



**FULL AUTHORITY
MEETING MINUTES
Wednesday, October 16, 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 (departed at 12:55 p.m.)
B. Clark (departed at 12:00 p.m.)
D. Coon-Petersen (arrived 9:57 a.m.)
D. Cridland
L. Feor
D. Huson (departed at 12:00 p.m.)
J. Ingrao
B. Johnson (departed at 12:00 p.m.)
B. Mackenzie
J. Metcalfe
W. Rapley
R. Shirton
E. Smith
B. Steele
M. Woodhouse

MEMBERS ABSENT:

S. Beattie
R. Foster
J. Hellinga
K. Kawall
B. Wright

STAFF PRESENT:

G. Wood, CAO / Secretary – Treasurer
G. Bivol, Executive Co-ordinator to the C.A.O./Board
R. Bisson, Manager, Communications and Public Relations
A. Christie, Acting Senior Manager, Operations and Special Projects
M. Ferrusi, Manager, Human Resources
L. Gagnon, Director, Corporate Services
E. Gervais, Procurement Specialist
S. Gillis, Restoration Project Lead
D. MacKenzie, Director, Watershed Management
S. McPherson, Restoration Project Lead
S. Miller, Senior Manager, Water Resources and Restoration
E. Navarro, Communications Specialist

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

1. ADOPTION OF AENDA

a) Addition of Items

Resolution No. FA-207-19
Moved by Board Member Brady
Seconded by Board Member Clark

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

- Closed Session verbal update on a proposed or pending acquisition or disposition of land.

CARRIED

b) Change in Order of Items

Resolution No. FA-208-19
Moved by Board Member Brady
Seconded by Board Member Clark

THAT the agenda **BE AMENDED** to correct the title of Item 6.f) to read:
“Report No. 144-19 RE: Financial and Reserve Report – Year to Date Ending June 2019”;

THAT the agenda **BE** further **AMENDED** by changing the order of items to provide for Section 7. BUSINESS – In Camera to occur immediately after Section 2. Declaration of Conflict of Interest.

CARRIED

c) Adoption of Agenda

Resolution No. FA-209-19
Moved by Board Member Metcalfe
Seconded by Board Member Cridland

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

CARRIED

2. DECLARATIONS OF CONFLICT OF INTEREST

Member Cridland declared a non-pecuniary interest on agenda items 6.e) Report No. FA-142-19 RE: Trout Unlimited Canada Twelve Mile Creek Restoration Memorandum of Agreement by virtue of her position as a member on the executive of that organization.

Chair Bylsma declared a conflict of interest on Closed Session item 7.c) relating to personal matters about identifiable individuals including NPCA employees.

7. BUSINESS – IN CAMERA

- a) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose
- b) Labour relations, Human Resources or employee negotiations
- c) Personal matters about identifiable individual(s), including NPCA employees

Resolution No. FA-210-19

Moved by Board Member Metcalfe

Seconded by Board Member Shirton

THAT the meeting of the Board of Directors of the Niagara Peninsula Conservation Authority **CONVENE** in closed session at 9:34 a.m. in accordance with Section 11.1 of the NPCA Administrative By-law for the discussion on:

- a) Personal matters about identifiable individual(s), including NPCA employees;
- b) Advice that is subject to solicitor client privilege, including communications necessary for that purpose;
- c) Personal matters about identifiable individual(s), including NPCA employees;
- d) A proposed or pending acquisition or disposition of land by the NPCA.

CARRIED

Resolution No. FA-211-19

Moved by Board Member Cridland

Seconded by Board Member Ingrao

THAT the meeting of the Board of Directors of the Niagara Peninsula Conservation Authority **RECONVENE** in open session at 11:50 a.m..

CARRIED

Resolution No. FA-212-19

Moved by Board Member Cridland

Seconded by Board Member Ingrao

- 1. **THAT** Confidential Report No. FA-150-19 **BE RECEIVED** to remain private and confidential.
- 2. **AND THAT** the Board **RATIFIES** the agreement affixed as Appendix 1 to Confidential Report No. FA-150-19.

