



**FULL AUTHORITY
MEETING MINUTES**

**Wednesday, December 18, 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 (not in attendance after 12:41 p.m.)
R. Brady
B. Clark
D. Cridland
M. Difruscio (Honorary Member)
L. Feor
R. Foster
J. Hellinga
D. Huson (not in attendance after 12:41 p.m.)
J. Ingrao
B. Johnson
K. Kawall
B. Mackenzie
J. Metcalfe
W. Rapley
R. Shirton
E. Smith
B. Steele (not in attendance after 12:41 p.m.)
M. Woodhouse
B. Wright

MEMBERS ABSENT:

D. Coon-Petersen

STAFF PRESENT:

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

R. Petruzzo, Multimedia Specialist
G. Verkade, Manager, Information Management and Technology
Systems

OTHERS PRESENT: T. Insinna, Chair, Niagara Peninsula Conservation Foundation

The Chair called the meeting to order at 9:32 a.m..

1. ADOPTION OF AGENDA

a) Addition of Items

Resolution No. FA-255-19
Moved by Board Member Metcalfe
Seconded by Board Member Smith

THAT the tabled Staff Report No. FA-173-19 RE: Whistleblower Policy **BE ADDED** to the agenda to be addressed in conjunction with item 4. h) Tabled Minutes of the Governance Committee meeting dated December 13, 2019.

THAT an additional item **BE ADDED** to the closed session in relation to personal matters about an identifiable individual.

CARRIED

b) Change in Order of Items – None

c) Adoption of Agenda

Resolution No. FA-256-19
Moved by Board Member Woodhouse
Seconded by Board Member Huson

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

CARRIED

2. DECLARATIONS OF CONFLICT OF INTEREST

None declared.

3. PRESENTATIONS (and/or Delegations)

a) PowerPoint presentation by Steve Miller, Senior Manager, Water Resources RE: Welland River Floodplain Public Engagement – Members posed questions to Mr. Miller and C.A.O. Wood. Discussion ensued.

Resolution No. FA-257-19
Moved by Board Member Hellinga
Seconded by Board Member Feor

THAT PowerPoint presentation by Steve Miller, Senior Manager, Water Resources RE: Welland River Floodplain Public Engagement **BE RECEIVED**.

CARRIED

- i) Approval of the Minutes of the Watershed Floodplain Committee meeting dated November 28, 2019

Resolution No. FA-258-19

Moved by Board Member Steele

Seconded by Board Member Woodhouse

THAT the Minutes of the Watershed Floodplain Committee meeting dated November 28, 2019 BE APPROVED and all recommendations therein **ADOPTED. CARRIED**

- ii) Report No. FA-164-19 RE: Welland River Floodplain Mapping Formal Adoption – Ms. Wood acknowledged the Members of the Welland River Floodplain Committee and the Board presented those Members in attendance with a token of appreciation. Members requested a recorded vote, separation of clauses in the recommendation for the purposes of voting and an amendment to the staff recommendation. Discussion ensued.

Resolution No. FA-259-19

Moved by Board Member Metcalfe

Seconded by Board Member Shirton

THAT Report No. FA-164-19 RE: Welland River Floodplain Update Formal Adoption **BE RECEIVED** for consideration.

Recorded Vote:	Yea	Nay
Dave Bylsma (Chair)	X	
Stewart Beattie	X	
Rick Brady	X	
Brad Clark	X	
Deborah Coon-Petersen		
Donna Cridland	X	
Leah Feor	X	
Rob Foster	X	
Jack Hellinga	X	
Diana Huson (Vice Chair)	X	
John Ingraio	X	
Brenda Johnson	X	
Ken Kawall	X	
Bruce Mackenzie	X	
John Metcalfe	X	
Bill Rapley	X	
Rob Shirton	X	
Ed Smith	X	
Bill Steele	X	
Mal Woodhouse	X	
Brian Wright	X	

CARRIED

Resolution No. FA-260-19**

Moved by Board Member Kawall
Seconded by Board Member Smith

THAT the Welland River Floodplain Mapping Update report and associated flood maps **BE APPROVED** for use in the implementation of the NPCA's Ontario Regulation 155/06, a Regulation intended to reduce the negative impacts of natural hazards including flooding, subject to a peer review and a report back to the Board.

