



## NIAGARA PENINSULA SOURCE PROTECTION COMMITTEE

WELLAND

DECEMBER 10, 2007

7:00 p.m.

### MINUTES

**MEMBERS PRESENT** M. Neufeld, (Chairman)  
B. Antonsen  
R. Bator  
D. Kerr  
D. Ostryhon  
M. Bellantino Perco  
D. Renshaw  
D. Renshaw  
D. Ricker  
E. Schneider

**MEMBERS ABSENT:** T. Rigby (with regrets)

**LIAISONS PRESENT:** B. Baty, Niagara Peninsula Conservation Authority  
G. Hudgin, Niagara Public Health  
M. Keller, Ministry of the Environment

**STAFF PRESENT:** A.L. Burt, General Manager  
D. Bois, Recording Secretary  
M. Stack, Director Communications  
T. D'Amario, Director, Water Management  
B. Wright, Source Protection Coordinator

### ROLL CALL

### DECLARATION OF CONFLICT OF INTEREST

### BUSINESS:

The Chairman called the meeting to order at 7:12 p.m. He welcomed every one in attendance and then requested that if anyone had a conflict of interest to declare it.

#### (1) WELCOME AND INTRODUCTIONS

The Chairman overviewed the intent for this evenings meeting and the goals over the next 5 years.

The Chairman asked all those in attendance to introduce themselves and give a brief outline of their expertise or expectations in regards to sitting on the committee.

Due to a problem with the overhead projector, the committee agreed to move on to Item 4 while it was being fixed.

**(4) PER DIEMS AND TRAVEL EXPENSES**

Tony D’Amario, Director, Water Management for the Niagara Peninsula Conservation Authority spoke to the Committee on this issue.

He advised that the Source Protection Authority (SPA) agreed, at their November 21<sup>st</sup> meeting that the per diem rate be set at \$130.00 per meeting in excess of three (3) hours and \$65.00 for meetings less the three (3) hours with a review in six (6) months. The mileage rate is set at \$0.40/km. (as per the Management Board of Cabinet). Per Diems will be based on meetings and other business of the Committee.

The Chairman advised that other Source Protection Committees (SPCs) are being paid at a higher rate. He advised that the Source Protection Authority thought this lower rate was in the best interest of public fund stewardship.

Robert Bator indicated that the OFA website noted the rate of \$200.00/meeting and he felt that that rate should be applied to all SPCs.

**ACTION ITEM: The Chairman noted this opinion and advised that he would take the matter back to the SPA.**

**(2) BACKGROUND AND OVERVIEW OF CLEAN WATER ACT**

A background PowerPoint presentation was given by Brian Wright, Source Protection Coordinator. Following the presentation, the Chairman advised that in accordance with the Clean Water Act, completion of the Terms of Reference is under a tight time line as is the Assessment Report to the Ontario Ministry of Environment (MOE) and the actual Source Protection Plan. The next five years will be very busy and productive.

**ACTION ITEM: The PowerPoint presentation will be posted on the website and the link to the site will be forwarded to the members for their use.**

**(3) INITIAL TASKS AND DEADLINES**

**a) Biography Summaries:**

Brian Wright advised that not all biography summaries of background information have been submitted. He further advised that he is looking for a brief paragraph or two, to be emailed to him in MS Word format.

**ACTION ITEM: The Chair asked that those members who still have to comply, please do so within the next 7 days.**

**b) Meeting Schedule:**

The Chair advised that the Ministry of the Environment requires that the date and time for the meetings be set and posted six months at a time so that the public has access to the information in advance.

After some discussion on the most convenient dates and time for future meetings to June of 2008, the consensus was that the regular committee meetings will be held on the second Tuesday of each month until June. The meetings will start at 7:00 p.m. and convene at the Conservation Authority Main office.

**ACTION ITEM: Brian Wright will see that the meeting schedule from January to June, 2008 will be posted on the website for access by the SPC members and the general public.**

**c) Code of Conduct & Conflict of Interest Policy and Rules & Procedures**

The Chair asked that the signed acknowledgements for the Code of Conduct and Conflict of Interest Policy be turned in this evening and that a copy of the signed form would be sent back with their next agenda package.

**ACTION ITEM: Brian Wright will identify the date of this document in case there are amendments in the future.**

The Chair noted that the Rules and Regulations would be a work in progress. Components of the NPCA guidelines will be looked at as a reference. A discussion followed and the following items were noted and agreed to:

The committee will receive their agenda package one week prior to the meetings.