CARRIED

Resolution No. FA-213-19

Moved by Board Member Brady

Seconded by Board Member Huson

- 1. **THAT** Confidential Report No. FA-149-19 **BE RECEIVED** to remain private and confidential.
- 2. **AND THAT** in respect of the matter described in Confidential Report No. FA-149-19, the Board **DEEMS** no action be taken as the individual was not a member of the Board at the time of the alleged infraction as defined in Section 14.(4.2) of the Conservation Act as follows:

“A member’s term begins at the first meeting of the authority after his or her appointment and expires immediately before the first meeting of the authority after the appointment of his or her replacement.”

CARRIED

Resolution No. FA-214-19

Moved by Board Member Ingrao

Seconded by Board Member Cridland

THAT in respect of the verbal update provided in Closed Session under Item 7.d) A proposed or pending acquisition or disposition of land by the NPCA, the matter **BE DEFERRED** to the next meeting with a report from staff including a map and business case.

CARRIED

Vice Chair Huson assumed the Chair and called for the following vote.

Resolution No. FA-215-19

Moved by Board Member Clark

Seconded by Board Member Metcalfe

1. **THAT** Confidential Report No. FA-151-19 **BE RECEIVED** to remain private and confidential and **FORWARDED** to the participating municipality in confidence.
2. **THAT** in respect of the matter described in Confidential Report No. FA-151-19, the Board deems a breach to have occurred as per the investigative report.
3. **AND THAT** the Board **DIRECTS** action to be taken in accordance with Section 15.4 of the Code of Conduct.

CARRIED

D. Bylsma resumed the chair. Comments were heard from Member Johnson regarding Report No. FA-132-19 RE: MOU – Glanbrook Conservation Club. The Board recessed at 12:00 p.m..

3. PRESENTATIONS (and/or Delegations)

Chair Bylsma called the meeting back to order at 12:20 p.m..

- a) Presentation by Member Leah Feor RE: Sustainable Development – Ms. Feor presented via PowerPoint. Discussion ensued. C.A.O. Wood indicated that the matter would be directed to the incoming C.A.O. for action.

Resolution No. FA-216-19

Moved by Board Member Mackenzie

Seconded by Board Member Brady

1. **THAT** the PowerPoint presentation by Member Leah Feor RE: Sustainable Development **BE RECEIVED**.
2. **AND THAT** the matter **BE REFERRED** to staff for investigation and a report back to the Board.

CARRIED

- b) Presentation by C.A.O. Gayle Wood RE: The Conservation Authorities Act – This matter was rescheduled to a subsequent meeting by direction of the Board due to time constraints.

4. ADMINISTRATIVE BUSINESS

- a) Approval of the Minutes of the Full Authority meeting dated September 18, 2019
- b) Approval of the Closed Session Minutes of the Full Authority meeting dated September 18, 2019
- c) Approval of the Minutes of the Full Authority (Orientation) meeting dated September 27, 2019
- d) Approval of the Minutes of the Audit & Budget Committee meeting dated October 7, 2019
- e) Approval of the Minutes of the Public Advisory Committee meeting September 25, 2019

Resolution No. FA-217-19

Moved by Board Member Mackenzie
Seconded by Board Member Brady

THAT the following minutes **BE ADOPTED**:

- a) Minutes of the Full Authority meeting dated September 18, 2019;
- b) Closed Session Minutes of the Full Authority meeting dated September 18, 2019 (as tabled under separate cover) to remain private and confidential;
- c) Minutes of the Full Authority (Orientation) meeting dated September 27, 2019;
- d) Minutes of the Audit & Budget Committee meeting dated October 7, 2019; and
- e) Minutes of the Public Advisory Committee meeting September 25, 2019.

CARRIED

- f) Correspondence from the Mining and Lands Tribunal dated August 19, 2019 RE: Appeal Against 2017 General Levy Assessment
- g) Correspondence from J. Yurek, Minister of the Environment, Conservation and Parks dated September 23, 2019 RE: Consultation with Conservation Authorities on Bill 108
- h) Correspondence to J. Yurek, Minister of the Environment, Conservation and Parks from AMO dated October 9, 2019 RE: Bill 108

Resolution No. FA-218-19

Moved by Board Member Cridland
Seconded by Board Member Metcalfe

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

- Correspondence from the Mining and Lands Tribunal dated August 19, 2019 RE: Appeal Against 2017 General Levy Assessment;
- Correspondence from J. Yurek, Minister of the Environment, Conservation and Parks dated September 23, 2019 RE: Consultation with Conservation Authorities on Bill 108; and
- Correspondence to J. Yurek, Minister of the Environment, Conservation and Parks from AMO dated October 9, 2019 RE: Bill 108.

