



**NIAGARA PENINSULA CONSERVATION AUTHORITY (NPCA)
FULL AUTHORITY
MEETING MINUTES**

Wednesday, November 21, 2018
9:30 a.m.
Ball's Falls
Centre for Conservation – Glen Elgin Room
3292 Sixth Avenue, Jordan, ON

MEMBERS PRESENT: S. Annunziata (Chair)
B. Baty
S. Beattie
F. Champion (at 9:52 a.m.)
D. DiFruscio
D. Joyner
J. Kaspersetz (Vice-Chair)
P. MacPherson
J. Maloney
T. Quirk
R. Shirton
B. Timms

MEMBERS ABSENT: P. Darté
J. Diodati
A. Jeffs

STAFF PRESENT: M. Brickell, Chief Administrative Officer/Secretary-Treasurer
D. Barrick, Senior Director, Corporate Resources
T. Al-Zabet, Director, Watershed Management
L. McManus, Clerk/ Executive Coordinator

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*

The Board Chair called the meeting to order at 9:36 a.m. and welcomed those Board, staff and community members present.

1. ADOPTION OF AGENDA

1.1 Addition of Items

Resolution No. FA-187-18

Moved by Board Member Kaspersetz
Seconded by Board Member Maloney

1. That the Agenda **BE AMENDED to include receipt of the Auditor General of Ontario Special Audit of the Niagara Peninsula Conservation Authority Report to be dealt with as the first item under Reports (Agenda Item 6.2).**

CARRIED

1.2 Change in Order of Items

There were no changes in the order of items.

1.3 Adoption of Agenda

Resolution No. FA-188-18

Moved by Board Member Timms
Seconded by Board Member Joyner

1. That the Agenda **BE APPROVED as amended.**

CARRIED

2. DECLARATION OF CONFLICT OF INTEREST

There were no declarations of Conflict of Interest.

3. PRESENTATIONS (and/or Delegations)

3.1 Presentations

- 3.1.1 Adam Christie, Manager, Strategic Initiatives, provided Board Members with a presentation respecting the Ball's Falls 44th Annual Thanksgiving Festival, "Celebrating a Niagara Tradition". Topics of the presentation included:

- Details:

- October 5-8, 2018, 4 days over Thanksgiving weekend;
- Targeted local families and tourists to engage them in this "homecoming" Niagara tradition;
- Guests were encouraged to enjoy the natural setting of the conservation area while browsing for unique wares, sampling delectable food choices, and enjoying local music talents;
- Goals: Engage more than 25,000 guests over the course of the weekend, while targeting a total revenue gain of over \$115,000; and
- This year, the event team was successful in reaching these goals

Resolution No. FA-189-18
Moved by Board Member Joyner
Seconded by Board Member Beattie

1. That the presentation respecting the Ball's Falls 44th Annual Thanksgiving Festival, "Celebrating a Niagara Tradition" **BE RECEIVED** for information.

CARRIED

3.2 Delegations

3.2.1 Mr. G. Scott, Niagara Beeway, provided Board Members with information regarding "Watershed Contamination Environment Canada Pesticide Surveillance". Topics of the presentation included:

- Special Reviews of Clothianidin and Thiamethoxam – Risks to Aquatic Invertebrates
- Purpose: look at the contaminants in the Watershed
- Neonicotinoid Pesticides in drinking water in agricultural regions of southern Ontario, Canada
- Pesticides related to land use in watersheds of the Great Lakes basin

4. ADMINISTRATIVE BUSINESS

4.1 Approval of Draft Minutes

4.1.1 Full Authority Board Minutes – September 19, 2018

Resolution No. FA-190-18
Moved by Board Member Maloney
Seconded by Board Member Kaspersetz

1. That the Full Authority Board minutes of the meeting held on September 19, 2018 **BE APPROVED** as presented.

CARRIED

4.2 Business Arising from Minutes

Board Chair Annunziata advised that Board Member Quirk had notified the Clerk, that he would be withdrawing his Notice of Motion from the Full Authority Board meeting held on September 19, 2018.

4.3 Correspondence

There were no items of correspondence.

4.4 Chairman's Remarks

In respect of time, the Board Chair took the opportunity to express his thanks to NPCA Board Members for their dedication, advocacy and service to residents of the Watershed and to NPCA staff for their help and support.

4.5 Chief Administrative Officer Comments

Mr. Brickell expressed his gratitude and appreciation of the NPCA Board Members. He stated that their dedication and commitment respecting some heavy lifting, had positioned the NPCA to move forward in the most positive way. Successes with the 2018-2021 NPCA Strategic Plan, 8 Initiatives and budget steering had moved the NPCA towards a very professional and positive organization in a very short time.

