



NIAGARA PENINSULA CONSERVATION AUTHORITY

FULL AUTHORITY

BALL'S FALLS

AGENDA JANUARY 21, 2011 – 10:00 a.m.

ROLL CALL

DECLARATION OF CONFLICT OF INTEREST

BUSINESS:

(1) **MINUTES FULL AUTHORITY MEETING – December 15, 2010**

Attached are the Minutes of the Full Authority Meeting held December 15, 2010.

(2) **BUSINESS ARISING FROM MINUTES**

(3) **CHAIRMAN'S REMARKS**

(4) **CAO'S REPORT**

(5) **2011 PRELIMINARY OPERATING AND CAPITAL BUDGETS - REPORT NO. 01-11**

Attached is Report No. 01-11 regarding the 2011 Preliminary Budgets.

(6) **NPCA STRATEGIC PLAN – PRELIMINARY WORK PLAN – REPORT NO. 02-11**

Attached is Report No. 02-11 together with a preliminary work plan regarding this matter.

(7) **APPOINTMENT OF AUDITORS FOR 2011 – REPORT NO. 03-11**

Attached is Report No. 03-11 with respect to this matter.

(8) **2011 MEETING SCHEDULE – REPORT NO. 04-11**

Attached is Report No. 04-11 regarding the 2011 Meeting Schedule.

(9) **2011 BANK BORROWING RESOLUTION – REPORT NO. 05-11**

Attached is Report No. 05-11 with respect to this matter.

(10) **CODE OF CONDUCT POLICY FOR BOARD MEMBERS – REPORT NO. 06-11**

Attached is Report No. 06-11 together with the proposed Policy.

(11) **OTHER BUSINESS**

ADJOURNMENT



TO: The Chairman and Members of the Authority

DATE: January 12, 2011

SUBJECT: 2011 Preliminary Operating and Capital Budgets- Report No. 01-11

Attached for reference and information are the Preliminary 2011 Operating and Capital Budgets as approved by the previous NPCA Board in their meeting of September 15th, 2010. A staff recommendation to adopt the final budget for 2011 will be brought forth to the Board at a future meeting following presentations to member municipalities.

The preliminary operating budget met the budget guidance objectives as provided by the Niagara Region (1.4%) and the City of Hamilton (equal to inflation). Haldimand County has not provided budget guidance to date. The Capital Budget was also prepared recognizing the significant challenges faced by our member municipalities and accordingly, the municipal levy amounts were reduced significantly from 2010, as outlined in the attached report.

NPCA staff are scheduled to make budget presentations to the Niagara Region Public Works Committee in their meeting of February 1, 2011 and to a City of Hamilton Committee on February 25, 2011. The Niagara Region Budget Review Committee of the Whole will also be meeting on February 27, 2011.

The final 2011 budget report to this Board will include references to the outcomes of the above meetings.

RECOMMENDATION:

That the 2011 Preliminary Operating and Capital Budgets as approved by the previous NPCA Board in their meeting of September 15, 2010 be received.

Respectfully Submitted By: _____
Tony D'Amario, P. Eng. CAO/ Secretary-Treasurer



TO: The Chairman and Members of the Authority

DATE: January 12, 2011

SUBJECT: NPCA Strategic Plan & Operational Review – Work Plan - Report No. 02-11

A priority objective for the NPCA is the need to complete a strategic plan for the watershed. The NPCA has a broad mandate established in legislation, regulation and as watershed stewards. This diverse mandate necessitates a set of corporately supported and aligned program priorities that recognizes the needs of our watershed constituents and Federal, Provincial and Municipal partners. A strategic plan will enable the NPCA to be clear about its mandate and identify its objectives and priorities. It will assist the NPCA in analyzing existing programs and service levels and identify if and where immediate and/or future changes are required.

Attached is a preliminary work plan to undertake the Strategic Plan which was identified in the Approved Preliminary 2011 Budget. The work plan was introduced to the previous NPCA Board and is brought forward at this time for final approval.