i) Chair's Remarks

Chair Bylsma recognized Member Mackenzie who will be receiving a lifetime achievement award at the Latornell Conservation Symposium and congratulated C.A.O. Gayle Wood on her appointment as Chair of the Ontario Land Trust Alliance. He also welcomed Member Rapley to his formal meeting as a Board Member, spoke of the success of the Thanksgiving Festival at Ball's Falls and highlighted his recent meeting on Bill 108 with the Ministry of the Environment, Conservation and Parks.

j) Chief Administrative Officer Comments

C.A.O. Wood elaborated on the success of the Thanksgiving Festival, congratulated staff and spoke on the ongoing Welland River Floodplain mapping Project Open houses.

5. BUSINESS FOR INFORMATION

a) Report No. FA-128 -19 RE: Watershed Management Status Q3 Reportb) Report No. FA-131 -19 RE: Land Q3c) Report No. FA-133 -19 RE: Capital Projects Q3d) Report No. FA-135-19 RE: Integrated Watershed Planning and Information Management Q3e) Report No. FA-138 -19 RE: October update-AG Recommendationsf) Report No. FA-139-19 RE: Response to Questions raised at the Board Orientation Sessiong) Report No. FA-141 -19 RE: Communications, Community Outreach and Volunteers 2019 Q3h) Report No. FA-143-19 RE: Media Coverage and Communications Update Report-September 2019Resolution No. FA-219-19

Moved by Board Member Cridland

Seconded by Board Member Steele

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

a) Report No. FA-128 -19 RE: Watershed Management Status Q3 Report;

b) Report No. FA-131 -19 RE: Land Q3;

c) Report No. FA-133 -19 RE: Capital Projects Q3;

d) Report No. FA-135-19 RE: Integrated Watershed Planning and Information Management Q3;

e) Report No. FA-138 -19 RE: October update-AG Recommendations;

f) Report No. FA-139-19 RE: Response to Questions raised at the Board Orientation Session;

g) Report No. FA-141 -19 RE: Communications, Community Outreach and Volunteers 2019 Q3; and

- h) Report No. FA-143-19 RE: Media Coverage and Communications Update Report
September 2019.

CARRIED

6. BUSINESS FOR CONSIDERATION

- a) Report No. FA-114-19 RE: Levy Differential Reserve –As tabled.

Resolution No. FA-220-19

Moved by Board Member Metcalfe

Seconded by Board Member Woodhouse

1. **THAT** Report No. FA-114-19 Respecting Levy Differential Reserve Payout **BE RECEIVED** for information.
2. **THAT** the NPCA Reserve entitled Niagara Levy Differential, identified in Appendix 1 of Report No. FA-114-19, **BE RETURNED** to the taxpayers of the Watershed via the NPCA Municipal Partners.

CARRIED

- b) Report No. FA-132-19 RE: MOU – Glanbrook Conservation Club

Resolution No. FA-221-19

Moved by Board Member Metcalfe

Seconded by Board Member Rapley

1. **THAT** Report No. FA-132-19 RE: MOU with Glanbrook Conservation Committee **BE RECEIVED** for information.
2. **THAT** Report No. FA-119-19 RE: MOU with Glanbrook Conservation Committee **BE RECEIVED** for information.
3. **THAT** the NPCA Board **AUTHORIZE** the Chair and CAO to execute a 3-year Trail Maintenance Agreement with the Glanbrook Conservation Committee (GCC) regarding the Tyneside Trail at Binbrook Conservation Area.

CARRIED

- c) Report No FA-134-19 RE: 2019 Restoration Project Approvals for October

Resolution No. FA-222-19

Moved by Board Member Cridland

Seconded by Board Member Metcalfe

1. **THAT** Report No. FA-134-19 RE: 2019 Restoration Project Approvals for October **BE RECEIVED**.
2. **THAT** the approved Restoration Program 2019 projects and associated grant estimates identified in Appendix 2 of Report No. FA-134-19 - 'Management Approved Restoration Projects List September 2019' **BE APPROVED**.

