

FULL AUTHORITY MEETING
Wednesday December 16, 2015 9:30 am
Ball's Falls Centre for Conservation – Glen Elgin
3292 Sixth Avenue; Jordan, ON

A G E N D A

9:30 am
PUBLIC MEETING

- ◆ **DECLARATION OF CONFLICT OF INTEREST**
- ◆ **ADOPTION OF AGENDA**
- ◆ **BUSINESS**
 - (1) A. Full Authority Draft Meeting Minutes —November 18, 2015
 - B. Committee Minutes - Cave Spring – Oct 6 & Oct 27
 - CLAC – November 19, 2015
 - Watershed Floodplain – Nov 25, 2015
- (2) Business Arising From Minutes
- (3) Correspondence
 - Maitland Valley – Conservation Ontario Governance
 - Tim Hudak, MPP Ontario Legislative Assembly
 - Office of the Regional Chair, Alan Caslin
 - Environment Commission of Ontario
- (4) Chairman's Remarks
- (5) Chief Administrative Officer Comments

REPORTS FOR INFORMATION

- (6) Project Status Reports:
 - 1. *Watershed Management*----- **Report No. 126-15**
 - 2. *Operations*----- **Report No. 127-15**
 - 3. *Corporate Services*----- **Report No. 128-15**
- (7) Financial & Reserve Status – Ending Nov. 30, 2015 ----- **Report No. 129-15**

- (8) Forestry & Tree and Forest Conservation Bylaw -----**Report No. 130-15**
- (9) 2015 Thanksgiving Festival Review-----**Report No. 131-15**
- (10) Internet Live Streaming Authority Meetings-----**Report No. 132-15**

REPORTS FOR CONSIDERATION

- (11) NPCA Regulation #2 Revised Code of Conduct - Public ----**Report No. 133-15**
- (12) Purchasing and Procurement Policy-----**Report No. 134-15**
- (13) Draft Agreement St. Johns CA and NCDSB-----**Report No. 135-15**
NOTE: Final report awaiting response from NCDSB
- (14) Other Business

CLOSED SESSION

- ◆ **DECLARATION OF CONFLICT OF INTEREST**
 - (1) **Property matters – verbal update**
 - (2) **Verbal update – Hamilton levy mediation**
 - (3) **Compensation 2016 ----- Report No. CR-136-15**

PUBLIC SESSION

- ◆ **Resolution(s) from closed session**
 - ◆ **ADJOURNMENT**
-

CORRESPONDENCE

- Maitland Valley Conservation Authority (letter dated November 16, 2015)
- Tim Hudak, MPP Ontario Legislative Assembly (letter dated November 27, 2015)
 - Office of the Regional Chair, Alan Caslin (letter dated November 30, 2015)
 - Environmental Commissioner of Ontario (letter dated December 2015)

December 16, 2015 Full Authority Meeting

Maitland Valley Conservation Authority



Providing leadership to protect and enhance our water, forests and soils!

November 16, 2015

Conservation Ontario
120 Bayview Parkway
Newmarket, Ontario
L3Y 3W3

Attention: Dick Hibma, Chair

Dear Mr. Hibma:

Re: Conservation Ontario Governance

On October 21, 2015 the Board of Directors discussed the issue of governance at Conservation Ontario. The strategic plan adopted by CO council at the September 28th meeting identifies a need to improve the function of council. Previous to this meeting, at the June CO Council meeting, I expressed the concern that there appears to be fewer Board members from Conservation Authorities who attend Council meetings.

MVCA's Board, which includes three former Chairs who attended CO Council meetings on a regular basis over the past 15 years, have all expressed concerns about the need for improved governance at Conservation Ontario.

MVCA's Board would encourage Conservation Ontario Council to consider changes to their bylaws so that voting delegates may only be Board members and not conservation authority staff (such as General Managers and Chief Administrative Officers). It is the position of the MVCA's Board that this change in voting protocol would encourage more Conservation Authority Board members to attend. Further, there is a concern that with staff voting, the positions and recommendations from Conservation Ontario to other levels of government will be viewed as bias, and not necessarily supported by the Conservation Authority Boards across the province.

