula Conservation Authority where he

had supervisory responsibilities over staff working on the Welland River floodplain mapping.

3. PRESENTATIONS (and/or Delegations)

- a) Staff member Natalie Green, Project Manager Remedial Action Plan presented an overview of the Niagara River Remedial Action Plan. – Discussion ensued.
- b) Ms. Emily Spanton appeared as a delegation after Mr. I. Smith to address the Notice of Motion regarding Climate Change.
- c) Mr. Ryan Forster was not in attendance as scheduled to address the Notice of Motion regarding Climate Change.
- d) Ms. Jackie Oblak spoke to address the Notice of Motion regarding Climate Change. - Members posed questions.
- e) Mr. Ian Smith appeared as a delegation to address the Notice of Motion regarding Climate Change. – Discussion ensued.

Resolution No. FA-156-19

Moved by Board Member Smith

Seconded by Board Member Whalen

THAT the following presentations **BE RECEIVED**:

- PowerPoint presentation by Natalie Green, Project Manager Remedial Action Plan RE: Niagara River Remedial Action Plan;
- Presentation by Ms. Emily Spanton RE: the Notice of Motion regarding Climate Change.
- PowerPoint presentation by Ms. Jackie Oblak RE: the Notice of Motion regarding Climate Change.
- PowerPoint presentation by Mr. Ian Smith RE: The Upper Twelve Mile Creek Evidence of Climate Change – the Need to Act.

CARRIED

4. ADMINISTRATIVE BUSINESS

- a) Approval of Draft Minutes Full Authority Meeting June 19, 2019
- b) Approval of Draft Minutes Full Authority Closed Session Meeting June 19, 2019 - As circulated under separate cover to remain private and confidential.
- c) Approval of Draft Minutes Full Authority Special Meeting June 28, 2019
- d) Approval of Draft Minutes Full Authority Special Meeting Closed Session June 28, 2019 – As circulated under separate cover to remain private and confidential.

Resolution No. FA-157-19

Moved by Board Member Smith

Seconded by Board Member Whalen

THAT the following minutes **BE APPROVED**:

- Minutes of the Full Authority Meeting dated June 19, 2019 (with amendment to reflect attendance of Member Foster for the entire meeting and to denote a declaration of potential Conflict of Interest by Member Wright in respect of Report FA-65-19);
- Minutes of the Full Authority Closed Session Meeting dated June 19, 2019 to remain private and confidential;
- Minutes Full Authority Special Meeting June 28, 2019; and
- Minutes of the Full Authority Special Meeting Closed Session dated June 28, 2019 to remain private and confidential.

CARRIED

e) Business Arising from Minutes – None.

f) Correspondence – Letter from Minister John Yakabuski, MNRF dated June 28, 2019

Resolution No. FA-158-19

Moved by Board Member Huson

Seconded by Board Member Zalepa

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

- Letter from John Yakabuski, Minister of Natural Resources and Forestry dated June 28, 2019; and
- Letter dated May 3, 2019 to the Auditor General of Ontario from John Lynn RE: Review of the Special Audit of NPCA.

CARRIED

g) Chair's Comments

Chair Bylsma highlighted the meetings of Board Committees and Conservation Ontario which he attended in the weeks prior.

h) Chief Administrative Officer's Comments

Ms. Wood spoke on Bill 108 and its regulations, 2019-2020 Source Water Protection funding, meetings with the Niagara Region Finance staff and forthcoming meeting with other Conservation Authorities to discuss joint presentations to member municipalities.

i) Correspondence – Letter dated May 3, 2019 to the Auditor General of Ontario from John Lynn RE: Review of the Special Audit of NPCA. – This item was addressed with Resolution No. FA-158-19.

