

Hamilton Region Conservation Authority

DRAFT Minutes

Board of Directors Meeting

December 2, 2021

Minutes of the Board of Directors meeting held on Thursday, December 2, 2021, at 7.p.m., at the HCA main office, 838 Mineral Springs Road, in Ancaster, and by teleconference.

PRESENT:

Lloyd Ferguson – in the Chair	
Dan Bowman	Brad Clark
Jim Cimba	Susan Fielding
Tom Jackson	Cynthia Janzen
Santina Moccio	Esther Pauls – by telephone
Russ Powers	Maria Topalovic

Margaret Reid – Foundation – by telephone

REGRETS: **None**

STAFF PRESENT: **Lisa Burnside, Grace Correia, Gord Costie, Matt Hall, Neil McDougall, Scott Peck, Jaime Tellier, and Nancy Watts**

OTHERS: **None**

1. Call to Order

The Chair called the meeting to order and welcomed everyone present. The Chair welcomed Russ Powers to the Board of Directors, replacing Chad Collins. He noted that Councillor Powers is a previous Chair of the Board of Directors.

2. Declarations of Conflict of Interest

The Chair asked members to declare any conflicts under the Board's Governance Policy. Susan Fielding declared a conflict regarding a land acquisition proposal in the Township of Puslinch as she knows the current owners of the property. Brad Clark declared a conflict of interest regarding item 5.4 relating to 140 Garner Road East as his son has a retail interest with one of the principles of the consulting company.

3. Approval of Agenda

The Chair requested any additions or deletions to the agenda. Lisa Burnside advised there were two additional items for the agenda that were circulated to the members in an addendum to the agenda, an item of correspondence added as item 5.4 and a report of tender results that was added as item 10.1.1. Lisa also advised of an additional in-camera item related to a property matter.

BD12, 2969

MOVED BY: Santina Moccio

SECONDED BY: Russ Power

THAT the agenda be approved, as amended.

CARRIED

4. Delegations

There were none.

5. Consent Items for Applications, Minutes and Correspondence

The following consent items were adopted:

- 5.1. Applications – Development, Interference with Wetlands, Alterations to Shorelines and Watercourses
- 5.2. Approval of Board of Directors Minutes – November 4, 2021
- 5.3. Approved October 21, 2021 Budget & Administration Committee Minutes – for receipt only
- 5.4. Letter from Ontario Land Tribunal to Hamilton Conservation Authority regarding OLT Case Number OLT 21-0015676, for 140 Garner Road East, dated November 21, 2021

6. Foundation Briefing

Margaret Reid reported on the following:

Donations

The Foundation received a total of **\$52,554** in new donations from November 1 to 30, including:

- \$25,300 for the Saltfleet CA Fund, and
- \$22,287 for Area of Greatest Need Fund

Fall Appeal

The Fall Appeal was mailed last month, inviting past donors, members of the Conservation Advisory Board, and members of both the HCA and Foundation Boards to make a gift to the Foundation's Area of Greatest Need Fund.

2021 Highlights

The Foundation raised just over \$285,000 for priority conservation projects, a 5% increase over 2020. The generosity of our donors ensured the Foundation once again met its commitment to fully fund the Education program.

Fundraising for the Saltfleet Wetland Project has moved into high gear with \$30,000 received this year and an additional \$25,000 pledged from the Greenbelt Foundation towards the wetland design and construction and additional interested potential donors on the horizon for 2022.

Tree plantings continue to be popular with our donors with approximately \$10,000 received in 2021 toward our Tribute Tree Program or to specific plantings. From these funds, we contributed approximately \$8,000 to HCA for plantings this year at Fifty Point, Valens, and the newly-re-opened Mount Albion Conservation Areas.

With conservation areas and trails continuing to be well used, the Foundation was able to contribute approximately \$60,000 to trail and bridge improvements this year, primarily in Dundas Valley.

Looking Ahead

The Foundation is finalizing its strategic priorities for 2022, with anticipated growth in donations. Fundraising focuses for next year include continuing to fully fund the Environmental Education Program, funding future work at Saltfleet Conservation Area, and starting to build the Education Endowment to a level where it will generate sufficient income to fully fund the annual operating needs of the education program.

BD12, 2970

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

THAT the Foundation Briefing be received.

CARRIED

7. Member Briefing

7.1. Year End Briefings by Various Divisions – Verbal Update

Lisa Burnside and the Departmental Directors provided the members with a year in review.

Lisa commented she was proud of the work staff have safely accomplished through the ongoing pandemic for the benefit of our watershed, community and our two participating municipalities, the City of Hamilton and Township of Puslinch and how our work touched on all areas in our strategic plan. She shared key COVID updates, new technology we have leveraged and commented on legislative changes to the Conservation Authorities Act and HCA's compliance with the new requirements.

Nancy Watts shared that 2021 was a busy year for Human Resources and Wellness, highlighting HCA's commitment to health and safety measures, recognized staff receiving service awards and staff that retired in 2021, and thanked those staff for their efforts and dedication to HCA. She also advised on the resiliency of the Environmental Education program to shift to virtual learning and continue to be able to connect with students.