If more Conservation Authorities were represented at CO Council by Board members we think that they would be in a better position to champion the cause of conservation authorities across the Province. They can't do that unless they develop a better understanding of the issues and challenges facing all conservation authorities. MVCA's Board feels strongly that we need to develop a strong association. We collectively need to develop an association that has the political influence to lobby effectively with AMO, the Province and the Federal Government. At the present time Conservation Ontario has few political champions to help move issues forward with any level of government or municipal association.

MAITLAND VALLEY CONSERVATION AUTHORITY
1093 Marietta Street, Box 127, Wroxeter, ON N0G 2X0
519 335-3557 Fax: 519 335-3516 Email: maitland@mvca.on.ca

Member of



We would further recommend that Conservation Ontario consider clarifying its bylaws so that each Conservation Authority is required to submit a motion outlining who has been appointed to Conservation Ontario. We understand that presently there is some ambiguity regarding appointments in Conservation Ontario bylaws.

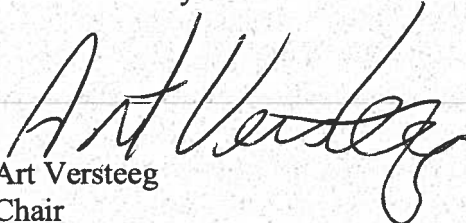
With respect to Conservation Ontario Council meetings themselves, we think that council meetings could be improved by restructuring the agenda so that items that require council's direction and decision are moved to the start of the meeting. Reports that require no decision, but are circulated for information purposes, could be made part of the consent agenda. There is no need to present reports that have already been circulated unless there is new information that council needs to be made aware of. Council members could still request that business in the consent agenda be moved to the items for discussion with the approval of CO Council.

MVCA has introduced this change in format to our meetings and it has improved the engagement and interest of Board members. It has also allowed the Board to focus on their responsibilities related to policy, program direction, governance and advocacy. It has also shortened the length of our Board meetings.

I would encourage you to bring forward the issues raised in this letter to a future Conservation Ontario Council meeting for discussion.

If you have any questions or would like to discuss any of the ideas outlined above, please do not hesitate to call me.

Yours sincerely



Art Versteeg
Chair

cc: Chairs, conservation authorities

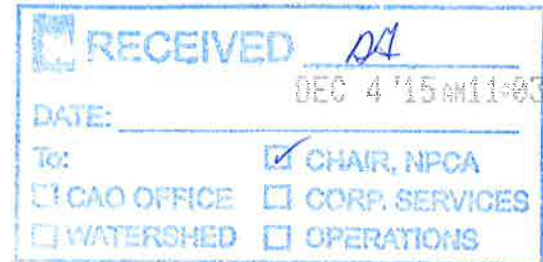


Tim Hudak, MPP
Niagara West-Glanbrook

Constituency Office:
Beamsville Town Centre
4961 King Street East, Unit M1
Beamsville, Ontario L0R 1B0
Tel. (905) 563-1755
Fax (905) 563-1317
E-mail: timhudak@niagara.net

Friday, November 27, 2015

Bruce Timms, Chair
Niagara Peninsula Conservation Authority
250 Thorold Road West; 3rd Floor
Welland, ON L3C 3W2



Dear Mr. Timms;

There is currently a proposal in Beamsville to turn old, out-of-use lagoons that have now become habitat for wildlife into large-scale, long-term storage of biosolids.

The property is currently zoned good agricultural and requires a re-zoning to allow this use. The Town of Lincoln has, very rightly, turned down the application to rezone the property but that decision has been appealed to the Ontario Municipal Board.

While bio-solids, the waste left over from waste-water treatment, are used as an agricultural fertilizer in Ontario, this use is anything but agricultural. When spread on farms, biosolids may only be used on a strict time frame. These storage lagoons would be permanent. The material would be stored, in large quantities in open sewage lagoons, for long periods of time that are more akin to industrial uses than farming.