The plan is proposed to be undertaken in 2 phases, being the preparation of a strategic plan with a follow-up process to review the delivery mechanisms. It is envisioned that the first phase will be facilitated by a third part consultant (overseen by a NPCA Committee). The second phase would be completed internally (NPCA Board Members and Staff) with external advisors where required.

A request for proposals to undertake the first phase of the work will be made following Board approval of the Work Plan. Staff will prepare a future report to this Board with an analysis of proposals received and a recommendation to retain an appropriate firm.

RECOMMENDATION:

That Report No. 02-11 be received and the Work Plan for the NPCA Strategic Plan & Operational Review be approved.

Respectfully Submitted By: _____
Tony D'Amario, P. Eng. CAO/ Secretary-Treasurer

Preliminary Work Plan

NPCA Strategic Plan and Operational Review

Background:

As in many sectors of government and non government agencies, the Niagara Peninsula Conservation Authority must continue to refine and review its initiatives, programs and delivery mechanisms of its programs. This is especially applicable in the wake of significant economic downturn and related challenges. NPCA programs must also remain accountable and relevant as well as supported by watershed residents and its Municipal, Provincial and Federal partners.

Accordingly, it is appropriate that the NPCA undertake a review of its operations and mandate with an accompanying clear vision and mission that identifies strategic objectives and priorities, and translates them into well-defined and measurable program deliverables. A complete strategic plan will define the NPCA's corporate goals and set out clear, practical and implementable actions to achieve them. The plan will enforce the NPCA's credibility as being accountable and fiscally responsible to deliver a program that reflects the needs of watershed residents, member municipalities and partners.

Although the Conservation Authority has been strategic in defining and developing its current program, there is no current visionary document of a comprehensive nature to guide the NPCA forward in the future.

The following are considered the key elements of an effective strategic plan:

- History – How the NPCA came to be and its evolution up to current timelines.
- Vision – Describes a future identity and destination (why NPCA exists).
- Mission – This describes how the vision will be achieved and the broader purpose or goal (what the NPCA does).
- Guiding Principles and Values – These guide actions, align priorities and guide behaviour and relationships.
- Mandate – What the NPCA is required to undertake (legislation) as well as local needs and expectations.
- Key Program Objectives – Sets out the NPCA commitments and desired outcomes.
- Business Priorities – These are the programs and services that deliver on our commitments.
- Implementation Structure - To enable effective and efficient delivery.

It is envisioned that the NPCA Strategic Plan will be completed in utilizing a two phased approach. The first phase will finalize the NPCA's corporate vision, goals, objectives, priorities and expected service levels. Subsequent components of Phase I will analyze on a broad scale, the current programs of the Authority as they relate to the goals and objectives and stakeholder needs. The follow-up second phase will review implementation and delivery mechanisms for the components as identified in Phase I.

Phase I Approach/Process:

Environmental Scan/Trends

Environmental scanning is a key component of a strategic planning process and involves an assessment of existing and emerging trends that may impact the current and future business activities of the Conservation Authority. The trends will be assessed on a Federal, Provincial and local level and will include previous analyses undertaken by other Conservation Authorities, Conservation Ontario and other Environmental Groups and Agencies. Driving forces such as population demographics, knowledge levels, existing and future stresses on the environment and the relative success of past environmental programs as well as potentially conflicting local needs and issues will be reviewed as part of the scan/trend component.

The Environmental Scan/Trend analysis will include a review of all other relative documents/studies and combined with the above work, will provide the necessary tools to allow the Conservation Authority to consider, prepare for and respond effectively to change.

Orientation

The first phase of the strategic planning process must be fully collaborative that involves NPCA Board members, CA staff, municipal councillors and senior staff, other watershed partners and agencies, and watershed residents. The Plan must have shared ownership and shared accountability.

A Steering Committee would be established to oversee Phase 1 of the plan development. Membership in the committee would consist of NPCA Board members, staff as well representatives for the member municipalities.