5. BUSINESS FOR INFORMATION

Resolution No. FA-191-18

Moved by Board Member Baty

Seconded by Board Member Kaspersetz

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

- 5.1 Q3 (2018) Status Report - Office of the Chief Administrative Officer (CAO)
Report No. 66-18
- 5.2 Corporate Resources Q3 2018 Project Status Report
Report No. 67-18
- 5.3 Niagara Region Tree and Forest Conservation By-law Q3 (2018) Status Report
Report No. 68-18
- 5.4 Watershed Management Q3 Status Report
Report No. 69-18
- 5.5 Financial and Reserve Report – Month Ending October 2018
Report No. 70-18
- 5.6 John Street Tree Removal – Niagara-on-the-Lake
Report No. 71-18
- 5.7 Cave Springs Master Plan Update
Report No. 76-18

CARRIED

Staff Direction(s)

1. Revise the bar graph noted in Report No. 69-18 to ensure that all area municipalities are captured. Board Member Beattie.

6. BUSINESS FOR CONSIDERATION

6.1 Standing Committee Reports

- 6.1.1 Chief Administrative Officer (CAO) Recommendations -
Unallocated Funds – 2019 Operating Budget
Report No. 75-18

Resolution No. FA-192-18
 Moved by Board Member Kaspersetz
 Seconded by Board Member Campion

1. That Report No. 75-18 respecting CAO Recommendations - Unallocated Funds – 2019 Operating Budget **BE RECEIVED**; and
2. That the following recommended use of Unallocated Funds – 2019 Operating Budget **BE APPROVED**:

Floodplain Risk Assessment	\$75,000
Strat Plan/AG implementation	\$40,089
Increased Training Budget	\$25,000
TOTAL:	\$140,089

Resolution No. FA-193-18
 Moved by Board Member Beattie
 Seconded by Board Member Kaspersetz

1. That Report No. 75-18 respecting CAO Recommendations - Unallocated Funds – 2019 Operating Budget **BE RECEIVED**; and
2. That the \$140,089 **BE ALLOCATED** to Operating Reserves for consideration by the 2018-2021 NPCA Full Authority Board.

CARRIED

6.1.2 Budget Steering Committee – Recommendation Summary
 Minutes- November 14, 2018

Resolution No. FA-194-18
 Moved by Board Member Quirk
 Seconded by Board Member Timms

1. That the minutes of the Budget Steering Committee meeting held on Wednesday, November 14, 2018 **BE RECEIVED** and the recommendations contained therein, save and except the \$140,089 in Operating Reserves, **BE APPROVED**; and
2. That the following 2019 apportionment costs identified in Chart #1 (listed below) **BE FORWARDED** to the participating municipalities in accordance with Section 2. (1)(b) of Ontario Regulation 670/00.

Chart #1					
2019 Levy	Niagara	Hamilton	Haldimand	Total	
Regular Levy	\$4,972,722	\$1,324,928	\$118,434	\$6,416,084	
Special Levy	\$2,128,851	\$123,315	\$0	\$2,252,166	
Total	\$7,101,573	\$1,448,243	\$118,434	\$8,668,250	

Resolution No. FA-195-18
Moved by Board Member Timms
Seconded by Board Member Joyner

1. That the Draft 2019 Operating Budget **BE AMENDED to allocate as a placeholder, up to, \$20,000 for the Neonicotinoid toxin level testing of the NPCA 115 sites.**

DEFEATED

Resolution No. FA-196-18
Moved by Board Member Timms
Seconded by Board Member Joyner

1. That staff **BE DIRECTED** to provide the 2019 DRAFT Operating & Capital Budget Presentation.

DEFEATED

A request was made to have the resolutions noted in the Budget Steering Committee Recommendation Summary voted on separately.

A recorded vote was also requested for each of the resolutions contained within the Recommendation Summary.

Resolution No. FA-197-18
Moved by Board Member Quirk
Seconded by Board Member Timms

1. That Report No. BSC 02-18 respecting the Ball's Falls System Replacement Project Carry-over Request (Project Reference BF-2017-09) **BE RECEIVED**; and
2. That staff **BE AUTHORIZED** to carry over the Ball's Falls Septic System Replacement Project through to the end of 2019.

Recorded vote on Resolution FA-197-18, members voted as follows:

Yes (11): Board Members Annunziata, Baty, Beattie, Campion, Joyner, Kaspersetz, MacPherson, Maloney, Quirk, Shirton, Timms.