The Niagara Peninsula Conservation Authority has been monitoring the quality of groundwater and watersheds in this area for several years, and your own report cards show groundwater quality in Lincoln is less than ideal.

There is also a provincially significant wetland adjacent to the proposed storage site that is at high risk of environmental damage if bio-solids are stored in lagoons nearby. These lagoons, which are decades old, have leaked in the past which caused contamination in nearby wells.

Neighbours and local residents are rightly concerned that bio-solids will contaminate the wells, the neighbouring wetland and groundwater in the area.

Provincial planning policies protect wetlands from development and other changes. In this case, I think the NPCA needs to take a strong stance against the proposal and help protect the wetland and groundwater from toxic contaminants.

I am asking for two things.

One, I ask the NPCA to closely investigate the potential impact of the proposed permanent sludge lagoons on the natural environment, rather than your earlier, cursory report to the Town of Lincoln.

Second, join with me in asking the Minister of the Environment to set higher province-wide standards on the permanent storage of biosolids in industrial area rather than good agriculture land while authorizing new environmental technologies to provide for an alternate use of biosolids.

Sincerely;

A handwritten signature in blue ink, appearing to read 'Tim Hudak', with a stylized flourish at the end.

Tim Hudak, MPP

Niagara West Glanbrook



Office of the Regional Chair | Alan Caslin

2201 St. David's Rd. W, PO Box 1042 Thorold, ON L2V 4T7

Telephone: 905-980-6000 Toll-free: 1-800-263-7215 Fax: 905-685-6243

Email: alan.caslin@niagararegion.ca

www.niagararegion.ca

November 30, 2015

Bruce Timms, NPCA, Board Chairman
c/o Niagara Peninsula Conservation Authority
Niagara Peninsula Conservation Foundation
250 Thorold Road West
Welland, Ontario, L3C 3W2

RECEIVED *LB*

DATE: DEC 10 '15 AM 9:00

To: CHAIR, NPCA
 CAO OFFICE CORP. SERVICES
 WATERSHED OPERATIONS

Dear Chair Timms,

Please see the attached letter addressed to the Honourable Marc Garneau, Minister of Transport regarding the upcoming St. Lawrence Seaway Mandate Expiration in 2018.

Sincerely,

Alan Caslin
Regional Chair



Office of the Regional Chair | Alan Caslin

2201 St. David's Rd. W, PO Box 1042 Thorold, ON L2V 4T7

Telephone: 905-980-6000 Toll-free: 1-800-263-7215 Fax: 905-685-6243

Email: alan.caslin@niagararegion.ca

www.niagararegion.ca

November 10, 2015

The Honourable Marc Garneau
Minister of Transportation
330 Sparks Street
Ottawa, Ontario
K1A 0N5

Dear Minister,

First, I would like to congratulate you on your recent appointment as Minister of Transportation. I look forward to working with you and your government on moving the Region of Niagara forward.

I am writing you with respect to the impending St. Lawrence Seaway Management Corporation's mandate expiration in 2018.

The St. Lawrence Seaway and the Welland Canal are integral components to our Regional economy and Niagara's history and culture. As such, a positive and collaborative relationship between the Niagara Region, the SLSMC and Transport Canada is essential on a wide range of issues and opportunities as they present themselves in Niagara, including proactively working with local area municipalities on the marketing of available industrial lands under the control of the SLSMC.

Regional Council for the 2015-2018 terms has adopted a strategic plan that is focused on fostering an environment for economic prosperity in Niagara. For the first time in Niagara's history we have implemented a series of performance metrics to gauge Niagara's progress on key economic indicators. With the Welland Canal directly affecting five of Niagara's twelve local municipalities, SLSMC is a major economic stakeholder in the Region.


