

Administration

Office of the Regional Clerk

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www.niagararegion.ca

May 17, 2019

Council Session CL 11-2019, May 16, 2019

Gayle Wood
 Interim Chief Administrative Officer, Secretary-Treasurer
 Niagara Peninsula Conservation Authority
 250 Thorold Road West; 3rd Floor
 Welland, ON L3C 3W2

SENT ELECTRONICALLY

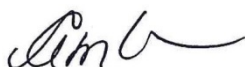
**RE: Niagara Peninsula Conservation Authority Board Appointments
 Minute Item 12.2.2 CL 11-2019, May 16, 2019**

Regional Council at its meeting held on Thursday, May 16, 2019, passed the following resolution:

1. That Correspondence Item CL-C 39-2019, being a memorandum from A.-M. Norio, Regional Clerk, dated May 16, 2019, respecting Niagara Peninsula Conservation Authority Board Appointments, **BE RECEIVED**;
2. That Regional Council **APPOINT** the community representatives selected by Fort Erie, Grimsby, St. Catharines, and Welland to the Niagara Peninsula Conservation Authority Board effective immediately;
3. That Regional Council **REQUEST** that the remaining eight local area municipalities submit their recommendations for representatives on the Niagara Peninsula Conservation Authority Board by July 31, 2019; and
4. That Regional Council **EXTEND** the appointments of Councillors Bylsma, Foster, Gibson, Greenwood, Huson, Steele, Whalen and Zalepa, on the Niagara Peninsula Conservation Authority Board for an additional three months from today's date unless the local area municipality appoints another representative before that date.

A copy of Correspondence Item CL-C 39-2019 is attached for your information.

Yours truly,



Ann-Marie Norio
 Regional Clerk

CLK-C 2019-107

Cc: J. Pilon, Acting City Clerk, City of Hamilton
 E. Eichenbaum, Clerk, Haldimand County

MEMORANDUM

CL-C 39-2019

Subject: Niagara Peninsula Conservation Authority Board Appointments

Date: May 16, 2019

To: Regional Council

From: Ann-Marie Norio

At its meeting held on February 28, 2019, Regional Council passed the following resolution:

*That Correspondence Item CL-C 18-2019, being a memorandum from A.-M. Norio, Regional Clerk, dated February 28, 2019, respecting Niagara Peninsula Conservation Authority Board Appointments, **BE RECEIVED** and the following recommendations **BE APPROVED**:*

- 1. That Regional Council **EXTEND** the appointments of Councillors Bylsma, Chiocchio, Foster, Gibson, Greenwood, Heit, Huson, Insinna, Jordan, Steele, Whalen and Zalepa, on the Niagara Peninsula Conservation Authority Board for an additional period of three months; and*
- 2. That the Niagara Peninsula Conservation Authority Board **BE REQUESTED** to provide recommendations respecting Board composition and the recommended qualifications and process for appointments to the Board to Regional Council for consideration.*
- 3. That the Board of Directors of the NPCA **DETERMINE** the types of skills and/or experience required on this Board of Directors based on the mandate of the NPCA and subsequently providing a skills matrix for purposes of selecting those members to Regional Council before the end of April 2019;*
- 4. That staff **BE DIRECTED** to develop a process that all lower tier municipalities can follow to determine who they will recommend as their representatives to the NPCA Board of Directors before the end of May 2019; and*
- 5. That staff **BE DIRECTED** to develop a process that will determine a fair and acceptable mix of politicians to be responsible to Niagara tax payers to serve on the NPCA Board of Directors along side those chosen via the skills matrix before the end of May 2019.*

In accordance with the above motion, the appointment of the members of the current board will expire on June 6, 2019. As a practical matter, this is before the NPCA Board

meeting scheduled for June 19, 2019 and the Regional Council meeting of June 20, 2019. The appointment of the current Regional representatives on the NPCA Board was for a limited duration but with full authority to act respecting all matters of the Board.

The Clerk's Office is in receipt of correspondence from the Niagara Peninsula Conservation Authority Board (attached as Appendix 1) advising that the Board passed the following resolution on April 17, 2019:

THEREFORE BE IT RESOLVED THAT the NPCA request to the Niagara Region that the twelve temporary members' (or their replacements') terms be extended, until such time as the appeal by the City of Hamilton is complete, and the agreement between the three municipalities is finalized.