Consultation/Facilitation

The initial process to develop a strategic plan would be supported by a professional facilitator who would convene and lead discussion sessions and workshops as necessary and assist with documentation of proceedings and report writing. The facilitator would:

- Review all existing and relevant studies, recommendations, plans and policies.
- Spend the necessary time to consult with all stakeholders through a variety of consultative processes.
- Summarize views/ opinions on importance and priority of NPCA programs including their relative value as determined by the environmental scan.
- Identify strengths and weaknesses and program deficiencies and excessiveness.
- Define service level expectations vs. actual service delivery levels.
- Provide regular updates.
- Provide sound rationale for recommendations relating to service delivery and existing and future (additional) programs that align with the strategic plan and priorities.

To be meaningful and focused, the consultation may include:

- One-on-one meetings with management
- Focus group sessions with managers within and across business units
- Consultation with members of the Board
- Survey of staff

Phase I Report

It is expected that the Phase I Report will include the following information.

- Description and efficiency of the current programs and services.
- Priorities and levels of services.
- Opportunities to improve the current services and how to address potential threats.
- Service levels and standards and how they align with the CA's priorities and the strategic plan.
- Key factors impacting the delivery of services and programs.
- Appropriateness of existing resources levels to deliver services to expected levels.
- Future challenges/opportunities for program delivery.
- Description of the operating and capital budgets planning processes and opportunities for improvements?

Phase II

Once a strategic plan is developed and understood, the NPCA will have the foundation needed to confirm, revise or set out programs and delivery mechanisms that serve to implement the objectives of Phase 1. This review will serve to:

- Assess the current program delivery structure in light of both the Authority's goals and service requirements, as well as sound organizational principles.
- Identify options and recommendations designed to improve the efficiency and effectiveness of the delivery structure.
- Ensure that the programs are provided in the most efficient and effective manner and within defined service levels.
- Confirm that the NPCA is positioned to meet future demand for services and upcoming challenges.
- Allow the programs to achieve long term financial sustainability, maximize financial flexibility and minimize financial vulnerability during economic downturns.

It is anticipated that Phase II component of the Strategy will be undertaken internally with external advisors and consultants as required.



TO: The Chairman and Members of the Authority

DATE: January 12, 2011

SUBJECT: Appointment of Auditors for 2011- Report No. 03-11

The NPCA has used MacGillivray Partners as its auditors since 1993 and over that time has provided excellent and thorough services to both the NPCA and the Niagara Peninsula Conservation Foundation. Their full knowledge and experience with the NPCA operations and accounting system allows them to undertake their work very efficiently.

A summary of their audit fees by year (since 2004) is provided below for comparison purposes. It should be noted that the total cost is below the NPCA current consultant selection policy for sole sourcing (\$25,000).

DATE	Audit Cost
2005	\$13,800
2006	\$14,000
2007	\$14,900
2008	\$15,200
2009	\$15,500
2010	\$19,000 (approximate, to be confirmed)

Anticipated fees for 2010 have increased significantly in 2010 due to the additional work required to set up and report on Capital Assets as required under PSAB.

It is recommended that the firm of MacGillivray Partners be retained as the Conservation Authority's auditors for 2011.

RECOMMENDATION:

That the firm of MacGillivray and Partners be appointed as the Conservation Authority Auditors for 2011.

Respectfully Submitted By: _____
Tony D'Amario, P. Eng. CAO/ Secretary-Treasurer



TO: The Chairman and Members of the Authority

DATE: January 13, 2011

SUBJECT: 2011 MEETING SCHEDULE - REPORT NO. 04-11

Below is the proposed schedule for the Authority meetings in 2011, including the current annual and regular meeting of January 21, 2011. Historically, the meetings have been held at the NPCA Administration Offices in Welland, at 7:00 p.m. on the 3rd Wednesday of each month, excluding July where no meeting is scheduled. Given the proximity of the 3rd Wednesday in December to Christmas, it is recommended that for 2011, the December meeting be held on the 2nd Wednesday of the month (December 14th instead of the 21st).