The 2018 expiration of the current agreement between the federal government and the SLSMC provides an opportunity to enhance consultation with municipalities across the entire St. Lawrence Seaway system in the lead up to a post-2018 mandate. Consultations from a Niagara perspective would be focused on how to leverage the Welland Canal to provide further economic benefit to our region.

To that end, I respectfully request a meeting with you to discuss potential avenues for consultation in the lead up to a renewal of the SLSMC's mandate in 2018 and how best the Niagara Region can support this process moving forward.

Sincerely,

Alan Caslin
Regional Chair



	RECEIVED	DEC 7 10 10 AM '12	
DATE: _____			
To:	<input type="checkbox"/>	CHAIR, NPCA	
<input checked="" type="checkbox"/>	CAO OFFICE	<input type="checkbox"/>	CORP. SERVICES
<input type="checkbox"/>	WATERSHED	<input type="checkbox"/>	OPERATIONS

December 2015

It is a privilege and a challenge to have been selected as your Environmental Commissioner at a time of urgent climate peril and opportunity.

As you know, 2015 has been the hottest year ever recorded and the year when atmospheric carbon reached 400 parts per million. The consequences will affect everything Ontarians care about, and the window for effective action is closing quickly.

As the Environmental Commissioner, I seek to serve the Legislature and to catalyze better environmental outcomes for and with the people of Ontario.

I trust 2016 will be a meaningful year and I look forward to meeting and working with you in the very near future.

Sincerely,

Dianne Saxe, J.D., Ph.D.
Environmental Commissioner of Ontario



ADDITIONAL CORRESPONDENCE

- Enbridge's Line 10 – Replacement Project

December 16, 2015 Full Authority Meeting

Enbridge's Line 10 Westover Segment Replacement Project

At Enbridge, the protection of people and the environment remains our Number One priority—and that's why we're preparing for the Line 10 Westover Segment Replacement Project. Strategic investments in infrastructure upgrades like these help ensure the high standards of safety and reliability that our neighbours expect.

Line 10 Westover Segment Replacement Project Consultation and Project Schedule (Tentative)

June 2015	Initial government, Aboriginal, landowner and public outreach
June to December 2015	Pre-application consultation; open houses, roundtable discussions, and one-on-one meetings
July 2015 to August 2016	Civil and environmental surveying
December 2015	File project application with National Energy Board
December 2015 to 2018	Ongoing consultation
September 2017	Pipeline construction (contingent on NEB approval)
First quarter 2018	Project goes into service
September 2018	Right-of-way restoration complete

What's happening with Line 10?

We are proposing to replace an approximately 35-kilometre (21-mile) section of Line 10 in southern Ontario, running from Enbridge's Westover Terminal to the Binbrook area in the City of Hamilton.

Why is this necessary?

Our inline inspection program has determined that this segment of Line 10 should be replaced, rather than undergo further inspection and routine maintenance.

When will this happen?

Surveying should begin this summer. Pending regulatory approval, construction should begin in 2017.

Who's in charge?

Enbridge's activities are governed by the National Energy Board (NEB), which provides rigorous oversight on Canadian pipeline projects.

What will this project entail?

We plan on replacing this approximately 35-kilometre section of 12-inch-diameter pipe with 20-inch-diameter pipe, with some segments being rerouted to avoid sensitive areas. The old segments of Line 10 will be decommissioned (removed from service), and we will continue to monitor and maintain these segments, just as we would an active line.

What is Line 10?

Our Line 10 travels approximately 143 kilometres (89 miles) from Hamilton, Ont., to West Seneca, N.Y. It currently delivers about 63,500 barrels of oil a day to a refinery in Warren, Pa.

Safety is Enbridge's top priority

Over the past decade, Enbridge has transported more than 15 billion barrels of crude oil and liquids in Canada and the U.S., with a 99.9994-per-cent safe delivery record. Good enough? No. But we're working hard for 100-per-cent safety, because we believe all incidents can be prevented.