DEFEATED

***Approved wording of the motion was corrected at the meeting of February 19, 2020 to appear as above.*

Resolution No. FA-261-19

Moved by Board Member Metcalfe
Seconded by Board Member Shirton

THAT the Welland River Floodplain Mapping Update Report and associated flood maps **BE APPROVED** for use in the implementation of the NPCA's Ontario Regulation 155/06, a Regulation intended to reduce the negative impacts of natural hazards including flooding.

Recorded Vote:	Yea	Nay
Dave Bylsma (Chair)	X	
Stewart Beattie	X	
Rick Brady	X	
Brad Clark	X	
Deborah Coon-Petersen		
Donna Cridland	X	
Leah Feor	X	
Rob Foster	X	
Jack Hellinga		X
Diana Huson (Vice Chair)	X	
John Ingrao	X	
Brenda Johnson	X	
Ken Kawall		X
Bruce Mackenzie	X	
John Metcalfe	X	
Bill Rapley	X	
Rob Shirton	X	
Ed Smith		X
Bill Steele	X	
Mal Woodhouse	X	
Brian Wright		X

CARRIED

- b) PowerPoint presentation by Steve Miller, Senior Manager, Water Resources RE: Lake Erie November Storm Events Summary – Mr. Miller presented and addressed questions of the Board. Discussion ensued.

Resolution No. FA-262-19

Moved by Board Member Shirton
Seconded by Board Member Steele

THAT PowerPoint presentation by Steve Miller, Senior Manager, Water Resources
RE: Lake Erie November Storm Events Summary **BE RECEIVED**.

CARRIED

- c) Presentation of video campaign by Renee Bisson, Manager, Communications and Public Relations – Ms. Bisson introduced the video.
- d) Recognition of retiring C.A.O. Gayle Wood by Chair Bylsma – Chair Bylsma spoke from the podium noting the accomplishments of Ms. Wood in her time with the NPCA and commending her for her dedication. Ms. Wood was presented with a gift from the Board. She addressed the proceedings thanking the Board and staff. The Niagara Peninsula Conservation Foundation Chair, Tom Insinna also thanked Ms. Wood presenting a token of appreciation from the Foundation. Ms. Wood presented tulip wood serving trays to the NPCA
- e) Recognition of 25 years of service for Dominic Difruscio by Chair Bylsma – Chair Bylsma thanked and acknowledged Mr. Difruscio for his years of service to the NPCA and presented him with a plaque and gifts commemorating his achievements. Mr. Difruscio addressed the proceedings.

4. ADMINISTRATIVE BUSINESS

- a) Approval of the Minutes of the Full Authority meeting dated November 20, 2019
- b) Approval of the Closed Session Minutes of the Full Authority meeting dated November 20, 2019 (provided under separate cover)
- c) Approval of the Minutes of the Special Full Authority meeting dated December 4, 2019
- d) Approval of the Closed Session Minutes of the Special Full Authority meeting dated December 4, 2019 (provided under separate cover)
- e) Approval of the Minutes of the C.A.O. Selection Committee Meeting dated November 25, 2019
- f) Approval of the Minutes of Closed Session of the C.A.O. Selection Committee Meeting dated November 25, 2019 (provided under separate cover)
- g) Approval of the Minutes of the Public Advisory Committee meeting dated November 28, 2019

Resolution No. FA-263-19

Moved by Board Member Shirton

Seconded by Board Member Steele

THAT the following minutes **BE ADOPTED** and the recommendations therein **APPROVED**:

- Minutes of the Full Authority meeting dated November 20, 2019;
- Closed Session Minutes of the Full Authority meeting dated November 20, 2019 to remain private and confidential;
- Minutes of the Special Full Authority meeting dated December 4, 2019;
- Closed Session Minutes of the Special Full Authority meeting dated December 4, 2019 to remain private and confidential;

- Minutes of the C.A.O. Selection Committee Meeting dated November 25, 2019;
- Minutes of Closed Session of the C.A.O. Selection Committee Meeting dated November 25, 2019 to remain private and confidential; and
- Approval of the Minutes of the Public Advisory Committee meeting dated November 28, 2019.