FURTHER THAT the NPCA Board and Staff recommend a list of competencies, modelled from the Alberta Public Agencies matrix, to the Region of Niagara in order that the Region can forward the competencies to their municipalities regarding whether they wish to recommend to the Region to appoint an elected or citizen appointees.

Correspondence Item CL-C 18-2019 (attached as Appendix 2) provided information respecting correspondence received from some local area municipalities respecting a local appointee to the NPCA Board and outlined past practice with respect to the Board appointment of twelve (12) members.

In response to the NPCA Board's resolution to extend the twelve temporary members' (or their replacements'), as Council may be aware, the NPCA levy appeal by the City of Hamilton has been completed; however an agreement between the three municipalities has not been finalized.

In addition, A Better Niagara recently notified the parties that they are bringing back the application for a decision on the number of members the Region is entitled to appoint which is to be before the courts on May 13, 2019.

In accordance with Council's resolution on February 28, 2019, specifically recommendations 4 and 5, staff will be providing a report for Council's consideration for the Regional Council meeting held on June 20, 2019, outlining processes respecting Board composition.

A resolution of Council is required to extend the current Board appointments. Suggested wording is as follows:

That Regional Council **EXTEND** the appointments of Councillors Bylsma, Chiocchio, Foster, Gibson, Greenwood, Heit, Huson, Insinna, Jordan, Steele, Whalen and Zalepa, on the Niagara Peninsula Conservation Authority Board until such time as an agreement between the three municipalities has been reached respecting the composition of the Board.

Respectfully submitted and signed by

Ann-Marie Norio
Regional Clerk



250 Thorold Road, 3rd Floor, Welland ON L3C 3W2
Tel: 905-788-3135
Fax: 905-788-1121
www.npca.ca

April 23, 2019

Niagara Region
1815 Sir Isaac Brock Way
P.O. Box 1042
Thorold, ON
L2V 4T7

SENT ELECTRONICALLY

Dear Chair Bradley and Regional Council,

Please be advised that at its regular meeting of April 17, 2019, the Board of Directors of the Niagara Peninsula Conservation Authority adopted the following resolution:

*Resolution No. FA-113-19
Moved by Board Member Steele
Seconded by Board Member Foster*

WHEREAS the Region of Niagara requested the NPCA, in their March 1st, 2019 letter, for comment regarding the NPCA Board composition and qualifications; and

WHEREAS the Auditor General of Ontario provided recommendations regarding Board skills, experience and training in her September 14th, 2018 report on the NPCA; and

WHEREAS Province of Ontario is currently reviewing regional governments, which could impact the future Board of the NPCA; and

WHEREAS the City of Hamilton appeal regarding the NPCA levy is under review; and

WHEREAS the City of Hamilton, Haldimand County and the Niagara Region agreed to address the composition of the NPCA Board after the NPCA levy review is complete;

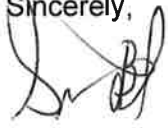
THEREFORE, BE IT RESOLVED THAT the NPCA request to the Niagara Region that the twelve temporary members' (or their replacements') terms be extended, until such time as the appeal by the City of Hamilton is complete, and the agreement between the three municipalities is finalized.

FURTHER THAT the NPCA Board and Staff recommend a list of competencies, modelled from the Alberta Public Agencies matrix, to the Region of Niagara in order that the Region can forward the competencies to their municipalities regarding whether they wish to recommend to the Region to appoint an elected or citizen appointees.

CARRIED

Please find attached a copy of the Alberta Public Agencies Board Profile & Competency Matrix Tool for your reference. Any inquiries with respect to this resolution may be directed to Gayle Wood, Interim CAO / Secretary Treasurer of the Niagara Peninsula Conservation Authority at gwood@npca.ca or at 905- 788-3135 ext.251.

Sincerely,



Grant Bivol
Interim Clerk

Attachment: Alberta Public Agencies Board Profile & Competency Matrix Tool

cc: Region of Niagara area municipalities
City of Hamilton
Haldimand County
NPCA Board of Directors
Ron Tripp, CAO, Niagara Region
Gayle Wood, CAO / Secretary Treasurer, NPCA

Board Profile & Competency Matrix Tool

This tool provides a list of critical competencies organized in three major areas. These competencies are intended to balance professional experience, environmental or contextual knowledge and personal attributes and skills.

The competencies listed below are examples that can be used to create an overall board profile for the board, as well as inform the development of a unique competency matrix, recruitment postings and director profiles for specific vacancies. Public agencies are encouraged to tailor the competencies to best suit their needs and accurately reflect the requirements of that board.

