

## Hamilton Region Conservation Authority

### Minutes

#### Board of Directors Meeting

**June 6, 2019**

Minutes of the Board of Directors meeting held on Thursday, June 6, 2019, at Woodend Auditorium, 838 Mineral Springs Road, Ancaster, Ontario at 7:00 p.m.

**PRESENT:**

<b>Lloyd Ferguson – in the Chair</b>	
<b>Dan Bowman</b>	<b>Jim Cimba</b>
<b>Brad Clark</b>	<b>Chad Collins</b>
<b>Susan Fielding</b>	<b>Tom Jackson</b>
<b>Cynthia Janzen</b>	<b>Santina Moccio</b>
<b>Esther Pauls</b>	<b>Maria Topalovic</b>

**REGRETS:**           **None**

**STAFF PRESENT:** **Lisa Burnside, Grace Correia, Gord Costie, Matt Hall, Bruce Harschnitz, Sara Kinnear, Stacey McConnell, Scott Peck, Bob Saccomano, Jaime Tellier, Nancy Watts**

**OTHERS:**           **Conservation Ontario - JoAnne Rzadki**  
**Media - Richard Leitner**  
**Members of the Public**

#### **1. Welcome**

Jo-Anne Rzadki welcomed everyone to the Annual General Meeting of the Hamilton Conservation Authority Board of Directors and indicated she would serve as Acting Chair of the Board of Directors to facilitate the Election of Officers. Jo-Anne then recited an acknowledgment of Indigenous Territory.

#### **2. Election of Officers**

##### **2.1. Election Procedures**

Jo-Anne Rzadki reviewed the election procedures to be as follows:

- A motion to appoint scrutineers and the destruction of ballots will be required
- Nominations only require a “mover”;
- Nominations will be called 3 times for each office;
- Closing of nominations will require a “mover” and a “seconded”;
- Each nominee will be asked if they are willing to serve;
- If more than one person is nominated and willing to serve, there will be a vote:
  - Each nominee will be allowed to speak in support of his/her nomination with a time limit of 5 minutes;
  - A vote will be held by secret ballot and no member may vote by proxy;

Jo-Anne asked if there were any questions, and hearing none, declared all offices vacant.

## 2.2. Appoint Scrutineers

**BD12,2647**

**MOVED BY: Chad Collins**  
**SECONDED BY: Susan Fielding**

**THAT, if more than one person is nominated, Scott Peck and Matt Hall be appointed scrutineers; and further**

**THAT all voting ballots (AGM Election Procedure) be destroyed after the meeting is concluded.**

**CARRIED**

## 2.3. Election of 2019 Chair

Jo-Anne RZadki called for nominations for the 2019 Chair for the Hamilton Conservation Authority.

**Nominated: Lloyd Ferguson**

**By – Mover: Tom Jackson**

Jo-Anne called for nominations twice more. Having no further nominations, the office of Authority Chair for 2019 was declared closed with the following resolution.

**BD12,2648**

**MOVED BY: Tom Jackson**  
**SECONDED BY: Maria Topalovic**



Jo-Anne asked Susan Fielding and Santina Moccio if they would serve; both accepted.

As there were two nominees, Jo-Anne advised a vote would be held. She instructed each nominee they would have five minutes to speak for the office of Vice-Chair.

Nominee #1: Susan Fielding thanked the members for their consideration and highlighted her employment and volunteer experience that would be of benefit to the Board of Directors and HCA.

Nominee #2: Santina Moccio thanked the members for their consideration and highlighted her employment and volunteer experience that would be of benefit to the Board of Directors and HCA.

Jo-Anne thanked the nominees for their comments and requested the ballots be distributed to the Board members for the purpose of placing their vote.

Scrutineers, Scott Peck and Matt Hall, distributed and collected the ballots, and left the meeting room to count the ballots. Upon returning, the scrutineers provided the results to Jo-Anne who announced:

**BD12,2651                      MOVED BY:              Tom Jackson**  
**SECONDED BY:        Lloyd Ferguson**

**THAT Santina Moccio has been declared Vice Chair of  
                                            the Hamilton Conservation Authority Board of Directors  
                                            for 2019.**

**CARRIED**

2.5. Election of Three (3) Members to the Budget & Administration Committee

Jo-Anne Rzadki advised that the Budget & Administration Committee (B&A) consists of five (5) Board of Director members; the Chair, Vice Chair, and three (3) members elected at large, and that the Vice Chair of the Board serves as Chair of B&A.