Neil McDougall commented on the fundamental support of the Finance department in processing and accounting for thousands of transactions that keep the financial engine of HCA going. He also highlighted equipment acquisitions by Fleet with the aim to standardize our equipment and commented on the innovation of the Forestry program to turn hazard trees into firewood for sale at Valens Conservation Area. He closed his remarks by noting that HCA's engagement of an external IT service provider has strengthened HCA's infrastructure against cyber attacks.

Gord Costie highlighted the renewal of the Hamilton Mountain Conservation Areas (HMCA) with new dedicated full-time staff and the opening two additional areas for the HMCA, Saltfleet CA and the Chippewa Trail Parking Lot - Mount Albion CA. Gord also touted the greatest surge in HCA Membership Pass sales in the history of the organization, and high levels of service through record attendance again in 2021.

Matt Hall shared photos of significant CAPSS projects in 2021, including the restoration of the Fifty Point shoreline. He also highlighted the work undertaken to bring the Fifty Point Master Plan near completion and shared photos of the cabins at Valens Lake, anticipated for Spring, 2022.

Scott Peck recognized the efforts required of engineering staff to see the Saltfleet wetland creation project from design through to approvals. He also highlighted the work of Ecology and Stewardship staff toward implementing the objectives of the invasive species strategy, and also creating educational videos with the M&C department to promote management of invasive species on private lands. Lastly Scott highlighted the Planning and Regulations program, commenting on the

complexity of development applications and the multi-disciplinary approach to their review.

The members thanked senior staff for their presentations and congratulated all staff on all of the things accomplished in 2021. The Chair also thanked the Vice-Chair and Board for their support throughout the year. Russ Powers commented that HCA is valuable asset to the City of Hamilton.

8. Business Arising from the Minutes

There was none.

9. Reports from Budget & Administration Committee and Conservation Advisory Board

9.1. Budget and Administration Committee – November 18, 2021 (Recommendations)

9.1.1. BA 2142 2022 Mileage Rate

Santina Moccio introduced the report, noting the staff recommendation to increase the mileage reimbursement rate in response to the increase to the CPI for private transportation and to keep within the average rate of area conservation authorities.

BD12, 2971

**MOVED BY: Santina Moccio
SECONDED BY: Maria Topalovic**

**THAT the Budget & Administration Committee
recommends to the Board of Directors:**

**THAT the mileage rate of 54 cents per kilometre be
increased to 56 cents per kilometre effective January 1,
2022.**

CARRIED

9.1.2. BA 2143 2022 Casual Wage Rates

Santina Moccio brought forward the report, highlighting the revised wage grids for casual staff reflecting the additional increase to minimum wage proposed by the Province. The revised wage grids will provide for the required increase to

minimum wage that is proposed effective January 1 and maintain pay grades to assist with recruitment and retention of staff to successfully run our operations.

BD12, 2972

MOVED BY: Santina Moccio

SECONDED BY: Dan Bowman

THAT the Budget & Administration Committee recommends to the Board of Directors:

THAT the revised January 1, 2022 Casual/Seasonal wage grids for Hamilton Conservation Authority, Confederation Beach Park/Wild Waterworks and Construction/Forestry and Fleet as outlined in the November 18, 2021, report be approved, should the proposed increase to minimum wage be implemented by the Province.

CARRIED

9.1.3. BA 2144 Honorariums and Per Diems

Santina Moccio presented the report noting no changes to the honorariums or per diems for 2021 are recommended. Significant increases were put in place for 2020 to bring our honorariums and per diems in line with area conservation authorities.

BD12, 2973

MOVED BY: Santina Moccio

SECONDED BY: Tom Jackson

THAT the Budget and Administration Committee recommends to the Board of Directors:

THAT the current HCA's honorarium rates for the Chair and Vice-Chair of the Board of Directors and per diem rate for Board of Directors and Advisory Board, remain in effect for 2022.

CARRIED

10. Other Staff Reports/Memorandums

10.1. Saltfleet Wetland Construction Tender

10.1.1. Request for Tender – Addendum Tender Results – Saltfleet Conservation Area Battlefield Creek Wetland Storage Facility (BC-1)

Scott Peck presented a summary of the reports and answered the members' questions. The range of tender prices was discussed. Staff are satisfied the lowest bid meets the requirements set out in the tender. The initial budget for the project of \$2.5 million was confirmed.

Brad Clark inquired about any changes to the funding request to the Heritage Green Community Trust, in light of the tendered cost. Lisa Burnside responded that HCA may be able to complete the first wetland using the funds requested from Heritage Green and therefore could apply City of Hamilton funds toward the completion of other wetlands in the project.

Brad Clark requested the revised costs and awarded tender amount be sent to the Heritage Green Community Trust.

BD12, 2974

**MOVED BY: Brad Clark
SECONDED BY: Jim Cimba**

THAT the Request for Tender for the Saltfleet Conservation Area Battlefield Creek Wetland Storage Facility (BC-1) be considered for approval at the December 2, 2021 Board of Directors meeting.