CARRIED

- h) Approval of the Minutes of the Governance Committee meeting dated December 13, 2019 (as tabled)

Resolution No. FA-264-19

Moved by Board Member Steele

Seconded by Board Member Shirton

THAT the minutes of the Governance Committee meeting dated December 13, 2019 **BE ADOPTED** as tabled and the recommendations therein **APPROVED**.

CARRIED

Report No. FA-173-19 RE: Whistleblower Policy (as tabled) – Governance Committee Chair Brad Clark responded to Member inquiries regarding future whistleblower policy reviews and co-ordination with the policies of the participating municipalities. Discussion ensued.

Resolution No. FA-265-19

Moved by Board Member Metcalfe

Seconded by Board Member Kawall

1. **THAT** Report No. FA-173-19 RE: Whistleblower Policy **BE RECEIVED**.
2. **THAT** the Whistleblower Policy attached as Appendix 1 to Report No. FA-173-19 **BE APPROVED**.

Recorded Vote:	Yea	Nay
Dave Bylsma (Chair)	X	
Stewart Beattie	X	
Rick Brady	X	
Brad Clark	X	
Deborah Coon-Petersen		
Donna Cridland		
Leah Feor	X	
Rob Foster	X	
Jack Hellinga	X	
Diana Huson (Vice Chair)	X	
John Ingrao	X	
Brenda Johnson	X	
Ken Kawall	X	
Bruce Mackenzie	X	
John Metcalfe	X	
Bill Rapley	X	
Rob Shirton	X	
Ed Smith	X	
Bill Steele	X	
Mal Woodhouse	X	
Brian Wright	X	

- i) Chair's Remarks – Chair Bylsma spoke on recent NPCA attendance at Haldimand County and Regional budget meetings as well as meetings held by the Public Advisory Committee, Welland River Floodplain Committee, Governance Committee, C.A.O. Selection Committee and a Special Board meeting. He also apprised the proceedings of the recent NPCA staff training/team-building day. Member Kawall raised concerns with the budget presentation to the Region of Niagara and spoke to the issue of floodplain mapping. Discussion ensued.
- j) Chief Administrative Officer Comments – Ms. Wood spoke on staff Years of Service recognition and courses completed by staff. She highlighted the awards received for treetop trekking and spoke on the Winter Solstice Program, the 2018 Annual Report and the quarterly progress reports. She also spoke on transitioning to the incoming C.A.O..

The Board recessed from 12:02 p.m. until 12:41 p.m..

5. BUSINESS FOR INFORMATION

- a) Report No. FA-165-19 RE: NPCA Regulations Enforcement Manual Update
- b) Report No. FA-166-19 RE: Provincial Flood Advisor's Report Update
- c) Report No. FA-167-19 RE: 2019 NPCA/Ontario Power Generation (OPG) Memorandum of Understanding Year End Status Report
- d) Report No. FA-168-19 RE: Restoration Program Update
- e) Report No. FA-169-19 RE: Communications Update Report – November 2019
- f) Report No. FA-171-19 RE: Chief Administrative Officer's Exit Report
- g) Report No. FA-172-19 RE: Niagara Region Natural Environmental Work Program Update – Geoff Verkade, Manager, Information Management and Technology Systems responded to questions raised by Members of the Board. Ms. Wood further elaborated. Lengthy discussion ensued.