No (1): Board DiFruscio.

The Board Chair called the question on Resolution FA-197-18 and declared it was,

CARRIED

Resolution No. FA-198-18
Moved by Board Member Shirton
Seconded by Board Member Timms

1. That the DRAFT 2019 Capital Budget **BE APPROVED as amended to include the following items to be funded from the Capital Reserve:**
 - **Coin operated Washers/Dryers for Chippawa Conservation Area (\$8,000)**
 - **Highway recognition for Jordan Harbour (\$7,500)**

and;

2. That the Binbrook Conservation Area Temporary Entrance BE FUNDED from the Canada 150 excess funds (\$18,000).

Recorded vote on Resolution FA-198-18, members voted as follows:

Yes (10): Board Members Annunziata, Baty, Beattie, Campion, Joyner, Kaspersetz, MacPherson, Quirk, Shirton, Timms.

No (1): Board DiFruscio.

The Board Chair called the question on Resolution FA-198-18, as amended, and declared it was,

CARRIED

Note: Board Member Maloney was not in the Boardroom at the time of the recorded vote on Resolution FA-198-18.

Resolution No. FA-199-18

Moved by Board Member Quirk

Seconded by Board Member Joyner

1. That the DRAFT Operating Budget **BE APPROVED**, save and except, the \$140,089 allocated to Operating Reserves; and
2. That the following 2019 apportionment costs identified in Chart #1 (listed below) **BE FORWARDED** to the participating municipalities in accordance with Section 2. (1)(b) of Ontario Regulation 670/00.

Chart #1					
2019 Levy	Niagara		Hamilton	Haldimand	Total
Regular Levy	\$4,972,722		\$1,324,928	\$118,434	\$6,416,084
Special Levy	\$2,128,851		\$123,315	\$0	\$2,252,166
Total	\$7,101,573		\$1,448,243	\$118,434	\$8,668,250

Recorded vote on Resolution FA-199-18, members voted as follows:

Yes (10): Board Members Annunziata, Baty, Campion, DiFruscio, Joyner, MacPherson, Maloney, Quirk, Shirton, Timms.

No (2): Board Members Beattie, Kaspersetz.

The Board Chair called the question on Resolution FA-199-18 and declared it was,

CARRIED

Resolution No. FA-200-18
Moved by Board Member Quirk
Seconded by Board Member Joyner

1. That the revised version of the NPCA Scorecard (Operational and Strategic) **BE RECEIVED**; and
2. That identifying numbers and percentages associated with the Lead and Lags in the NPCA Scorecard (Operational and Strategic) **BE REFERRED** to the Full Authority Board of 2019 for their consideration.

Recorded vote on Resolution FA-200-18, members voted as follows:

Yes (12): Board Members Annunziata, Baty, Beattie, Campion, DiFruscio, Joyner, Kaspersetz, MacPherson, Maloney, Quirk, Shirton, Timms.

No (0):

The Board Chair called the question on Resolution FA-200-18 and declared it was,

CARRIED

The Board Chair called the question on the main Resolution FA-194-18, **as amended**, and declared it was,

CARRIED

6.1.3 Audit Committee – Minutes
November 14, 2018

Resolution No. FA-201-18
Moved by Board Member Kaspersetz
Seconded by Board Member MacPherson

1. That the minutes of the Audit Committee of the meeting held on November 14, 2018 **BE RECEIVED** and the following recommendation **BE APPROVED**:
2. That the KPMG Audit Planning Report for the year ended December 31, 2018 **BE APPROVED** as presented.

CARRIED

6.1.4 Budget Steering Committee – Minutes
November 6 and 7, 2018

Resolution No. FA-202-18
Moved by Board Member Timms
Seconded by Board Member Beattie

1. That the minutes of the Budget Steering Committee meetings held on November 6 and November 7, 2018 **BE RECEIVED** for information.

CARRIED

6.2 Reports

6.2.5 Auditor General of Ontario Report

Resolution No. FA-203-18

Moved by Board Member Baty

Seconded by Board Member DiFruscio

1. That the Auditor General of Ontario Report **BE RECEIVED**; and
2. That the recommendations contained therein **BE SUPPORTED**.

Recorded vote on Resolution FA-203-18, members voted as follows:

Yes (12): Board Members Annunziata, Baty, Beattie, Campion, DiFruscio, Joyner, Kaspersetz, MacPherson, Maloney, Quirk, Shirton, Timms.

