

Hamilton Region Conservation Authority

Minutes

Board of Directors Meeting

July 7, 2022

Minutes of the Board of Directors meeting held on Thursday, July 7, 2022 at 7.p.m., by an in-person and videoconference hybrid format and livestreamed via YouTube.

PRESENT: **Lloyd Ferguson – in the Chair**
 Brad Clark **Jim Cimba**
 Susan Fielding **Tom Jackson**
 Santina Moccio
 Russ Powers – by videoconference
 Maria Topalovic – by videoconference

Jennifer Stebbing – Foundation Chair

REGRETS: **Dan Bowman, Cynthia Janzen, Esther Pauls**

STAFF PRESENT: **Jonathan Bastien, Lisa Burnside, Grace Correia, Gord Costie, Matt Hall, Scott Peck, Cathy Plosz, Mike Stone, Jaime Tellier, and Nancy Watts**

OTHERS: **Angela Zheng**

1. Call to Order

The Chair called the meeting to order and welcomed everyone present.

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 of interest regarding item 5.1 on the agenda as she is related to one of the permit applicants.

3. Approval of Agenda

The Chair requested any additions or deletions to the agenda. Lisa Burnside advised of an addendum to a legal matter to be added as item 12.2 on the agenda.

BD12, 3064**MOVED BY: Susan Fielding
SECONDED BY: Brad Clark****THAT the agenda be approved, as amended.****CARRIED****4. Delegations****4.1. Angela Zheng – Trail accessibility to McMaster University**

Angela Zheng presented a summary of the submitted materials, highlighting a request to replace recently removed steps with a new staircase and bike runnel, on HCA lands between University Gardens and McMaster University, that connects the two areas and is used as a commuter trail. The presentation included results of a neighbourhood survey on the subject.

The members thanked Angela for her presentation and posed questions. Russ Powers advised the Board that this is a well used trail and given his past service on the board had memory of when the lands came to HCA. Mr. Powers indicated he had spoken to McMaster University and they have no objection to the continuation of the access.

Staff were directed to review the request and return to the next Board of Directors meeting with an update. It was requested that the report back to the Board include confirmation that HCA owns the property, an estimated cost for a staircase, and information on the former steps and trail connection access. Staff were also directed to consult with the Ward Councillor during their review.

BD12, 3065**MOVED BY: Maria Topalovic
SECONDED BY: Susan Fielding****THAT the delegation be received.****CARRIED****BD12, 3066****MOVED BY: Jim Cimba
SECONDED BY: Santina Moccio****THAT the item be referred to staff for review and to consult with the Ward Councillor on the matter, and report back to the next Board of Directors meeting.****CARRIED**

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 – June 2, 2022
- 5.3. Approved April 21, 2022 Budget & Administration Committee Minutes – for receipt only

6. Foundation Briefing

Jennifer Stebbing presented the following:

The Foundation received a total of **\$12,620** in donations from June 1 to 30, 2022. They break down as follows:

- \$7,000 from the Lois Evans Natural Heritage Fund via the Hamilton Community Foundation for Salfleet Wetland project
- \$4,291 for Area of Greatest Need, which included a \$2,000 Estate gift
- The remaining \$1,329 was directed to various projects, including Tribute Trees, Land Securement and Environmental Education.
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This brings their fiscal year-to-date fundraising total to **\$615,057**, and to 74% of their goal.

The Election of Officers was held at the June Board of Directors meeting, with the roster remaining the same as the previous year: Jennifer Stebbing as Chair, Graham Reid as Vice-Chair and Justin Taravski as Secretary-Treasurer. The Board will take a break from meetings until September, but committee and behind-the-scenes work will continue throughout the summer.

BD12, 3067

**MOVED BY: Tom Jackson
SECONDED BY: Santina Moccio**

THAT the Foundation Briefing be received.

CARRIED

7. Member Briefing

7.1. Salfleet Conservation Area Wetland Construction Progress

Scott Peck provided the members with a photographic tour of the progress to-date on the construction of the Saltfleet wetlands. Much of the work for the first wetland (BC-1) is complete, with the construction expected to be completed by the end of the summer. Construction on the second wetland, (SC-8), is planned for Spring, 2023 once the design is finalized and tendered. Staff are also beginning to work on the requests for proposals for the design for the third wetland that will be constructed on the newly acquired Punchbowl Market property.

BD12, 3068

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

THAT the verbal update regarding Saltfleet Conservation Area Wetland Construction Progress be received.