Resolution No. FA-266-19

Moved by Board Member Ingrao

Seconded by Board Member Foster

THAT the following items **BE RECEIVED** into the record:

- Report No. FA-165-19 RE: NPCA Regulations Enforcement Manual Update;
- Report No. FA-166-19 RE: Provincial Flood Advisor's Report Update;
- Report No. FA-167-19 RE: 2019 NPCA/Ontario Power Generation (OPG) Memorandum of Understanding Year End Status Report;
- Report No. FA-168-19 RE: Restoration Program Update;
- Report No. FA-169-19 RE: Communications Update Report – November 2019;
- Report No. FA-171-19 RE: Chief Administrative Officer's Exit Report; and

- Report No. FA-172-19 RE: Niagara Region Natural Environmental Work Program Update.

CARRIED

6. BUSINESS FOR CONSIDERATION

- a) Report No. FA-163-19 RE: NPCA Land Management Strategy – C.A.O. Gayle Wood, Adam Christie, Acting Senior Manager, Operations and Special Projects, Stuart MacPherson, Restoration Project Lead and Kim Frohlich, Ecologist addressed questions. Lengthy discussion ensued.

Resolution No. FA-267-19
Moved by Board Member Ingrao
Seconded by Board Member Foster

1. **THAT** Report No. FA-163-19 RE: NPCA Land Management Strategy **BE RECEIVED**.
2. **THAT** the NPCA Land Management Strategy dated December 18, 2019 **BE APPROVED**.

DEFEATED

- b) Report No. FA-170-19 RE: Response to Auditor General Report Recommendations – December 2019

Resolution No. FA-268-19
Moved by Board Member Hellinga
Seconded by Board Member Ingrao

1. **THAT** Report No. FA-170-19 RE: Update - Auditor General Report Recommendations December 18, 2018 **BE RECEIVED** for information.
2. **THAT** a copy of Report No. FA-170-19 RE: Update Auditor General Report Recommendations December 18, 2019 **BE FORWARDED** to the Auditor General of Ontario and to the Minister of Environment, Conservation and Parks for information.

CARRIED

- c) Motion from Member Kawall RE: Development of a Protected Areas Strategy and the updating of the 2006-2009 Natural Area Inventory – Member Kawall spoke to the motion. Discussion ensued.

Resolution No. FA-269-19
Moved by Board Member Kawall
Seconded by Board Member Foster

WHEREAS, Carolinian Canada is working toward the goal of 30% protected landscapes in our watershed jurisdiction;

WHEREAS all of the Niagara Peninsula Watershed is located in Ontario's Carolinian Life Zone;

AND WHEREAS, the NPCA support the goals of protecting our landscapes;

THEREFORE, BE IT RESOLVED:

THAT the feasibility of developing of a Protected Areas Strategy and the updating of the 2006-2009 Natural Area Inventory be considered as components of the NPCA Strategic Plan to be updated in 2020 subject to a report back on resourcing and costing.

- d) Motion from Member Smith RE: Ad Hoc Committee to Review NPCA Policies – Member Smith spoke on the motion. Discussion ensued. The matter was deferred pending anticipated release of the pertinent provincial regulations.

Resolution No. FA-270-19

Moved by Board Member Smith

Seconded by Board Member Metcalfe

WHEREAS, a mandatory program provided by Conservation Authorities as defined in the Conservation Authorities Act is to prohibit, restrict, regulate or grant permission for development in or close to watercourses, shorelines, flood- and erosion-prone lands, wetlands and other areas where development could interfere with a wetland's ability to store water and mitigate flooding;

WHEREAS, the Conservation Authorities Act defines the objects of a CA as to provide, in the area over which it has jurisdiction, programs and services designed to further the conservation, restoration, development and management of natural resources;

WHEREAS, the Special Audit of the NPCA found that the NPCA needs to improve its processes to ensure it delivers programs and services economically, efficiently and in accordance with relevant legislation, regulations, agreements and policies and that the impact of human activities, urban growth and rural activities in the land within the NPCA's jurisdiction is effectively managed;

AND WHEREAS, the Special Audit of the NPCA found that the NPCA, at one time, had contradictory policies for reviewing development proposals and work permit applications;

AND WHEREAS, the Special Audit of the NPCA found that the NPCA's proposed policies (approved in September 2018 after the Auditor General's report) incorporate more permissive policies regarding developments near wetlands and valleylands;