Definitions for each of the competencies and the competency matrix tool are included in section 9.1 as part of the recruitment plan.

| Competency Area | Critical Competencies | Brief Description |
|-------------------------------------|---|--|
| Relevant Professional Experience | <ul style="list-style-type: none"> • Governance • Business/Management • Legal/Regulatory • Human Resources • Accounting/Financial • Risk Management • Public Relations/Media | The candidate has professional/volunteer experience that is relevant and valuable to the board of the public agency. |
| Specialized Environmental Knowledge | <ul style="list-style-type: none"> • Government/Public Policy • Community/Stakeholder Relations • Industry/Sector | The candidate has specialized knowledge of the environment or context affecting the board of the public agency. |
| Personal Effectiveness Skills | <ul style="list-style-type: none"> • Leadership/Teamwork • Strategic Thinking/Planning • Critical Thinking/Problem Solving | The candidate has personal skills or attributes of value to the board of the public agency. |
| Other | Additional competencies may be identified that do not fall within the categories provided above but are essential to the needs of the public agency. | |

| Relevant Professional Experience |
|---|
| <p>Governance Experience</p> <ul style="list-style-type: none"> ➤ The applicant has experience with, or is able to demonstrate knowledge or expertise in, board governance in the private, public, and/or voluntary/non-profit sector. The applicant has a clear understanding of the distinction between the role of the board versus the role of management. Governance experience could be acquired through prior board or committee service or reporting to/or working with a board as an employee. |
| <p>Business/Management Experience</p> <ul style="list-style-type: none"> ➤ The applicant has experience with, or is able to demonstrate knowledge or expertise in, sound management and operational business processes and practices in the private or public sector. This competency may include an understanding of topics such as managing complex projects, leveraging information technology, planning and measuring performance, and allocating resources to achieve outcomes. |
| <p>Legal/Regulatory Experience</p> <ul style="list-style-type: none"> ➤ The applicant has experience with, or is able to demonstrate knowledge or expertise in, legal principles, processes, and systems. This may include interpreting and applying legislation, experience with adjudicative or quasi-judicial hearings or tribunals, or an understanding of the legal dimensions of organizational issues. |
| <p>Human Resources Experience</p> <ul style="list-style-type: none"> ➤ The applicant has experience with, or is able to demonstrate knowledge or expertise in, strategic human resource management. This may include workforce planning, employee engagement, succession planning, organizational capacity, compensation, and professional development. Depending on the public agency, knowledge or expertise in CEO performance management and evaluation may be a related asset. |
| <p>Accounting/Financial Experience</p> <ul style="list-style-type: none"> ➤ The applicant has experience with, or is able to demonstrate knowledge or expertise in, accounting or financial management. This may include analyzing and interpreting financial statements, evaluating organizational budgets and understanding financial reporting. |
| <p>Risk Management Experience</p> <ul style="list-style-type: none"> ➤ The applicant has experience with, or is able to demonstrate knowledge or expertise in, enterprise risk management. This may include identifying potential risks, recommending and implementing preventive measures, and devising plans to minimize the impact of risks. This competency may also include experience or knowledge of auditing practices, organizational controls, and compliance measures. |
| <p>Public Relations/Media Experience</p> <ul style="list-style-type: none"> ➤ The applicant has experience with, or is able to demonstrate knowledge or expertise in, communications, public relations or interacting with the media. This may include knowledge of effective advocacy and public engagement strategies, developing key messages, crisis communications, or social media and viral marketing. |

| Specialized Environmental Knowledge | |
|--|---|
| Government/Public Policy Knowledge | <ul style="list-style-type: none">➤ The applicant has experience with, or is able to demonstrate knowledge or expertise of, the broader public policy context affecting the public agency. This may include the strategic priorities of government and the relationship between those priorities and the work of the public agency. |
| Community/Stakeholder Relations Knowledge | <ul style="list-style-type: none">➤ The applicant has experience with, or is able to demonstrate knowledge or expertise of, the community or communities the public agency serves, including the stakeholder landscape affecting the public agency. This may include a demonstrated capacity to build networks and foster trusting relationships with communities and stakeholders. |
| Industry/Sector Knowledge | <ul style="list-style-type: none">➤ The applicant has experience with, or is able to demonstrate knowledge or expertise of, the industry or sector the public agency operates within. This may include an understanding of particular trends, challenges and opportunities, or unique dynamics within the sector that are relevant to the public agency. |
| Personal Effectiveness Skills | |
| Leadership/Teamwork Skills | <ul style="list-style-type: none">➤ The applicant demonstrates an ability to inspire, motivate and offer direction and leadership to others. The candidate also demonstrates an understanding of the importance of teamwork to the success of the board. This may include an ability to recognize and value the contributions of board members, staff, and stakeholders. |
| Strategic Thinking/Planning Skills | <ul style="list-style-type: none">➤ The applicant demonstrates an ability to think strategically about the opportunities and challenges facing the public agency and to engage in short, medium and long-range planning to provide high-level guidance and direction for the public agency. |
| Critical Thinking/Problem Solving Skills | <ul style="list-style-type: none">➤ The applicant demonstrates an ability to apply critical thinking to creatively assess situations and to generate novel or innovative solutions to challenges facing the board of the public agency. |