Jo-Anne indicated the nomination procedures were the same as for the Chair and Vice Chair, and called for nominations.

Santina Moccio nominated Jim Cimba and Dan Bowman.

Jo-Anne called for nominations twice more and having none further, declared the membership on the Budget & Administration Committee for 2019 closed with the following resolution.

**BD12,2652                MOVED BY:            Brad Clark**  
**SECONDED BY:        Lloyd Ferguson**

**THAT nominations for the 2019 Budget & Administration Committee be closed, with one position declared vacant.**

**CARRIED**

Jo-Anne asked Dan Bowman and Jim Cimba if they accepted their nominations. Both Dan Bowman and Jim Cimba accepted their nominations. Jo-Anne declared their acclimation to the office.

**BD12,2653                MOVED BY: Chad Collins**  
**SECONDED BY: Maria Topalovic**

**THAT Dan Bowman and Jim Cimba be confirmed as members of the Hamilton Conservation Authority Budget & Administration Committee for 2019 and the remaining position be declared vacant.**

**CARRIED**

#### 2.6. Election of Chair to Conservation Advisory Board

Jo-Anne Rzaszki called for nominations for the 2019 Chair for the Conservation Advisory Board.

**Nominated: Maria Topalovic**

**By – Mover: Santina Moccio**

Lloyd Ferguson moved the nominations be closed.

**BD12,2654                MOVED BY:            Lloyd Ferguson**  
**SECONDED BY:**

**THAT nominations for the 2019 Chair of the Conservation Advisory Board be closed.**

**CARRIED**

Jo-Anne asked Maria Topalovic if she would accept the nomination. Maria accepted the nomination. Jo-Anne declared Maria as Chair by acclamation.

**BD12,2655**                      **MOVED BY:             Dan Bowman**  
 **SECONDED BY:        Chad Collins**

**THAT Maria Topalovic be confirmed as Chair of the  
Conservation Advisory Board for 2019.**

**CARRIED**

### 2.7. Board Representatives to Conservation Advisory Board

Jo-Anne Rzadki explained the Chair and Vice Chair of the Board of Directors are ex-officio of the Conservation Advisory Board and up to two additional directors may join the newly elected CAB Chair as sitting members of CAB.

Jo-Anne asked the members if they are interested in sitting on the Conservation Advisory Board to declare as such by raising their hand. Cynthia Janzen raised her hand. Brad Clark then nominated Cynthia.

Jo-Anne remarked that in addition to the Chair of CAB, Maria Topalovic, board member Cynthia Janzen had expressed interested in sitting on the Conservation Advisory Board. The matter of Board representatives to the Conservation Authority Board was closed with the following resolution.

**BD12,2656**                      **MOVED BY:             Susan Fielding**  
 **SECONDED BY:        Santina Moccio**

**THAT, Cynthia Janzen be confirmed as a member of the  
Conservation Advisory Board for 2019 and the remaining  
positon be declared vacant.**

**CARRIED**

### 3. Call to Order for Normal Course of Business

Lloyd Ferguson assumed the Chair. He thanked the members for their confidence in his abilities to serve as Chair of the Board of Directors. He congratulated Susan for an admiral job serving as Acting Chair for the past six months. He also welcomed Cynthia and Jim to the Board, indicated they both bring unique skill sets to the Board that will be beneficial, and congratulated the returning citizen members, Dan, Santina and Maria. He shared that there were many applications

to serve on the HCA Board. Fellow Selection Committee members, Chad Collings and Brad Clark, affirmed the interest in serving on this Board.

Lloyd shared that he first sat on the HCA Board of Directors in the early 80's, before returning in 2007. He served as Chair of Police Services Board for many years and looks forward to now serving as Chair of the HCA Board. He praised HCA staff and cited his desire to work with staff as one of the reasons for his interest in serving as Chair. Lloyd then called the meeting to order.

#### **4. Declarations of Conflict of Interest**

There were none.

#### **5. Approval of Agenda**

The Chair indicated that there will be two items added to the agenda. A verbal update on Bill 108 was added as item 9.1 under Business Arising from the Minutes. A walk-on addendum to item 12.5 Saltfleet Wetland Design Request for Proposal (RFP) Results.