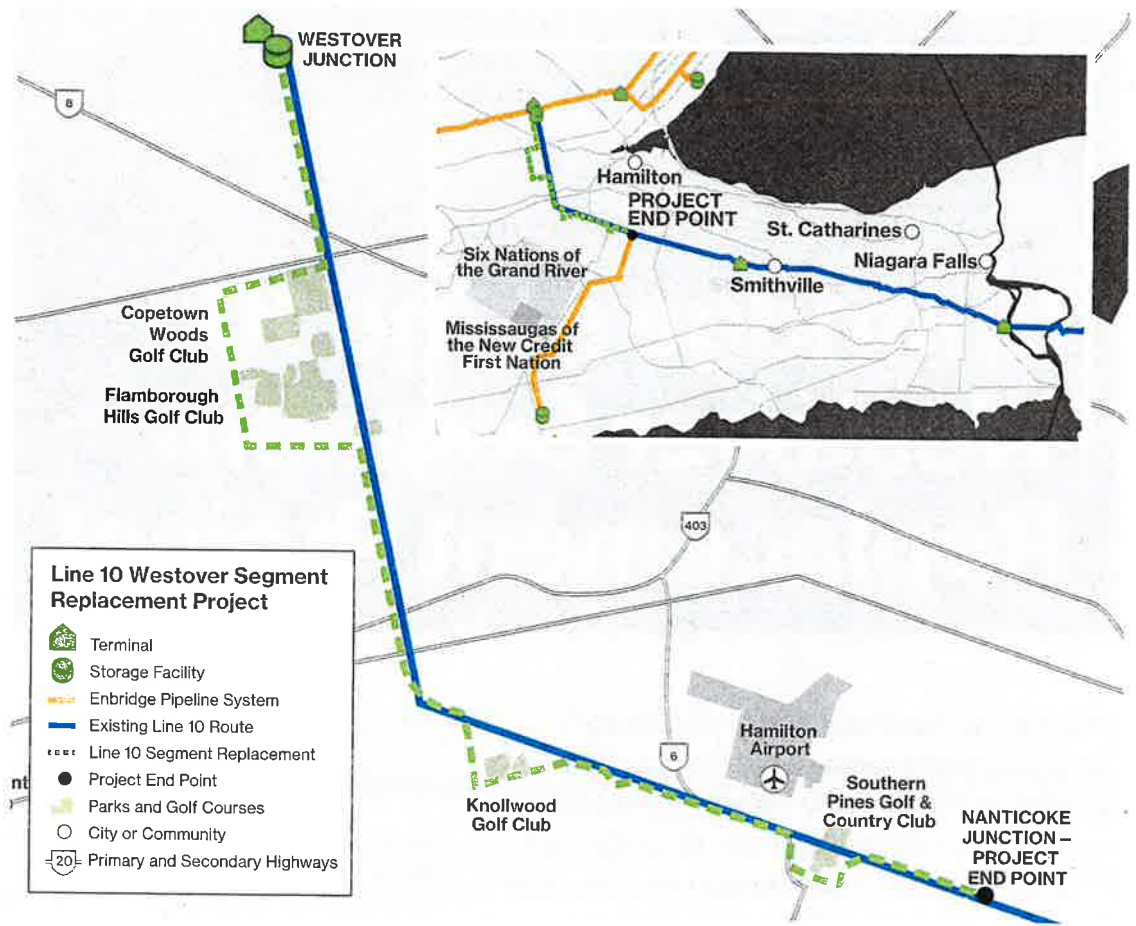
A routine part of what we do

Through our extensive program of maintenance and inspection, our engineers feel that this segment of Line 10 has reached our conservative threshold for replacement, rather than continuing to undergo a program of further inspection and routine maintenance.

Our Line 10 Westover Segment Replacement Project involves replacing an approximately 35-kilometre section of 12-inch-diameter pipe with 20-inch-diameter pipe. Following project completion, Line 10's average daily capacity will more closely approximate what the line has carried in the past. This segment replacement is not about expanding the capacity of Line 10 – it's about routine maintenance and fitness of our lines.