No (0):

The Board Chair called the question on Resolution FA-203-18 and declared it was,

CARRIED

6.2.1 Status Update – Auditor General of Ontario Recommendations Report No. 65-18

Resolution No. FA-204-18

Moved by Board Member Timms

Seconded by Board Member Kaspersetz

1. That Report No. 65-18 respecting the Niagara Peninsula Conservation Authority (NPCA) Response and Actions Taken in Response to the Auditor General's Recommendations **BE RECEIVED**; and
2. That the Niagara Peninsula Conservation Authority (NPCA) Chief Administrative Officer/Secretary-Treasurer **BE DIRECTED** to provide quarterly updates regarding progress made in addressing the Auditor General's recommendations.

CARRIED

6.2.2 Options for the Niagara Peninsula Conservation Authority (NPCA) Full Authority Board DRAFT 2019 Proposed Meeting Schedule Report No. 72-18

Resolution No. FA-205-18

Moved by Board Member Shirton

Seconded by Board Member MacPherson

1. That Report No. 72-18 respecting Options for the Niagara Peninsula Conservation Authority (NPCA) Full Authority Board DRAFT 2019 Proposed Meeting Schedule **BE RECEIVED**;
2. That the Niagara Peninsula Conservation Authority (NPCA) Board of Directors **PROCEED TO IDENTIFY** one of the meeting schedule options

identified in Appendix 1 and Appendix 2 attached to Report No. 72-18 as the preferred 2019 Meeting Schedule; and

3. That the Clerk **BE DIRECTED** to ensure that the approved 2019 Meeting Schedule is posted on the Niagara Peninsula Conservation Authority website and appropriately communicated to participating municipalities and area municipalities.

Resolution No. FA-206-18

Moved by Board Member Beattie
Seconded by Board Member Quirk

1. That Report No. 72-18 respecting Options for the Niagara Peninsula Conservation Authority (NPCA) Full Authority Board DRAFT 2019 Proposed Meeting Schedule **BE RECEIVED**;
2. That the following January 2019 Meeting dates for the NPCA Full Authority Board **BE APPROVED**;

January 16, 2019 – Annual General Meeting
January 23, 2019 – Full Authority Meeting

3. That consideration of the Options for the Niagara Peninsula Conservation Authority (NPCA) Full Authority Board 2019 Meeting Schedule **BE REFERRED** to the new Board of Directors; and
4. That the Clerk **BE DIRECTED** to ensure that the January 2019 meeting dates are posted on the Niagara Peninsula Conservation Authority website and appropriately communicated to participating municipalities and area municipalities.

CARRIED

6.2.3 Conservation Area Rates & Fee Schedule 2019
Report No. 73-18

Resolution No. FA-207-18

Moved by Board Member Timms
Seconded by Board Member Kaspersetz

1. That Report No. 73-18 respecting the Conservation Area Rates & Fee Schedule 2019 **BE RECEIVED**; and
2. That the 2019 Conservation Area Fee Schedule outlined in Appendix 1 of Report No. 73-18 **BE APPROVED**.

CARRIED

6.2.4 Trail Maintenance Agreement with Glanbrook Conservation Committee
Report No. 74-18

Resolution No. FA-208-18

Moved by Board Member Beattie

Seconded by Board Member Kaspersetz

1. That Report No. 74-18 respecting the DRAFT Trail Maintenance Agreement with Glanbrook Conservation Committee **BE RECEIVED**; and
2. That staff **BE AUTHORIZED** to execute the DRAFT 3-year Trail Maintenance Agreement, attached to Report 74-18 as Appendix 1, with the Glanbrook Conservation Committee (GCC) regarding the Tyneside Trail at Binbrook Conservation Area.

CARRIED

7. BUSINESS – IN CAMERA

7.1 Motion to Move in to Closed Session

Resolution No. FA-209-18

Moved by Board Member Timms

Seconded by Board Member Shirton

That the Niagara Peninsula Conservation Full Authority Board meeting **DO NOW MOVE** in to Closed Session for the purposes of receiving information of a confidential manner respecting:

- 7.1.1 A Matter respecting Labour Relations, Human Resources, Employee Negotiations – CAO Verbal Update;
- 7.1.2 A Matter respecting A Proposed or pending acquisition or disposition of land by the NPCA - Confidential Report No. CR 04-18;
- 7.1.3 A Matter respecting A Proposed or pending acquisition or disposition of land by the NPCA - Confidential Report No. CR 05-18;
- 7.1.4 A Matter respecting A Proposed or pending acquisition or disposition of land by the NPCA; and
- 7.1.5 A Matter respecting Solicitor-Client Advice – CAO Verbal Update.