5. BUSINESS FOR INFORMATION

a) Report No. FA-56-19 RE: GR Paradise (Thundering Waters) Update – Members posed questions for D. Deluce, Senior Manager, Planning and Regulations. Member Brady declared a conflict of interest on Report FA-56-19 RE: GR Paradise (Thundering Waters) Update by reason of his past involvement as a consultant on that development project. Lengthy discussion ensued. As a result of deliberations, the Board enacted Resolutions No. FA-160-19 and No. FA-161 as presented below.

b) Report No. FA-75-19 RE: Watershed Management Status Q2 Report

c) Report No. FA-77-19 RE: Haldimand Lakefront Landowner's Funding Request Update

- d) Report No. FA-78-19 RE: Niagara River RAP Update
- e) Report No. FA-80-19 RE: Media Coverage and Communications Update Report
- f) Report No. FA-81-19 RE: Communications, Community Engagement, Outreach and Volunteers Q2 Report – Member Johnson requested reimbursement for equipment and expenses for volunteers working in conservations areas. Ms. Wood requested that staff be given the opportunity to investigate and develop relevant policy to be returned to the Board for approval.
- g) Report No. FA-84-19 RE: Update - Auditor General Report Recommendations
- h) Report No. FA-86-19 RE: Q2 Strategic Initiatives, Operations, Ecology Report
- i) Report No. FA-87-19 RE: Q2 Capital Projects Q2 Report

Resolution No. FA-159-19

Moved by Board Member Huson

Seconded by Board Member Zalepa

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

- Report No. FA-75-19 RE: Watershed Management Status Q2 Report;
- Report No. FA-77-19 RE: Haldimand Lakefront Landowner’s Funding Request Update;
- Report No. FA-78-19 RE: Niagara River RAP Update;
- Report No. FA-80-19 RE: Media Coverage and Communications Update Report;
- Report No. FA-81-19 RE: Communications, Community Engagement, Outreach and Volunteers Q2 Report;
- Report No. FA-84-19 RE: Update - Auditor General Report Recommendations;
- Report No. FA-86-19 RE: Q2 Strategic Initiatives, Operations, Ecology Report; and
- Report No. FA-87-19 RE: Q2 Capital Projects Q2 Report.

CARRIED

Resolution No. FA-160-19

Moved by Board Member Huson

Seconded by Board Member Zalepa

THAT Report No. FA-56-19 RE: GR Paradise (Thundering Waters) Update **BE RECEIVED** for information.

CARRIED

Resolution No. FA-161-19

Moved by Board Member Clark

Seconded by Board Member Johnson

1. **THAT** a letter to the Minister of Natural Resources and Forestry copied to local area municipalities be prepared by the NPCA Board of Directors to **ENDORSE** the current designation of the Provincially Significant Wetlands within the Thundering Waters properties.
2. **AND THAT** the relevant policy revisions **BE PRESENTED** to the Board for discussion.

CARRIED

6. BUSINESS FOR CONSIDERATION

- a) Standing Committee Report - Minutes of Audit & Budget Committee Meeting dated June 26, 2019
- b) Standing Committee Report - Minutes of Public Advisory Committee Meeting dated June 27, 2019
- c) Ad Hoc Committee Report - Minutes of CAO Selection Committee Meeting dated June 28, 2019

Resolution No. FA-162-19
Moved by Board Member Zalepa
Seconded by Board Member Whalen

THAT the following Committee Reports **BE ADOPTED** and any recommendations therein **BE APPROVED**:

- Minutes of Audit & Budget Committee Meeting dated June 26, 2019;
- Minutes of Public Advisory Committee Meeting dated June 27, 2019; and
- Minutes of CAO Selection Committee Meeting dated June 28, 2019.

CARRIED

- d) Approval of Draft Minutes of CAO Selection Committee Meeting dated June 28, 2019 - The minutes, circulated under separate cover to remain private and confidential, were adopted following the closed session.
- e) Report No. FA-61-19 RE: NPCA Section 28 Permit Signatory Delegation

Resolution No. FA-163-19
Moved by Board Member Ingrao
Seconded by Board Member Foster

1. **THAT** Report No. FA-61-19 RE: NPCA Section 28 Permit Signatory Delegation **BE RECEIVED** for consideration and;
2. **THAT** the Board **APPROVES** the Director, Watershed Management be an additional signatory on Section 28 work permits.