**BD12,2657**

**MOVED BY: Jim Cimba**

**SECONDED BY: Susan Fielding**

**THAT the agenda be approved as amended.**

**CARRIED**

#### **6. Delegations**

There were none.

#### **7. Consent Items for Applications, Minutes, and Correspondence**

The following consent items were adopted. Brad Clark thanked staff for the comprehensive response to the Province regarding item 7.3.

7.1. Applications – Development, Interference with Wetlands, Alterations to Shorelines and Watercourses

7.2. Approval of Board of Directors Minutes – May 2, 2019

7.3. HCA and Conservation Ontario comment letters regarding ERO #013-4992 and #013-5018

#### 7.4. Press Release – Safety Near Escarpment Areas

### 8. Member Briefing

There were none.

### 9. Business Arising from the Minutes

#### 9.1. Bill 108 – The More Homes, More Choice Act

Lisa Burnside provided the members with a verbal update on the passage of Bill 108 by the Ontario Legislature late in the afternoon on June 6<sup>th</sup>. Lisa indicated the original bill outlined four core areas of focus for Conservation Authorities; natural hazards, conservation and management of lands, drinking water source protection and the protection of Lake Simcoe, but that Conservation Ontario was successful in having a fifth area of focus added to the bill, related to conserving natural resources. She noted this area is important to address monitoring, water quality and restoration; that without these items, the legislation is leaving a large gap in the watershed management approach. Lisa advised the new category of mandatory programs and services would be prescribed within one year of the other mandatory programs and services being enacted.

She added that the Province has not yet issued any regulations related to the legislation to fully understand the implications of the changes. The members thanked Lisa for the update and inquired about Conservation Ontario's plans moving forward as the legislative changes are borne out. Lisa responded that Conservation Ontario will continue to strategize and advocate on behalf of Conservation Authorities.

**BD12,2658**

**MOVED BY: Santina Moccio**

**SECONDED BY: Tom Jackson**

**THAT the Verbal Update on Bill 108 – The More Homes, More Choice Act, be received as information.**

**CARRIED**

### 10. Other Correspondence

There were none.



## 11. Reports from Budget & Administration Committee, Conservation Advisory Board, and the Foundation

### 11.1. Foundation Chairman's Report

Grace Correia advised that the Chair of the Foundation Board is taking a leave of absence and the Vice-Chair was unable to attend the meeting and therefore presented the report on behalf of the Foundation. Grace indicated elections will be held for the Chair and Vice-Chair of the Foundation Board on Monday, June 10.

Grace reported the Foundation received a total of **\$2,836** in donations in May, with the following details:

- \$1,645 for the Area of Greatest Need Fund
- \$556 for the Dundas Valley CA Fund
- \$250 for Tree and Shrub plantings
- \$235 for Land Securement
- The remaining \$150 came in donations for Education, Westfield Heritage Village and Turtle Fencing.

Grace advised the total for the current fiscal year (Dec 2018 to Apr 2019) is now \$150,409.00.

Grace also shared that the Foundation held its Appreciation Evening on Monday, May 13, at the Dundas Valley Golf & Curling Club. The event was attended by 75 donors, volunteers, and Watershed Stewards who heard Lisa Burnside speak about HCA's work and how donations to the Foundation help improve HCA's positive impact on the Hamilton watershed.

**BD12,2659**

**MOVED BY: Chad Collins**

**SECONDED BY: Dan Bowman**

**THAT the Foundation Chairman's Report be received as information.**

**CARRIED**

## 12. Other Staff Reports/Memorandums

### 12.1. Voting Representatives to Conservation Ontario

Lisa Burnside presented the report, providing members with a brief summary of Conservation Ontario, its vision and mission, and role in coordination of

Conservation Authority programs and services. Lisa advised that each year the member Conservation Authorities appoint voting delegates to the Conservation Ontario Council and provided a staff recommendation for HCA's 2019 voting designate and alternates.