7.2 Motion to Reconvene in Open Session

Resolution No. FA-210-18

Moved by Board Member Shirton

Seconded by Board Member Kaspersetz

1. That the Niagara Peninsula Conservation Full Authority Board meeting **RECONVENE** in Open Session.

CARRIED

7.3 Business Arising from Closed Session

- 7.1.2 A Matter respecting A Proposed or pending acquisition or disposition of land by the NPCA - Confidential Report No. CR 04-18

Resolution No. FA-211-18

Moved by Board Member Timms

Seconded by Board Member Kaspersetz

1. That staff **PROCEED** as directed in Closed Session.

CARRIED

- 7.1.3 A Matter respecting A Proposed or pending acquisition or disposition of land by the NPCA - Confidential Report No. CR 05-18

Resolution No. FA-212-18

Moved by Board Member Baty

Seconded by Board Member Kaspersetz

1. That staff **PROCEED** as directed in Closed Session.

CARRIED

- 7.1.4 A Matter respecting A Proposed or pending acquisition or disposition of land by the NPCA;

Board members took no action with respect to this item; therefore, there is no business arising.

- 7.1.5 A Matter respecting Solicitor-Client Advice – CAO Verbal Update.

Resolution No. FA-213-18

Moved by Board Member Quirk

Seconded by Board Member Beattie

1. That staff **PROCEED** as directed in Closed Session.

CARRIED

- 7.1.1 A Matter respecting Labour Relations, Human Resources, Employee Negotiations – CAO Verbal Update

Board members took no action with respect to this item; therefore, there is no business arising.

8. NOTICE OF MOTION

8.1 Importance of Sound Stewardship Over the Natural Resources of the Area

Board Member Kaspersetz expressed his interest in having Board Members consider his resolution respecting the importance of sound stewardship over the natural resources of the area.

The Board Chair advised that to consider the motion at this meeting, notice would need to be waived with the affirmative support of two-thirds of the Board Members present.

Therefore, it was:

Resolution No. FA-214-18

Moved by Board Member Kaspersetz

Seconded by Board Member Joyner

1. That the notice requirements stated in Appendix 5 – Common Motions of the Niagara Peninsula Conservation Authority Administrative By-law **BE WAIVED** to permit the consideration of a motion from Board Member Kaspersetz with respect to the importance of sound stewardship over the natural resources of the area.

CARRIED

Resolution No. FA-215-18

Moved by Board Member Kaspersetz

Seconded by Board Member Baty

1. That the Niagara Peninsula Conservation Authority (NPCA) stands with our Indigenous, First Nation and Metis Communities in recognizing the importance of sound stewardship over the natural resources of the area.

CARRIED

9. NEW BUSINESS

9.1 Niagara Peninsula Conservation Foundation - Update

Board Member Baty provided members with clarification respecting recent articles that were critical of fundraising event expenditures that were more than the Canada Revenue Agency guidelines say charities should spend. As stated in the article, Board Member Baty advised that the Foundation was undergoing a transformation and plans to establish a new board of directors comprised of people from “the corporate world” who will chart a new future for the foundation.

9.2 Neonicotinoid Testing

Resolution No. FA-216-18

Moved by Board Member Timms

Seconded by Board Member Kaspersetz

1. That staff **BE DIRECTED** to prepare a report for the 2018-2022 NPCA Full Authority Boards consideration that identifies the cost to the NPCA of testing the levels of the Neonicotinoid related toxins in area municipalities within the watershed; and
2. That based on that costing being identified that the NPCA staff and Full Authority Board **WORK TOGETHER** with Niagara Region Public Health, Area Municipalities, the Ministry of Environment, Conservation and Parks, and any other Ministry that has a direct or indirect interest in the overall health of the watershed, to address budget impacts and next steps.

CARRIED

9.3 Update re: Funding for Erosion Impacts – Lowbanks

Board Member Shirton requested that the Chief Administrative Officer (CAO) reach out to Chuck and Laurie Jansen respecting the potential funding options available that would address the erosion impacts in Lowbanks and that the CAO copy Board Member Shirton on that correspondence.

10. ADJOURNMENT

There being no further business, the Full Authority meeting adjourned at 2:24 p.m. with the following resolution;

Resolution No. FA-217-18

Moved by Board Member Shirton

Seconded by Board Member Kaspersetz

That the Full Authority Meeting **BE NOW ADJOURNED.**

CARRIED

Sandy Annunziata
Board Chair
Niagara Peninsula Conservation Authority

Lisa McManus
Clerk
Niagara Peninsula Conservation Authority