January 21 – Annual Meeting and Regular Meeting (Ball's Falls)

February 16

March 16

April 20

May 18

June 15

August 17

September 21

October 19

November 16

December 14

RECOMMENDATION:

That the 2011 Authority Meeting Schedule as outlined in Report No. 04-11 be approved.

Respectfully Submitted By: _____
Tony D'Amario, P. Eng. CAO/Secretary-Treasurer



TO: The Chairman and Members of the Authority

DATE: January 13, 2011

SUBJECT: BANK BORROWING RESOLUTION - REPORT NO. 05-11

Each year, the NPCA corporate bank, the Bank of Montreal, requires a resolution from the Authority allowing for the borrowing of funds as may be required for its operations and projects. Traditionally the Board had adopted this resolution for each of the upcoming fiscal years. The current financial position of the NPCA has not resulted in the Authority borrowing funds over the last several years. While it is not anticipated that it would be necessary to borrow funds for the 2011 budget year as well, I believe it prudent to have the approvals in place should the need arise for approved operation and project expenditures.

Where borrowing is required, the process will require the signatures of the Chairman and CAO/Secretary Treasurer.

RECOMMENDATION:

WHEREAS Section 3(5) of The Conservation Authorities Act authorizes Conservation Authorities to borrow such monies as may be required until the payment of any grants and levies; and

WHEREAS the Niagara Peninsula Conservation Authority deems it appropriate to borrow such sums, with the total borrowed amount not to exceed \$800,000 at any one time in the year of 2010 to meet approved administration, maintenance and capital expenditures;

NOW THEREFORE BE IT RESOLVED that the Niagara Peninsula Conservation Authority be authorized to borrow from time to time from the Bank of Montreal by way of overdraft as per a Bank of Montreal overdraft agreement executed and signed by the Chairman and the Secretary-Treasurer of the Niagara Peninsula Conservation Authority, with the total amount not exceeding \$800,000 at any one time in 2011 to meet approved administration, maintenance and capital expenditures.

Respectfully Submitted By: _____
Tony D'Amario, P. Eng.
Chief Administrative Officer/Secretary-Treasurer



TO: The Chairman and Members of the Authority

DATE: January 12, 2011

SUBJECT: Code of Conduct Policy for Board Members - Report No. 06-11

The activities of the Niagara Peninsula Conservation Authority are governed by a Board of Directors comprised of 15 members appointed by member municipalities as follows: 12 members appointed by Region of Niagara, 2 members appointed by City of Hamilton and 1 member appointed by Haldimand County.

The watershed residents are entitled to expect that the business of the NPCA will be conducted with efficiency, impartiality and integrity and that the public will always have absolute priority over private interests. A process should be in place to confirm that business of the NPCA operates in an open transparent, responsible and ethical manner in accordance with applicable laws and regulations.

Improving the quality of public administration and governance can be achieved by encouraging high standards of conduct on the part of all government officials. In particular, the public is entitled to expect the highest standards of conduct from the members that it elects to local government. In turn, adherence to these standards will protect and maintain the NPCA's reputation.

The NPCA has adopted employment and personnel policies that include general principles and guidance for the conduct of its employees however, a similar policy has not been set out for Board Members.

A formal written Code of Conduct for the Board would help to ensure that the members of share a common basis for acceptable conduct. These standards are designed to provide a reference guide and a supplement to the legislative parameters within which the members must operate. These standards should serve to enhance public confidence that NPCA municipal representatives operate from a base of integrity, justice and courtesy.

Attached is a draft Code of Conduct Policy for the consideration of members appointed to serve on the Board of Directors. This Code of Conduct has been prepared to provide guidance to Directors with respect to carrying out the duties and responsibilities as they pertain to the business of the Niagara Peninsula Conservation Authority, and is similar to the policies adopted by other Conservation Authorities and Conservation Ontario.

RECOMMENDATION:

That the Code of Conduct Policy for Board Members dated January 21, 2011 be approved.