CARRIED

- f) Report No. FA-76-19 RE: Welland River Floodplain Mapping Peer Review Request – Member Wright spoke and expressed concerns with the mapping. CAO Gayle Wood and Steve Miller Senior Manager, Water Resources and Restoration addressed concerns that had been raised. Lengthy discussion ensued.

Resolution No. FA-164-19
Moved by Board Member Foster
Seconded by Board Member Johnson

1. **THAT** Report No. FA-76-19 RE: Welland River Floodplain Mapping Peer Review Request **BE RECEIVED** for consideration and;
2. **THAT** the Board **APPROVE** NPCA staff recommendation that a Peer Review of the WSP ‘Welland River Floodplain Mapping Update – Final Draft’ report is not required.

Recorded Vote:	Yea	Nay
Dave Bylsma (Chair)		
Rick Brady		X
Brad Clark		X
Donna Cridland	X	
Leah Feor		X
Rob Foster	X	
Diana Huson (Vice Chair)	X	
John Ingrao		X
Brenda Johnson		X
Bruce Mackenzie		X
John Metcalfe		X
Ed Smith		X
Tim Whalen	X	
Brian Wright		X
Gary Zalepa	X	

Resolution No. FA-165-19

Moved by Board Member Brady
 Seconded by Board Member Feor

THAT Report No. FA-76-19 RE: Welland River Floodplain Mapping Peer Review Request **BE RECEIVED** for information.

CARRIED

During deliberation of the following motion, the Board recessed for lunch and to allow for additional information from staff regarding potential peer review funding sources. Upon reconvening, Member Wright declared a conflict of interest by reason of his past role as Manager with the Niagara Peninsula Conservation Authority where he had supervisory responsibilities over staff working on the Welland River floodplain mapping. Discussion ensued.

Resolution No. FA-135-19 (previously deferred by Resolution No. FA-136-19)

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-166-19

Resolution No. FA-166-19

Moved by Board Member Clark
 Seconded by Board Member Johnson

THAT Resolution No. FA-135-19 regarding retention of a consultant to conduct a third party peer review of the Welland River floodplain mapping **BE** further **DEFERRED** to the next meeting.

CARRIED

- g) Report No. FA-79-19 RE: Restoration Project Approvals to Date - Stuart MacPherson, Restoration Grant Co-ordinator spoke to the report and addressed questions of the Board.

Resolution No. FA-167-19

Moved by Board Member Ingrao

Seconded by Board Member Foster

1. **THAT** Report No. FA-79-19 RE: 2019 Restoration Project Approvals **BE RECEIVED**.
2. **THAT** the approved Restoration Program 2019 projects and associated grant estimates identified in Appendix 3. 'Management Approved Restoration Projects List' **BE APPROVED** for funding enabling staff to implement them.

CARRIED

- h) Report No. FA-82-19 RE: NPCA Signing Authority

Resolution No. FA-168-19

Moved by Board Member Wright

Seconded by Board Member Zalepa

1. **THAT** Report No. FA-82-19 RE: NPCA Signing Authority **BE RECEIVED**.
2. **THAT** the Board of Directors **APPROVE** the signing officers for 2019 to be the Chair, Vice Chair, Interim Chief Administrative Officer/Secretary-Treasurer and the Director, Corporate Services.
3. **THAT** staff **BE DIRECTED** to develop a "Delegation of Authority Protocol" for approval by the Board of Directors.