Board Profile & Competency Matrix Template

| GENERAL BOARD MEMBER COMPETENCY MATRIX <i>(*Choose as many competencies as applicable)</i> | <Candidate 1> | <Candidate 2> | <Candidate 3> | <Candidate 4> | <Candidate 5> |
|--|---------------|---------------|---------------|---------------|---------------|
| Relevant Professional Experience | | | | | |
| Governance Experience | | | | | |
| Business/Management Experience | | | | | |
| Legal/Regulatory Experience | | | | | |
| Human Resources Experience | | | | | |
| Accounting/Financial Experience | | | | | |
| Risk Management Experience | | | | | |
| Public Relations/Media Experience | | | | | |
| Specialized Environmental Knowledge | | | | | |
| Government/Public Policy Knowledge | | | | | |
| Community/Stakeholder Relations Knowledge | | | | | |
| Industry/Sector Knowledge | | | | | |
| Personal Effectiveness Skills | | | | | |
| Leadership/Teamwork Skills | | | | | |
| Strategic Thinking/Planning Skills | | | | | |
| Critical Thinking/Problem Solving Skills | | | | | |
| Other | | | | | |
| <Competency 1> | | | | | |
| <Competency 2> | | | | | |
| <Competency 3> | | | | | |

**To be completed as part of the recruitment plan, as outlined in section 9.1.*

MEMORANDUM
CL-C 18-2019
Subject: Niagara Peninsula Conservation Authority Board Appointments
Date: February 28, 2019
To: Regional Council
From: Ann-Marie Norio, Regional Clerk

At its meeting held on December 6, 2018, Regional Council passed the following resolution:

*That twelve (12) Regional Councillors representing Niagara Region, one from each municipality in the Niagara Region, **BE APPOINTED** to replace the current Niagara Region representatives, on an interim basis, on the Niagara Peninsula Conservation Authority Board, effective immediately for a period of three months until it is determined how to proceed with the Board composition.*

Council subsequently passed the following resolution:

*That Councillors Bylsma, Chiocchio, Foster, Gibson, Greenwood, Heit, Huson, Insinna, Jordan, Steele, Whalen and Zalepa, **BE APPOINTED** to the Niagara Peninsula Conservation Authority Board for a three month period.*

In accordance with the above motion, the appointment of the members of the current board will expire on March 6, 2019. The appointment of the current Regional representatives on the NPCA Board was for a limited duration but with full authority to act respecting all matters of the Board.

The Clerk's Office has received correspondence from some local area municipalities respecting a local appointee to the NPCA Board (attached as Appendix 1). Niagara Region's Procedural By-law does not contain any provisions respecting appointments to the NPCA Board nor are there any policies related to this matter.

Section 4 of the *Conservation Authorities Act*, provides that a regional municipality shall be a participating municipality in place of the local municipalities within the regional municipality and shall appoint to the authority the number of members which the local municipality would otherwise have been entitled as participating municipalities.

Past practice with respect to the Board appointment of twelve (12) representatives, one from each local area municipality, has been to first ask the Regional Councillors who represent the municipality requiring representation whether or not they are willing to sit as a member of the Board. In the event that there is no interest from a Regional

Councillor of that municipality, the local municipal council is notified. The local council then determines how they would like to fill the spot on the Board. This could be with a local municipal councillor or a local citizen.

Council could decide to continue with the current appointment process practice; however, should Council wish to change this, the criteria and process would need to be defined. In considering this issue, Council may wish to seek input from the NPCA Board.