Respectfully Submitted By: _____
Tony D'Amario, P. Eng. CAO/ Secretary-Treasurer



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Board of Directors

Code of Conduct Policy

Since its inception in 1959, Niagara Peninsula Conservation Authority has benefitted from a high level of integrity and ethical conduct from its Directors. The Authority's exemplary reputation has relied upon the good judgement of individual Directors. The following Code of Conduct is a general standard. It augments the laws which govern the behaviour of Directors, and is not intended to replace personal ethics.

General

All Directors shall serve in a conscientious and diligent manner. No Director shall use the influence of office for any purpose other than for the exercise of his/her official duties. Every Director will abide by the legislative requirements of the position.

Basic Role of a Director

The following basic role of a director focuses on achieving "team results":

- a) Concentrate on governing, not micro-managing
- b) Focus on the big picture
- c) Listening is as important as making comments
- d) Maintain a relationship with the community for which you serve
- e) Respect the democratic process and policies
- f) Be fully prepared for meetings

Roles and Responsibilities of the Board of Directors

The Niagara Peninsula Conservation Authority Board is publically accountable for the successful operation of Niagara Peninsula Conservation Authority. In carrying out the duties, it is imperative that the Board understand its primary responsibilities.

1. *Carrying Out Mandatory Responsibilities*

The Niagara Peninsula Conservation Authority Board is bound by the Conservation Authorities Act.

- 1.1 Section 20 of the Conservation Authorities Act defines the objects of a Conservation Authority as follows:

"The objects of an authority are to establish and undertake, in the area over which it has jurisdiction, a program designed to further the conservation

restoration, development and management of natural resources other than gas, oil, coal or minerals.”

1.2 Section 21 of the Conservation Authorities Act specifically outlines the powers of a Conservation Authority to accomplish its objectives:

- 1.2.1 the power to study the watershed and develop an appropriate resource management program;
- 1.2.2 acquire and/or dispose of lands;
- 1.2.3 collaborate and enter into agreements with landowners, governments and organization;
- 1.2.4 control the flow of surface waters;
- 1.2.5 alter the course of any waterway;
- 1.2.6 develop their lands for recreational purposes;
- 1.2.7 generally to do all such acts as are necessary for the due carrying out of any project.

1.3 All directors of the board are public officials and thus have the responsibility to be guided by and adhere to the rules of conduct, explicit and implied, for all such holders of public office in the Province of Ontario. In addition, all members of the Board must adhere to all applicable acts of incorporation. In the case of Niagara Peninsula Conservation Authority, Directors must adhere to the following:

- 1.3.1 The Municipal Conflict of Interest Act
- 1.3.2 The Freedom of Information and Privacy Act
- 1.3.3 Administration Regulations and Procedures approved by the Minister of Natural Resources under the Conservation Authorities Act
- 1.3.4 Meeting Procedural By-Law of Niagara Peninsula Conservation Authority
- 1.3.5 Ontario Regulation 155/06 whereby Niagara Peninsula Conservation Authority enforces regulations governing the Fill, Construction and Alteration to Waterways
- 1.3.6 Corporations Act of Ontario

2. *Adhering to the Code of Ethics*

The Board of Directors must follow a code of ethics. Such ethics include:

- 2.1 Represent the interest of all people served by Niagara Peninsula Conservation Authority
- 2.2 Honour organizational values
- 2.3 Honour confidentiality
- 2.4 Approach all Board issues with an open mind, prepared to make decisions in the best interest of the organization as a whole
- 2.5 Exercise individual powers as a Board Director only when acting in a meeting of Niagara Peninsula Conservation Authority

- 2.6 Honour the democratic process and support Board decisions regardless of personal viewpoints
- 2.7 Declare a Conflict of Interest in any situation where external roles and responsibilities preclude adhering to the goals, directions and policies of Niagara Peninsula Conservation Authority
- 2.8 Focus efforts on the Strategic Plan of Niagara Peninsula Conservation Authority

3. *Adhering to the Strategic Plan*

The Strategic Plan as approved by the Niagara Peninsula Conservation Authority outlines the mission statement, organizational values and strategic goals, objectives, directions and performance standards of Niagara Peninsula Conservation Authority. As a Director of the Board, the Strategic Plan should be adhered to. The CAO/Secretary-Treasurer is accountable for the management and implementation of the strategic plan carrying out the procedures and operations necessary.