CARRIED

- i) Report No. FA-83-19 RE: Board Training and Development

Resolution No. FA-169-19

Moved by Board Member Mackenzie

Seconded by Board Member Cridland

1. **THAT** Report No. FA-83-19 RE: Board Training and Evaluation **BE RECEIVED**.
2. **THAT** the Board of Directors **REFER** the NPCA Board Evaluation Tool and individual member assessment tool for comment and recommendation from the Governance Committee.
3. **THAT** Board Members **ADVISE** the Interim Chief Administrative Officer/Secretary-Treasurer of their recommended 2019 training needs by July 31, 2019 in order that staff may prepare recommendations for the Board of Directors in August 2019.
4. **THAT** the Board of Directors **DIRECT** the Interim Chief Administrative Officer/Secretary Treasurer to prepare a Report for the August Board meeting regarding the Interim CAO/ST Performance Review, performance indicators that facilitate the Board's evaluation of its oversight as well as an individual Board member performance evaluation survey, in compliance with the Auditor General's Report.

CARRIED

- j) Report No. FA-85-19 RE: Notice of Motion Climate Change – Discussion ensued.

Resolution No. FA-170-19

Moved by Board Member Metcalfe

Seconded by Board Member Mackenzie

1. **THAT** Report No. FA-85-19 RE: Response to the Notice of Motion on Climate Change **BE RECEIVED** for information.
2. **THAT** the Board of Directors **SUPPORT** the Draft NPCA Climate Change Vision and Charter as outlined in the Draft Report entitled *NPCA Climate Change Strategy and Action Plan – 2019 to 2020*.
3. **THAT** the Board of Directors **DIRECT** staff to develop a Business Case for 2020 funding support for the Draft *Climate Change Strategy and Action Plan*.
4. **THAT** the Board of Directors **REQUEST** the NPCA Public Advisory Committee to review the NPCA Draft *Climate Change Strategy and Action Plan* prior to its submission as part of a Business Case for 2020 funding.
5. **THAT** the Board of Directors **SUPPORT** staff discussion with Brock University, Niagara College, the City of Hamilton, McMaster University, Haldimand County and Niagara Region representatives to determine if NPCA could be involved with their climate change initiatives.

CARRIED

- k) Report No. FA-90-19 RE: Ducks Unlimited Canada Wetland Memorandum of Agreement

Resolution No. FA-171-19

Moved by Board Member Metcalfe

Seconded by Board Member Whalen

1. **THAT** Report No. FA-90-19 RE: 2019 Ducks Unlimited Canada Wetland Restoration Memorandum of Agreement **BE RECEIVED**.
2. **THAT** the 2019 Ducks Unlimited Canada Wetland Restoration Memorandum of Agreement **BE APPROVED** for signature by the Chair and Interim CAO/Secretary-Treasurer.

CARRIED

7. BUSINESS – IN CAMERA (CHANGED BY RESOLUTION FA-126-19 TO OCCUR AFTER ITEM 9. NEW BUSINESS ON THE AGENDA)

8. NOTICE OF MOTION

- a) Notice of Motion – Member Wright – RE: Revising the Flood Plain Mapping development and consultation process, including the floodplain mapping committee

9. NEW BUSINESS

a) Requirement for Meeting - August 21, 2019

Resolution No. FA-172-19

Moved by Board Member Whalen

Seconded by Board Member Metcalfe

THAT a Board **CONVENE** a regular monthly meeting on a date to be determined.

CARRIED

b) Request to serve on the Governance Committee – Member Ingrao

Resolution No. FA-173-19

Moved by Board Member Mackenzie

Seconded by Board Member Metcalfe

THAT Member Ingrao **BE** hereby **APPOINTED** to the Governance Committee.