**BD12,2660**

**MOVED BY: Brad Clark**

**SECONDED BY: Susan Fielding**

**THAT the following members be appointed to Conservation Ontario for 2019:**

**Designate: Chair**

**Alternate: Vice Chair**

**Second Alternate: Chief Administrative Officer**

**Third Alternate: Deputy Chief Administrative Officer; and further**

**THAT Conservation Ontario be advised of these appointments.**

**CARRIED**

## 12.2. Consent Agenda

Lisa Burnside presented the report, providing a brief history on HCA's adoption of consent agenda items and the requirements set out in the HCA Administrative By-law to reconsider the adoption of the consent agenda at the Annual General Meeting. The members discussed putting forward a change to the Administrative By-law during an upcoming governance review, to only revisit the use of the consent agenda if a member requests a change to the practice, rather than revisiting the practice annually.

**BD12,2661**

**MOVED BY: Jim Cimba**

**SECONDED BY: Susan Fielding**

**THAT the current consent agenda items for applications, approval of minutes and correspondence be continued until the next AGM in 2020; and further**

**THAT staff be directed to revise the Administrative By-law to provide for use of a consent agenda until a member requests a change to the practice.**

**CARRIED**

### 12.3. Appointment of the Auditor

Lisa Burnside presented the report, advising that HCA's Administrative By-Law requires the auditor for the upcoming year be appointed by the Board at the Annual General Meeting each year. Lisa provided a summary of HCA's history working with Grant Thornton and the services they provide each year. Staff have a good working relationship with Grant Thornton staff and have found their work to have been undertaken in a very competent and professional manner. Lisa advised there are two years remaining on an existing contract between HCA and Grant Thornton, with a predetermined fee.

**BD12,2662**

**MOVED BY: Chad Collins**

**SECONDED BY: Tom Jackson**

**THAT the audit firm of Grant Thornton is appointed as the auditors Hamilton Conservation Authority for the year 2019.**

**CARRIED**

### 12.4. Board meeting schedule for 2019

Lisa Burnside presented the memorandum confirming the Board meeting dates for 2019, as required in HCA's Administrative By-Law to be undertaken annually at the Annual General Meeting. The ten meetings were also previously approved by the members at a meeting in December, 2018.

**BD12,2663**

**MOVED BY: Dan Bowman**

**SECONDED BY: Susan Fielding**

**THAT the memorandum entitled 2019 Schedule for Board of Directors Meetings be received as information.**

**CARRIED**

### 12.5. Request for Proposal - Saltfleet Conservation Area Wetland Restoration Project

Scott Peck presented the report providing a summary of the Saltfleet Conservation Area Wetland Restoration Program, including the goals and objectives of the project, and details of land acquisition that has taken place to-

date to facilitate the project. Scott then outlined the details of a Request for Proposals for engineering, natural heritage and archeological consulting services to complete additional studies and prepare the detailed design for a second wetland, to be constructed on a newly acquired parcel that will come into HCA ownership on June 14, 2019. A previous Request for Proposal was approved by the Board of Directors for another component of the larger Conservation Area project, located on First Road East.

Scott advised that funds are available to complete this work and are within the 2019 approved budget. Specifically, funding has been obtained through the National Disaster Mitigation Fund with a deadline for project completion of March 31, 2020.

12.5.1. Addendum for Request for Proposal - Saltfleet Conservation Area Wetland Restoration Project

Scott presented an addendum report to the Request for Proposal - Saltfleet Conservation Area Wetland Restoration Project outlining the results of the Request for Proposals. Thirty parties retrieved the request from the Bid n' Go site, and five proposals were submitted prior to the May 31, 2019, 4:00 p.m. deadline. Staff recommended accepting the proposal from Water's Edge Environmental Solutions Team, citing their experience with natural channel and wetland design, experience working with the Ministry of Natural Resources and Forestry, the level of detail included in the submission and the low quote, as support for the recommendation. Scott also highlighted that Water's Edge is also undertaking the design work for the Saltfleet Conservation Area Wetland Restoration Project wetland located at First Road East and the Stoney Creek & Battlefield Creek Flood Plain Mapping Study project, which allows for streamlined project management.

Members inquired if the proposal was under budget. Scott replied that it was. Members requested an update regarding available funds for land securement or any additional funds. Scott advised the Board that a status report regarding available funds and potential funding sources for this project such as the Heritage Green Community Trust would be prepared for a fall Board of Directors meeting. Lloyd Ferguson suggested the project site be included on the upcoming watershed tour for Board members.