4. *Advancing the Mission of Niagara Peninsula Conservation Authority*

- 4.1 Advancing the mission of Niagara Peninsula Conservation Authority should be the primary focus of all Board meetings, political lobbying and personal public representation as a Board Director of Niagara Peninsula Conservation Authority. This responsibility of “outreach”, is especially critical to assist the NPCA to attain the resources necessary to grow as required and remain viable.
- 4.2 Directors of the Board should participate in events and presentations and act as goodwill ambassadors.

5. *Supporting the Goals of Niagara Peninsula Conservation Authority Foundation*

The Board of Directors will support the fundraising efforts of the Niagara Peninsula Conservation Foundation.

6. *Ensuring Fiscal Stability of Niagara Peninsula Conservation Authority*

The Board of Directors must ensure the financial stability of Niagara Peninsula Conservation Authority. This includes approving an annual budget, receiving and approving reports on financial performance and ensuring policies are in place for financial soundness.

7. *Relationship with CAO/Secretary-Treasurer*

The Board of Directors rely on the CAO/Secretary-Treasurer to inspire, lead and manage Niagara Peninsula Conservation Authority. The Board will forge a strong partnership with the CAO/Secretary-Treasurer, working cooperatively to achieve the goals of Niagara Peninsula Conservation Authority.

8. *Effective Human Resources Practices*

8.1 The CAO/Secretary-Treasurer manages the organization and its staff. The following guidelines should be followed to ensure a common voice is heard throughout the organization and by the public at large:

8.1.1 If a Director has questions on a project or report, such questions should be referred through the CAO/Secretary-Treasurer for him/her to invite the appropriate staff member(s) to explain the project and answer questions.

8.1.2 If a Director would like to volunteer to assist in a project, such action should be taken in consultation with the CAO/Secretary-Treasurer to organize the process.

8.1.3 If a Director receives a complaint about a staff member or would like to acknowledge a staff member, such information should go through the CAO/Secretary-Treasurer.

8.2 With respect to staffing, the following outlines the responsibilities of the Board of Directors and the CAO/Secretary-Treasurer:

8.2.1 The Board of Directors are responsible for the following:

- a) Recruiting the CAO/Secretary-Treasurer
- b) Hiring the CAO/Secretary-Treasurer
- c) Evaluating the CAO/Secretary-Treasurer
- d) Dismissing the CAO/Secretary-Treasurer

8.2.2 The Board of Directors and the CAO/Secretary-Treasurer share the following responsibilities in that the recommendation will come from the CAO/Secretary-Treasurer and the approval will come from the Board of Directors:

- a) Setting goals for the CAO/Secretary-Treasurer
- b) Setting human resource and personnel policies which will have a financial impact upon the budget
- c) Setting staff salary schedules and plans as part of the annual budget review process

8.2.3 The CAO/Secretary-Treasurer is responsible for the following:

- a) Assessing staffing requirements
- b) Recruiting, hiring and dismissing staff
- c) Providing staff direction
- d) Approving staff evaluations
- e) Designing the organizational structure
- f) Setting human resource and personnel policies, which have no financial impact on the budget

Disclosure of Pecuniary Interest

Where a Director, either on his own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Authority or Committee at which the matter is the subject of consideration, the Director shall:

- a) prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- b) not take part in the discussion of, or vote on any question in respect of the matter and,
- c) not attempt in any way whether before, during or after the meeting to influence the voting on any such question.

Where the interest of a Director has not been disclosed by reason of his absence from the particular meeting, the Director shall disclose this interest and otherwise comply at the first meeting of the Authority or Committee, attended by him/her after the particular meeting.