CARRIED

c) Motion by Member Smith RE: Climate Emergency and the NPCA

Resolution No. FA-174-19

Moved by Board Member Smith

Seconded by Board Member Whalen

WHEREAS climate change is a threat to the citizens of the NPCA watershed; and

WHEREAS climate change is a threat to the natural environment of our watershed;
and

WHEREAS climate change is a threat to the built environment of our watershed; and

WHEREAS Canada and 194 other nations signed the Paris Climate Accord in 2015;
and

WHEREAS the United Nations and many other scientific agencies report that human activity is the main cause of global climate change; and

WHEREAS the Conservation Authorities Act states “an authority shall provide... Programs and services related to the risk of natural hazards”; and

WHEREAS recommendations 7 and 8 of the Auditor General of Ontario’s Special Audit of the Niagara Peninsula Conservation Authority speak directly to recommendations related to flood risks and natural hazards; and

WHEREAS the NPCA is a lead environmental institution for the people of our watershed; and

WHEREAS action is needed to develop climate risk mitigation and climate risk adaptation strategies, policies, and procedures; and

WHEREAS there is no Planet B;

THEREFORE BE IT RESOLVED that the Niagara Peninsula Conservation Authority **DECLARES** a climate emergency and **RECOGNIZES** the need to take action that will

contribute to the mitigation and adaptation of the effects of climate change throughout our watershed.

CARRIED

7. BUSINESS – IN CAMERA

a) Motion to convene in Closed session

Resolution No. FA-175-19

Moved by Board Member Ingrao

Seconded by Board Member Foster

THAT the meeting of the Board of Directors of the Niagara Peninsula Conservation Authority convene in closed session at 1:37p.m. in accordance with Section 11.1 of the NPCA Administrative By-law for the discussion on:

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

CARRIED

b) Motion to reconvene in to Open Session – Members Clark and Whalen were not in attendance.

Resolution No. FA-176-19

Moved by Board Member Foster

Seconded by Board Member Cridland

THAT the meeting of the Board of Directors of the Niagara Peninsula Conservation Authority **RECONVENES** in open session at 2:50p.m..

CARRIED

c) Business Arising from Closed Session

Resolution No. FA-177-19

Moved by Board Member Foster

Seconded by Board Member Cridland

1. **THAT** Confidential Reports No. FA-94-19, FA-95-19, FA-96-19, FA-97-19 **BE RECEIVED** to remain private and confidential and any recommendations therein approved.

2. **THAT** the July 2019 – Legal Update document and the correspondence dated June 28, 2019 from Melissa I. Roth / Glenn P. Christie, Hicks, Morley, Hamilton, Stewart, Storie, L.L.P. **BE RECEIVED** to remain private and confidential.

CARRIED

Resolution No. FA-178-19

Moved by Board Member Huson

Seconded by Board Member Zalepa

THAT with respect to item 7.b) of the closed meeting agenda, legal counsel **BE DIRECTED** to proceed as instructed in the closed session.

CARRIED

Resolution No. FA-179-19
Moved by Board Member Cridland
Seconded by Board Member Foster

THAT the Closed Session Minutes of CAO Selection Committee Meeting dated June 28, 2019 **BE RECEIVED** into the record to remain private and confidential.

CARRIED

Resolution No. FA-180-19
Moved by Board Member Brady
Seconded by Board Member Foster

THAT the Board **ISSUE** a public apology to former Member Hodgson.

CARRIED

Recorded Vote:	Yea	Nay
Dave Bylsma (Chair)		
Rick Brady	X	
Donna Cridland	X	
Rob Foster	X	
Diana Huson (Vice Chair)		X
John Ingrao	X	
Brenda Johnson		X
Bruce Mackenzie		X
John Metcalfe	X	
Ed Smith	X	
Brian Wright	X	
Gary Zalepa		X

10. ADJOURNMENT

Resolution No. FA-181-19
Moved by Board Member Brady
Seconded by Board Member Cridland

THAT this meeting **BE** hereby **ADJOURNED** at 3:01 p.m..

CARRIED

Dave Bylsma
Chair
Niagara Peninsula Conservation Authority

Grant Bivol
Interim Clerk
Niagara Peninsula Conservation Authority