The committee must post a notice of meeting six months in advance. Therefore, a schedule of meetings is to be posted on the web

Meetings will be conducted by consensus. The target will be 100% agreement on 100% of the issues. Votes will not be called until after debate and discussion has brought the committee close to consensus.

The committee will follow the rules of NPCA Rules and Procedures.

Only the 9 committee members will vote. The liaisons from Heath, MOE and the SPA do not vote. Also, the Chairman does not vote. Two thirds (2/3) of the voting members present at a meeting are required to pass a vote.

With regards to delegations, it was agreed that generally 2 weeks notice would be required. Visitors are welcome to attend meetings but only registered delegations will be allowed to speak. After a discussion on the possibility of having an open session at some point during the meeting, it was agreed that delegations would be the most appropriate method to use.

Regarding in-camera sessions, minutes will be taken but not posted publicly.

Meeting quorum is 2/3 of the committee (6 members). On decision making votes, 2/3 of the members present is required.

**ACTION ITEM: It must be decided that if a quorum is not met and a meeting is cancelled, will the committee meet Ad Hoc on another date as soon as possible. The mandate of the committee is to have 1 meeting per month.**

No substitutions for members will be allowed. Proxies will be allowed to vote in a member's absence.

**ACTION ITEM: With regard to proxies, discussions are required to set guidelines. Proxies can be sent to vote in a member's absence but the specifics of whether they can participate in discussions or other votes during that evening must be clearly defined.**

Over time, working committee groups may be developed.

The term of appointment to the committee is 3 years. During the following 2 years, appointment replacements can be staggered, up to 2012, at which time the Source Water Protection Plan is to be complete

For removal of a committee member from office, for other than a Code of Conduct and Conflict of Interest policy violation (e.g. lack of participation), it is expected that if a member can not commit the time or dedication that they would advise the committee and they could deal with the situation in advance of a problem occurring.

The Chairman should be contacted directly regarding any issues of concern among members for quick resolution of problems.

After a brief discussion, it was agreed that per diems will be paid quarterly.

There were some questions regarding budgetary issues. The committee was advised that the province will not provide for over budget situations. The funding process is to change in 2008. The scope of work in Niagara is typical for the single CA level of funding. Mr. Renshaw asked if the committee would review the budget. Mr. D'Amario of the NPCA advised that the mandate of the committee is to look at the issues and recommend the most appropriate course of action which will be set out in the final Source Protection Plan.

Mr. Renshaw asked that a general overview or report of the expenditures of the SPC be made available.

Mr. Wright noted that under the Clean Water Act, SPC members are indemnified from liabilities with respect to their decisions in the SPC. However, CA and staff are not indemnified except through an agreement between the CA and SPA. (which is currently being prepared).

**ACTION ITEM: Mr. Brian Wright will report back to the SPC with a summary of Source Protection funding to-date in the Niagara Peninsula Source Protection Area.**

**(5) SPC TRAINING WORKSHOPS AND ORIENTATION**

Brian Wright advised the members that MOE has scheduled a Source Protection Workshop in Brantford on January 29, 2008. It will be held at the Best Western Hotel Grand Ballroom. This workshop is being held for the Niagara Peninsula, Hamilton/Halton and Lake Erie SPCs.

The Chairman advised that all members should attend if at all possible and that over night accommodations would be covered only in extenuating circumstances (ie: impending snow storm) as we are within a 2 hour drive to Brantford.

Robert Bator indicated that he is attending a workshop hosted by the Ministry of Agriculture (Dec 12 & 13/07) and would the same information be covered. Brian Wright said he did not know what their agenda was and the Chairman advised that it would be wise if all members attended in January so that everyone had the same information to work with.

**ACTION ITEM: Brian Wright to explore the options of attending alternate workshops held in another area, as Don Ricker, David Renshaw, Robert Bator and Brian Antonsen are not available on the 29<sup>th</sup>.**

**(6) OTHER BUSINESS**

Dave Kerr asked that the meeting minutes be sent to the City Clerk in Hamilton for distribution for their Public Works Departmental meetings. He was advised that the minutes are not available to the public until they are ratified at the next SPC meeting.

**ADJOURNMENT**

There was no further business, and the Chairman thanked everyone for committing to the time required for this process.

The Chairman then adjourned the meeting at 9:32 p.m.

**“D. Bois, Recording Secretary**

**M. Neufeld, Chairman”**