THAT the Tender for the Saltfleet Conservation Area Battlefield Creek Wetland Storage Facility (BC-1) submitted by Oakridges Group Inc. be accepted at a cost not to exceed \$ \$2,020,549.95 inclusive of HST.

CARRIED

10.2. Watershed Conditions Report

Scott Peck presented a summary of the memorandum, highlighting there have been no current or recent observations or reports of significant watercourse flooding, public safety concerns, or Lake Ontario shoreline flooding. No significant watercourse or Lake Ontario shoreline flooding was expected at the time of the report. Average watercourse flows have predominantly been well above long-term averages. The Christie Lake and Valens Lake levels are slightly high, however are slowly receding as part of the on-going annual Fall draw down of reservoir levels.

BD12, 2975

**MOVED BY: Cynthia Janzen
SECONDED BY: Dan Bowman**

THAT the memorandum entitled Watershed Conditions Report be received.

CARRIED

11.New Business

There was none.

12.In-Camera Items

BD12, 2976

MOVED BY: Jim Cimba

SECONDED BY: Maria Topalovic

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

CARRIED

During the *in camera* session, three personnel matters and two property matters were discussed.

12.1. Confidential Verbal Update – BD/Dec 01-2021

Nancy Watts provided a verbal update regarding a personnel matter and answered the members' questions.

12.2. Confidential Verbal Update – BD/Dec 02-2021

Lisa Burnside provided a verbal update regarding a personnel matter and answered the members' questions.

12.3. Confidential Report - BD/Dec 03-2021

Scott Peck provided a summary of the report regarding a property matter and answered the members' questions.

BD12, 2977

MOVED BY: Jim Cimba

SECONDED BY: Cynthia Janzen

THAT the confidential report entitled BD/Dec 03-2021 be approved and remain in camera.

CARRIED

12.4. Confidential Report - BD/Dec 04-2021

Lisa Burnside provided a summary of the report regarding a personnel matter and answered the members' questions.

BD12, 2978

MOVED BY: Brad Clark

SECONDED BY: Maria Topalovic

THAT the confidential report entitled BD/Dec 04-2021 be approved and remain in camera.

CARRIED

12.5. Confidential Report - BD/Dec 05-2021

Scott Peck provided a summary of the report regarding a property matter and answered the members' questions.

BD12, 2979

MOVED BY: Maria Topalovic

SECONDED BY: Dan Bowman

THAT the Board of Directors direct staff to advise the City of Hamilton of the HCA's continued objection to the closure of the Fallsview ROW in favour of the property known as 31 Fallsview Road;

THAT the City of Hamilton be requested to maintain the Fallsview Road ROW above the Niagara Escarpment in the ownership of the City of Hamilton for the potential of a trail in this area in the long term;

THAT the City of Hamilton be advised that the Hamilton Conservation Authority wishes to proceed with the acquisition of the 2.04 acre Fallsview Road ROW associated with the Niagara Escarpment;

THAT this recommendation come “out of camera”.

Through discussion, the members moved to amend the motion to include two additional paragraphs, as follows:

**MOVED BY: Maria Topalovic
SECONDED BY: Dan Bowman**

THAT the Chief Administrative Officer (CAO), Deputy CAO and Chair meet with the City of Hamilton General Manager of Public Works and relevant staff, to speak to the application on behalf of HCA;

THAT the Deputy CAO be directed to appear as a delegation to the City of Hamilton Public Works Committee to speak to the application on behalf of HCA; and

Additionally, Russ Powers moved for a division of the question for voting purposes.

**MOVED BY: Maria Topalovic
SECONDED BY: Dan Bowman**

THAT the Board of Directors direct staff to advise the City of Hamilton of the HCA’s continued objection to the closure of the Fallsview ROW in favour of the property known as 31 Fallsview Road;

THAT the City of Hamilton be requested to maintain the Fallsview Road ROW above the Niagara Escarpment in the ownership of the City of Hamilton for the potential of a trail in this area in the long term;

Russ Powers was recorded as opposed.

CARRIED

THAT the City of Hamilton be advised that the Hamilton Conservation Authority wishes to proceed with the acquisition of the 2.04 acre Fallsview Road ROW associated with the Niagara Escarpment;

THAT the Chief Administrative Officer (CAO), Deputy CAO and Chair meet with the City of Hamilton General Manager of Public Works and relevant staff, to speak to the application on behalf of HCA;

THAT the Deputy CAO be directed to appear as a delegation to the City of Hamilton Public Works Committee to speak to the application on behalf of HCA; and

THAT this recommendation, as amended, come “out of camera”.

CARRIED

BD12, 2980

MOVED BY: Jim Cimba

SECONDED BY: Susan Fielding

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

CARRIED

13. Next Meeting

The next meeting of the Board of Directors will be held on Thursday, February 3, 2022 at 7:00 p.m.

14. Adjournment

On motion, the meeting adjourned.

Neil McDougall
Secretary-Treasurer