AND WHEREAS, the NPCA Policy Document was approved on September 19, 2018, prior to the Auditor General tabling the Special Audit of the NPCA on September 27, 2018;

AND WHEREAS, the Special Audit of the NPCA included a survey of Conservation Authorities in Ontario best practices policies;

AND WHEREAS inconsistencies and permissiveness in policies can result in consequences that are contra the NPCA objects;

NOW THEREFORE, BE IT RESOLVED:

1. **THAT** the NPCA **WILL ESTABLISH** an ad hoc committee to review NPCA Policies for the Administration of Ontario Regulation 155/06 and the Planning Act for consistency with Ontario Conservation Authorities best practices, Section 3.1 of the Provincial Policy Statement and the Conservation Authorities Act.
2. **THAT** the committee **WILL CREATE** a report on policy inconsistencies and recommended changes for Board consideration for the NPCA Board meeting of April, 2020.

DEFERRED

7. BUSINESS – IN CAMERA

- a) Personal matters about identifiable individual(s), including NPCA employees

Resolution No. FA-271-19

Moved by Board Member Foster

Seconded by Board Member Hellinga

THAT the meeting of the Board of Directors of the Niagara Peninsula Conservation Authority **CONVENE** in closed session at 2:03 p.m. in accordance Section 11.1 of the NPCA Administrative By-law for the discussion on personal matters about identifiable individual(s), including NPCA employees.

CARRIED

Resolution No. FA-272-19

Moved by Board Member Foster
Seconded by Board Member Clark

THAT the meeting of the Board of Directors of the Niagara Peninsula Conservation Authority **RECONVENE** in open session at 2:25 p.m..

CARRIED

Resolution No. FA-273-19

Moved by Board Member Clark
Seconded by Board Member Brady

1. **THAT** Report No. FA-140-19 RE: Public Advisory Committee Member Appointments **BE RECEIVED**; and
2. **THAT** the NPCA Board of Directors **APPOINT** the following individuals as members representing the following sectors to the NPCA Public Advisory Committee:
Environmental sector: Jackie Oblak
Agriculture South sector Joseph Schonberger
Landowner/Public-at-Large: Erika Furney
Re-appointment:
Tourism/Chamber of Commerce Harry Korosis (2nd term)
3. **THAT** the Board **DIRECTS** that the PAC Terms of Reference **BE AMENDED** to permit the appointment of one additional member with climate change expertise related to NPCA watershed.
4. **THAT** the NPCA Board of Directors **DIRECTS** staff to begin recruitment of a PAC member with climate change expertise in accordance with the resolution of the NPCA PAC members at the September 25, 2019 meeting.

CARRIED

Resolution No. FA-274-19

Moved by Board Member Foster
Seconded by Board Member Brady

THAT the Board of Directors of the Niagara Peninsula Conservation Authority hereby **APPROVES** and **RATIFIES** the appointment of Chandra Sharma as Chief Administrative Officer / Secretary – Treasurer as per the terms and conditions discussed in the closed session.

CARRIED

Resolution No. FA-275-19

Moved by Board Member Brady
Seconded by Board Member Clark

THAT in accordance with the legal opinion received, the code of conduct complaint discussed in closed session **BE ADDRESSED** by instructing the complainant to lodge concerns with the Region of Niagara.

CARRIED

8. NOTICE OF MOTION

- a) Member Kawall submitted a motion for the February meeting to request staff compile a list of NPCA's operating and administrative policies and Memorandums of Understanding.

9. NEW BUSINESS

- a) Ombudsman's Report – Reference to the NPCA in the Ombudsman's report on Niagara Region was discussed along with the Region's request for a criminal investigation and the prospect of a formal resolution from the NPCA.

10. ADJOURNMENT

Resolution No. FA-276-19
Moved by Board Member Brady
Seconded by Board Member Shirton

THAT this meeting **BE** hereby **ADJOURNED** at 2:39 p.m..

CARRIED

Dave Bylsma
Chair
Niagara Peninsula Conservation Authority

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