CARRIED

8. Business Arising from the Minutes

8.1. HCA Quarterly Report #1 to MECP – Ontario Regulation 687/21

Lisa Burnside provided a summary of the memorandum noting HCA has been meeting with our member municipalities to communicate that HCA's programs and services inventory represents status quo for our current budget. HCA will need to work with municipal partners to develop memorandums of understanding and agreements for our non-mandatory programs and services where we receive municipal funding. No changes have been made to the inventory at this time and at this point, there have not been any difficulties identified in meeting transition plan milestones.

BD12, 3069

**MOVED BY: Jim Cimba
SECONDED BY: Susan Fielding**

THAT the memorandum entitled HCA Quarterly Report #1 to MECP – Ontario Regulation 687/21 be received.

CARRIED

8.2. Board of Directors Notification Policy

Lisa Burnside presented a summary of the report noting the newly developed policy provides staff and the Board a clear understanding of what circumstances will be shared for circulation to Board members. Notification matters include a range of issues from significant flooding/erosion events, material finance matters, and significant adverse events on HCA owned or managed property.

BD12, 3070**MOVED BY: Jim Cimba
SECONDED BY: Brad Clark****THAT the Board of Directors Notification Policy as outlined in the July 7, 2022 report be approved, subject to any amendments from the Board.****CARRIED****9. Reports from Budget & Administration Committee and Conservation Advisory Board****9.1. Budget and Administration Committee – June 16, 2022
(Recommendations)****9.1.1. BA 2222 Increase to HCA Casual Wage Rates**

Santina Moccio provided a summary of the staff report, noting the proposed 2023 casual / seasonal wage grids provide for the required increase to minimum wage this Fall and also provide a further \$0.25/hr increase effective January 1, 2023, to assist with recruitment and retention of summer staff. Summer students play a vital role in supporting operations during the operating season.

BD12, 3071**MOVED BY: Santina Moccio
SECONDED BY: Tom Jackson****THAT the Budget & Administration Committee recommends to the Board of Directors:****THAT the revised Casual/Seasonal wage grids for Hamilton Conservation Authority, Confederation Beach Park, Wild Waterworks and Construction/Forestry and Fleet as outlined be approved, which provides for the following:**

- a) The Provincially mandated 50 cent scheduled inflationary increase to minimum wage effective October 1, 2022 which will be applied across all wage categories, and additionally**
- b) A further 25 cents be applied January 1, 2023 across all wage categories and steps to enhance HCA's competitiveness, particularly in the minimum wage market for the 2023 hiring year.**

THAT the HCA award the tender for dredging the marina channel at Fifty Point Conservation Area to Ontario General and Marine Construction Inc., for a total cost of \$219,751.10 which includes a contingency sum and HST.

CARRIED

10.2. Fifty Point Marina Boat Launch Ramp Reconstruction – Tender Results

Matt Hall presented a summary of the report and answered the members' questions. The existing ramp is the original that was installed when the marina first opened and is now in need of replacing. Various improvements have been made elsewhere in the marina.

Warranties included with the recommended bid were discussed. Matt noted that this project, as is typical for most construction projects, has a one year warranty. This is an industry standard. Additional warranties can be requested for specialty construction projects; however, this could increase costs for the project.

Options for value engineering were discussed. Rankin Construction proposed cast in place solutions that could reduce costs. This will require consultation with the consultants that designed the project. It was also suggested to consider an aqua dam rather than a coffer dam for cost savings. Staff were directed to report back on value engineering solutions for potential costs savings that can be achieved in discussion with the contractor.

BD12, 3074

**MOVED BY: Jim Cimba
SECONDED BY: Maria Topalovic**

THAT the HCA award the tender for the Boat Launch Ramp Reconstruction at Fifty Point Conservation Area to Rankin Construction Inc., for a total cost of \$608,731.00, which includes a contingency sum and HST, and further;

THAT a total of \$300,000 be reallocated from the HCA General Capital Reserve Fund, in order to adequately fund the revised scope of work;

And further that staff report back to the Board on any value engineering solutions that can be achieved through discussion with the contractor.

CARRIED

10.3. Saltfleet Stage 3 Archeological Assessment Quote

Scott Peck presented a report indicating the potential costs associated with an archaeological assessment required for the design and construction of the second wetland in the Saltfleet Conservation Area (wetland SC-8).

The number of assessment monitors and number of hours required were discussed. It was clarified that there is typically one monitor from each First Nations community. A best estimated cost may be \$20,000 for the monitoring.