The meeting secretary shall record in reasonable detail the particulars of any disclosure of pecuniary interest made by Directors of the Authority or Committees, and any such record shall appear in the minutes/notes of that particular meeting of the Authority or of a Committee.

Conduct of Directors at Meetings

No Director shall:

- a) use offensive words in or against the Authority or Committee, or against any Director or any staff member;
- b) speak on any subject other than the subject under debate;
- c) criticize any decision of the Authority or Committee, except for moving, in accordance with the provision of this policy, that the question be reconsidered;
- e) speak in a manner that is discriminatory in nature based on an individual's race, ancestry, place of origin, citizenship, creed, gender, sexual orientation, age, colour, marital status, family status or disability;
- f) leave his or her seat or make any noise or disturbance while a vote is being taken or until the result is declared;
- g) interrupt a Director while speaking, except to raise a point of order or a question of privilege;
- h) disobey the rules as set out in this policy or by resolution of the Authority or a decision of the Chair or Committee Chair, or of the Authority or Committee, on questions of order, practice or upon the interpretation of the rule of the Authority or Committee. If a Director persists in any such disobedience after having been called to order by the Chair or Committee Chair, shall forthwith put the following question, no amendment, adjournment or debate being allowed: "That such Director be ordered to leave his seat for the duration of the meeting", but if the Director apologizes he may, by vote of the meeting, be permitted to retake his seat.

Confidentiality

All information, documentation or deliberations received, reviewed, or taken in closed session of Niagara Peninsula Conservation Authority and its committees are confidential.

Directors shall not disclose or release by any means to any member of the public either in verbal or written form any confidential information acquired by virtue of their office, except when required by law to do so.

Directors shall not permit any persons other than those who are entitled thereto to have access to information, which is confidential.

Particular care must be exercised in regards to information such as the following:

- a) personnel matters
- b) information about suppliers provided for evaluation which might be useful to other suppliers
- c) matters relating to the legal affairs of the Authority
- d) sources of complaints where the identity of the complainant is given in confidence
- e) items under negotiation
- f) schedules of prices in contract tenders
- g) information deemed to be "personal information" under the Municipal Freedom of Information and Protection of Privacy Act.

The above list is provided for example and is not inclusive. All "Freedom of Information" requests should be referred through the Authority's Privacy Officer for response.

Use of Niagara Peninsula Conservation Authority Property

No Director shall use for personal purposes any Niagara Peninsula Conservation Authority property, equipment, supplies, or services of consequence other than for purposes connected with the discharge of Niagara Peninsula Conservation Authority duties or associated community activities of which Niagara Peninsula Conservation Authority has been advised.

No Director shall obtain financial gain from the use or sale of Niagara Peninsula Conservation Authority developed intellectual property, computer programs, technological innovations, or other patentable items, while a Director or thereafter. All such property remains the exclusive property of Niagara Peninsula Conservation Authority.

Work of a Political Nature

No Director shall use Niagara Peninsula Conservation Authority facilities, services or property for his or her re-election campaign. No Director shall use the services of Niagara Peninsula Conservation Authority employees for his or her re-election campaign, during hours in which the employees are in the paid employment of Niagara Peninsula Conservation Authority.

Influence on Staff

Directors shall be respectful of the of the fact that staff work for the whole corporation and are charged with making recommendations that reflect their professional expertise and corporate perspective, without undue influence from any individual Director or faction.

Business Relations

No Director shall borrow money from any person who regularly does business with Niagara Peninsula Conservation Authority unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money.

No Director shall act as a paid agent of Niagara Peninsula Conservation Authority or a committee of Niagara Peninsula Conservation Authority, except in compliance with the terms of the Municipal Conflict of Interest Act.

Harassment

Harassment of another Director, staff or any member of the public is misconduct. It is the policy of Niagara Peninsula Conservation Authority that all persons be treated fairly in the workplace in an environment free of discrimination and of personal and sexual harassment. Regulation 28 of the Niagara Peninsula Conservation Authority's Personnel Policy must be adhered to at all times.

January 21, 2011