A resolution of Council is required to extend the current Board appointments. Suggested wording is as follows:

That Regional Council **EXTEND** the appointments of Councillors Bylsma, Chiochio, Foster, Gibson, Greenwood, Heit, Huson, Insinna, Jordan, Steele, Whalen and Zalepa, on the Niagara Peninsula Conservation Authority Board for an additional <insert period of time>; and

That the Niagara Peninsula Conservation Authority Board **BE REQUESTED** to provide recommendations respecting Board composition and the recommended qualifications and process for appointments to the Board to Regional Council for consideration.

Respectfully submitted and signed by

Ann-Marie Norio
Regional Clerk



Community Services

Legislative Services

December 4, 2018
File #120203

Sent via Email: ann-marie.norio@niagararegion.ca

Ann-Marie Norio, Regional Clerk
Niagara Region
1815 Sir Issac Brock Way, P.O. Box 1042
Thorold, ON L2V 4T7

Dear Ms. Norio:

Re: Appointment to the Niagara Peninsula Conservation

The Municipal Council of the Town of Fort Erie at its Inaugural Meeting of December 3, 2018 passed the following resolution:

That: Council recommends Leah Feor to The Regional Municipality of Niagara's Council as the Town of Fort Erie representative for appointment to the Niagara Peninsula Conservation Authority for the 2018-2022 term of Council.

Leah's contact information is as follows:

Leah Feor
P.O. Box [REDACTED]
Crystal Beach, ON L0S 1B0
Phone: [REDACTED]
Email: [REDACTED]

Trusting this information will be of assistance to you.

Yours very truly,

Carol Schofield, Dip. M.A.
Manager, Legislative Services/Clerk
cschofield@forterie.ca

CS:dlk



City of Welland
Legislative Services
Office of the City Clerk
60 East Main Street, Welland, ON L3B 3X4
Phone: 905-735-1700 Ext. 2280 | **Fax:** 905-732-1919
Email: clerk@welland.ca | www.welland.ca

January 25, 2019

File No. 16-129

SENT VIA EMAIL

Niagara Peninsula Conservation Authority
250 Thorold Street West, 3rd Floor
Welland, ON L3C 3W2

Attention: Lisa McManus, Chief Administrative Officer and Secretary - Treasurer (Interim)

Dear Ms. McManus:

Re: January 25, 2019 – WELLAND CITY COUNCIL

At its meeting of January 25, 2019, Welland City Council passed the following motion:

“THAT THE COUNCIL OF THE CITY OF WELLAND appoints John Ingrao to the Niagara Peninsula Conservation Authority from January 15, 2019 to November 14, 2022.”

Yours truly,

Carmela Radice
Deputy Clerk

TS:cap

c.c.: - A. Norio, Niagara Regional Clerk, sent via email



February 26, 2019

Ann-Marie Norio
Regional Clerk Niagara Region
1815 Sir Isaac Brock Way, P.O. Box 1042 Thorold, ON
L2V 4T7
Sent via email to Ann-Marie.Norio@niagararegion.ca

Re: Niagara Peninsula Conservation Authority

Dear Ms. Norio,

Please be advised that at its meeting held on February 25, 2019, St. Catharines City Council approved the following motion:

WHEREAS on November 12, 2018, City Council directed staff to develop a process for appointing a representative to the Niagara Peninsula Conservation Authority (NPCA) Board to be implemented at the beginning of the 2018 – 2022 Term of Council; and

WHEREAS on December 10, 2018, City Council appointed Councillors Garcia, Miller, and Williamson to the NPCA Nominating Committee for the purpose of reviewing applications and making recommendations for appointment / nomination to the NPCA Board; and

WHEREAS the NPCA Nominating Committee has reviewed all applications and recommends Ed Smith for appointment to the NPCA Board;

THEREFORE BE IT RESOLVED that the City of St. Catharines recommends that Ed Smith be appointed to the NPCA Board as a representative of the City of St. Catharines for the remainder of the 2018 – 2022 Term of Council; and

BE IT FURTHER RESOLVED that the Niagara Region / NPCA be asked to provide a matrix for evaluating applicants; and

BE IT FURTHER RESOLVED that this resolution be forwarded to the Regional Clerk for distribution at Niagara Regional Council.

If you have any questions, please contact the Office of the City Clerk at extension 1524.

A handwritten signature in blue ink, appearing to read "Bonnie Nistico-Dunk".

Bonnie Nistico-Dunk, City Clerk
Legal and Clerks Services, Office of the City Clerk
:kn