Sharing stage 1 and stage 2 work with First Nations groups was discussed. The consultants determine if the stage 1 and stage 2 assessments are shared with the First Nations monitors. They are provided to the Ministry for filing, as required. Staff are developing relationships with the First Nations communities, of which doing this monitoring work is an important part.

There was discussion about the types of artifacts that may be expected, based on the assessments for the first wetland (BC-1). Four sites are pre-contact and one is Euro-Canadian. Stage 1 on BC-1 was pre-contact so staff expect similar findings to that assessment.

Should a stage 4 assessment be required, the removal of artifacts would be required. Staff are hopeful that this project can remain within the preserve and protect status. There is potential to alter designs to meet the buffer requirements.

BD12, 3075

**MOVED BY: Brad Clark
SECONDED BY: Maria Topalovic**

THAT the Board of Directors approve the quote submitted by Detritus Consulting Ltd., to complete the required Stage 3 Archaeological Assessments for the SC-8 Wetland for an upset limit of \$238,000 excluding HST.

CARRIED

10.4. Appointment of Enforcement Officer

Mike Stone presented a summary of the report, introducing Cathy Plosz, Senior Planner, and outlining the legislative requirements for staff to be appointed as enforcement officers for the purposes of administering and enforcing *Ontario Regulation 161/06 (HCA's Regulation of Development, Interference with Wetland and Alterations to Shorelines and Watercourses)* made under the *Conservation Authorities Act, R.S.O. 1990*. Administration and enforcement responsibilities include reviewing and processing permit applications, field work and attendance at site inspections.

BD12, 3076**MOVED BY: Maria Topalovic
SECONDED BY: Brad Clark**

THAT the HCA Board of Directors appoint Cathy Plosz, Senior Planner, as an Enforcement Officer for the purpose of enforcement of *Ontario Regulation 161/06* (HCA's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses) made under the *Conservation Authorities Act, R.S.O. 1990*.

CARRIED

Russ Powers lost connectivity.

10.5. Watershed Conditions Report

Jonathan Bastien presented a summary of the memorandum, noting there were no recent observations or reports of significant watercourse flooding events or Lake Ontario shoreline flooding. Currently, there are no significant watercourse flooding, public safety concerns, or Lake Ontario shoreline flooding expected.

There are currently no significant rainfall events forecasted for the watershed over the next 2 weeks. Latest assessments indicate possible drought conditions. A decision on declaring a Level 1 Low Water condition was deferred until the next scheduled assessment. Drought conditions may possibly be declared for the watershed at the beginning of July, given the below average precipitation amounts for March to May, and the slightly below average amount of rain received in June so far.

The Christie Lake water level is about 1.7 feet lower than the low end of preferred summer levels. Due to drier than normal conditions in the watershed, HCA staff continue to balance reservoir levels and appropriate downstream flows. The current level of Valens Lake is within typical summer levels.

BD12, 3077**MOVED BY: Brad Clark
SECONDED BY: Jim Cimba**

THAT the memorandum entitled *Watershed Conditions Report* be received.

CARRIED

Russ Powers re-entered the meeting.

10.6. Conservation Areas Experiences Update

Gord Costie provided a verbal update, noting the Conservation Areas are fully operational for the season, having just hosted a busy Canada long weekend. Visitation continues to regulate following the pandemic-related reopening, however staff expect to maintain healthy visitation levels. Camping reservations continue to be popular, with weekday reservations still higher than typical. The reopening of Wild Waterworks for the 2022 season was also highlighted. It was a difficult challenge for staff but are pleased to be able to open. The first weekend was well attended.

The members congratulated staff on accomplishing the recruitment and noted there is a buzz in the community about Wild Waterworks being open again.

An update on membership pass sales was also provided. The first six months are comparable to 2019. Some indicators such as day use and pay and display parking are showing signs of softening with pandemic related re-opening. However, membership pass sales are still solid.

BD12, 3078

**MOVED BY: Santina Moccio
SECONDED BY: Tom Jackson**

THAT the verbal update on the Conservation Areas Experiences be received.

CARRIED

11. New Business

There was none.

12. In-Camera Items

BD12, 3079

**MOVED BY: Santina Moccio
SECONDED BY: Jim Cimba**

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

CARRIED

During the *in camera* session, one personnel matter and one legal matter were discussed.

The next meeting of the Board of Directors will be held on Thursday, September 1, 2022 at 7:00 p.m.

14. Adjournment

On motion, the meeting adjourned.



Neil McDougall
Secretary-Treasurer