**BD12,2664**

**MOVED BY: Brad Clark**  
**SECONDED BY: Santina Moccio**

**THAT HCA staff recommends to the Board of Directors:**

**THAT the report entitled Request for Proposals for Wetland Design - Saltfleet Conservation Area**

**Wetland Restoration Project be received for information; and further**

**THAT the associated Request for Proposals submitted for the project be provided for approval at the June 6, 2019 Board of Directors meeting; and further**

**THAT the proposal for the Wetland Design - Saltfleet Conservation Area Wetland Restoration Project submitted by Water's Edge Environmental Solutions Team be accepted at a cost not to exceed \$ 90,940.00 plus HST.**

**CARRIED**

12.6. Current Watershed Conditions as of May 23, 2019

Scott Peck presented the report. He advised that riverine flooding in the watershed is not a concern as levels are within expected ranges for the amount of precipitation received. However, Lake Ontario water levels continue to be significantly above normal, due to record inflows from Lake Erie and continuing flooding in the St. Lawrence River. As of today, the static levels are 2cm higher than the highest level recorded in May of 2017 (75.88 masl).

There are no observations, reports, or expectations of significant shoreline flooding or erosion at this time, however, localized flooding has been reported for low-lying sections of the Desjardin Recreation Trail and Cootes Paradise. Localized flooding of low-lying sections and/or localized shoreline erosion has also been reported along waterfront trails in the Confederation Park and Beach Blvd areas.

Of particular concern are the flooding and erosion hazards associated with wave action when the water levels are this high. Winds of 20-25 km/hr or greater from the north, northeast and east can cause significant wave action. HCA staff are monitoring the situation daily and issue watershed conditions statements, as appropriate. Scott also reported that agencies responsible for monitoring the Great Lakes water levels have indicated Lake Ontario may reach its seasonal peak by the end of June.

Lloyd Ferguson inquired about effectiveness of stormwater management facilities and HCA's dams in preventing flooding in our watershed. Scott responded that HCA has a strong flood forecasting program; that Valens Lake, Beverly Swamp and Christie Lake offer flood attenuation.

Tom Jackson shared that the City of Hamilton has approved \$31 million dollars for waterfront restoration, with Public Works leading the project and in consultation with HCA. A Lakeshore Management Plan is being developed to provide better guidance for the proposed work. Scott indicated HCA staff have met with City staff recently and are working cooperatively on the project.

**BD12,2665**

**MOVED BY: Santina Moccio  
SECONDED BY: Chad Collins**

**THAT the memorandum entitled Current Watershed Conditions as of May 23, 2019 be received as information.**

**CARRIED**

#### 12.7. Upcoming HCA and Partner Events

Gord Costie shared with the members that 6800 people attended the Christie Lake Antique and Vintage Show, despite inclement weather in the morning and late afternoon. He acknowledged staff efforts on the day of to assist with challenges related to the weather. Gord also acknowledged staff at Wild Waterworks for working long hours to train new staff, complete maintenance, and set up for opening day. He highlighted that there are a number of options to celebrate Father's Day at HCA facilities. He also reported that all areas are open and operational and staff anticipate high attendance as usual for Canada Day.

**BD12,2666**

**MOVED BY: Chad Collins  
SECONDED BY: Santina Moccio**

**THAT the memorandum entitled Upcoming HCA and Partner Events be received as information.**

**CARRIED**

#### **13. New Business**

There was none.

#### **14. In-Camera Items for Matters of Law, Personnel and Property**

**BD12,2667**

**MOVED BY: Santina Moccio  
SECONDED BY: Dan Bowman**

**THAT the Board of Directors moves *in camera* for matters of law, personnel and property.**

**CARRIED**

**14.1. Confidential Memorandum – BD/Jun 01-2019**

Lisa Burnside and HCA legal counsel provided a verbal update regarding property matter and answered the member's questions.

**BD12,2668**

**MOVED BY: Chad Collins**

**SECONDED BY: Santina Moccio**

**THAT the confidential memorandum entitled BD/Jun 01-2019 be received as information and remain in camera.**

**CARRIED**

**BD12,2669**

**MOVED BY: Susan Fielding**

**SECONDED BY: Maria Topalovic**

**THAT the Board of Directors moves out of *in camera*.**

**CARRIED**

**15. Next Meeting – Thursday, July 4, 2019**

**16. Adjournment**

On motion, the meeting adjourned.



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Neil McDougall  
Secretary-Treasurer