CARRIED

d) Report No FA-137-19 RE: Appointments to Committees – Hellinga and Kawall

Resolution No. FA-223-19

Moved by Board Member Metcalfe
Seconded by Board Member Cridland

1. **THAT** Report No. FA-137-19 RE: Board Appointments to Committees **BE APPROVED**.
2. **THAT** Member Hellinga **BE APPOINTED** to the Welland River Floodplain Committee and that Member Kawall be appointed to the Governance Committee.
CARRIED

e) Report No. FA-142-19 RE: Trout Unlimited Canada Twelve Mile Creek Restoration Memorandum of Agreement

Resolution No. FA-224-19

Moved by Board Member Metcalfe
Seconded by Board Member Shirton

1. **THAT** Report No. FA-142-19 RE: 2019 Trout Unlimited Canada Twelve Mile Creek Restoration Memorandum of Agreement **BE RECEIVED**.
2. **THAT** the 2019 Trout Unlimited Canada Twelve Mile Creek Restoration Memorandum of Agreement **BE APPROVED** for signature by the Chair and CAO/Secretary-Treasurer.
DEFERRED

f) Report No. FA-144-19 RE: Q2 Finance and Reserve Report – Year to Date Ending Sept 30, 2019

Resolution No. FA-225-19

Moved by Board Member Cridland
Seconded by Board Member Steele

THAT Report No. FA-144-19 Respecting Financial Results – Year to Date ending Sept. 30, 2019 **BE RECEIVED** for information.

CARRIED

g) Report No. FA-145-19 RE: 2020 Capital Budget – Lise Gagnon, Director of Corporate Services presented an overview the draft capital budget. Members posed questions. Discussion ensued.

Resolution No. FA-226-19

Moved by Board Member Shirton
Seconded by Board Member Ingrao

THAT the PowerPoint presentation from Lise Gagnon, Director of Corporate Services RE: 2020 Capital Budget **BE RECEIVED**.

CARRIED

Resolution No. FA-227-19

Moved by Board Member Cridland
Seconded by Board Member Steele

THAT the list of projects identified in Report No. FA-145-19 RE: 2020 NPCA Capital Budget **BE AMENDED** as follows: addition of signage for pollinator gardens and addition of karst mapping project funding.

CARRIED

Resolution No. FA-228-19

Moved by Board Member Cridland

Seconded by Board Member Steele

1. **THAT** Report No. FA-145-19 RE: 2020 NPCA Capital Budget as amended **BE APPROVED** for discussion with participating municipal staff.
2. **THAT** NPCA staff **REPORT** the results of discussions with participating municipal staff to the November 20, 2019 Board of Directors' meeting.

CARRIED

h) Report No. FA-147-19 RE: CAO Recruitment Consultant – P.O. Change Order

Resolution No. FA-229-19

Moved by Board Member Ingrao

Seconded by Board Member Shirton

1. **THAT** Report No. FA-147-19 RE: C.A.O. Recruitment Consultant - P.O. Change Order **BE RECEIVED**.
2. **THAT** the Board **AUTHORIZES** the expenditure of an additional \$10,000 plus any advertising to the firm of Feldman Daxon Partners, Inc. to undertake recruitment of a C.A.O./Secretary-Treasurer.
3. **THAT** the Board now **DEEMS** Recommendation No. SC-32-1019 of the C.A.O. Selection Committee to be approved as presented for consideration at the Board meeting of September 18, 2019.

CARRIED

i) Report No. FA-148-19 RE: Policy Update – Performance Reviews

Resolution No. FA-230-19

Moved by Board Member Cridland

Seconded by Board Member Steele

1. **THAT** Report No. FA-148-19 RE: Policy Update - Performance Reviews **BE RECEIVED**.
2. **THAT** the current Staff Appraisal policy **BE REPEALED AND REPLACED** with the NPCA Performance Review Policy attached thereto as Appendix 1.

CARRIED

7. BUSINESS – IN CAMERA

By resolution of the Board, the Closed Session was moved to occur immediately after Section 2. Declarations of Conflict of Interest.

8. NOTICE OF MOTION

None.

9. NEW BUSINESS

None.

10. ADJOURNMENT

Resolution No. FA-231-19

Moved by Board Member Hellinga

Seconded by Board Member Ingrao

THAT this meeting be hereby adjourned at 1:31 p.m..

CARRIED

Dave Bylsma
Chair
Niagara Peninsula Conservation Authority

D. Gayle Wood
Chief Administrative Officer / Secretary -
Treasurer
Niagara Peninsula Conservation Authority