Through excavation and replacement activities, the Line 10 Westover Segment Replacement Project will address pipeline maintenance requirements, improve overall reliability and safety of our system, and restore pipeline capacity. This work is a routine but important part of what we do.

For Line 10, our infrastructure maintenance program is based primarily on a phased segment replacement program that will modernize the line. Pending regulatory approval, the Westover-to-Binbrook segment is scheduled for replacement in 2017. Based on our current analysis of future



shipper needs and maintenance requirements, replacement of other segments over the subsequent several years is expected to be the optimal pipeline management approach; it is anticipated that applications for those replacements would be filed in 2018 and later.

The NEB: A fact-based regulatory process

Enbridge's Line 10 Westover Segment Replacement Project will be governed by the National Energy Board's (NEB) fact-based regulatory process. The NEB requires us to provide detailed information, including the project description, engineering documents, public consultation plans, Aboriginal consultation, economic feasibility, and environmental impacts.

Emergency preparedness plans

Modern-day preventative maintenance and inspection technology make incidents, especially large events, highly unlikely. However, in the event of a leak, Enbridge has robust and tested emergency response equipment, training, and expertise in the Line 10 region. These considerable combined resources are always ready for mobilization, and will ensure a quick and effective response, if necessary.

We want to hear from you

We encourage you to visit our website at enbridge.com/line10, or send us an e-mail at projects@enbridge.com. Ask us questions, provide feedback, or get on our distribution list for newsletters and updates. You can also give us a call at 1-888-263-3654. Throughout this process, we will listen carefully — and promptly respond — to your questions and concerns.

A commitment to consult

Good working relationships with communities are essential to our operations. We are committed to providing you with up-to-date, reliable information about our projects in an open, honest, and respectful manner. Enbridge will begin consultation with communities on the Line 10 Westover Segment Replacement Project well in advance of construction.

REPORTS FOR INFORMATION

- ❖ **REPORT NO. 126-15** – *Project Status – Watershed Management*
- ❖ **REPORT NO. 127-15** – *Project Status - Operations*
- ❖ **REPORT NO. 128-15** – *Project Status – Corporate Services*
- ❖ **REPORT NO. 129-15** – *Financial & Reserve Report – Oct 31, 2015*
- ❖ **REPORT NO. 130-15** – *Forestry by-law*
- ❖ **REPORT NO. 131-15** – *2015 Ball's Falls Thanksgiving Festival*
- ❖ **REPORT NO. 132-15** - *Internet Live-streaming Authority Meetings*

December 16, 2015 Full Authority Meeting

Report To: Board of Directors

Subject: Watershed Management Status Report

Report No: 126-15

Date: December 16, 2015

RECOMMENDATION

That Watershed Management Status Report No. 126-15 be received for information.

PURPOSE

To update the Board on the status of the Watershed Management Team's activities during the past month.

DISCUSSION

A. Plan Review & Regulations

1) Municipal and Development Plan Input and Review

The Watershed Management Department is responsible for reviewing *Planning Act* applications and Building Permit applications where there is a feature regulated by the NPCA. Under the Memorandum of Understanding (MOU) with Niagara Region, the NPCA reviews *Planning Act* applications with respect to the Region's Natural Environment Policies (Chapter 7 of the Regional Official Plan).

During November, 2015, the Watershed Management Department reviewed 17 *Planning Act* applications (various type and complexity), 4 Niagara Escarpment Commission Development Permit applications, 13 Building Permit applications, and 3 property information requests. Staff also responded to various inquiries from the public and local municipalities, as well as attended weekly consultation meetings with the local municipalities and conducted various site inspections. A breakdown of the application review is provided below.

It should be noted that the statistics for Plans of Subdivisions/Condominiums does not include on-going administration work (reviewing detailed engineering design reports, reviewing tree saving plans, reviewing agreements, reviewing revised submissions, and other such tasks).

November 2015

Plan of Subdivision/Condominium	1
Site Plan Control	5
Official Plan Amendments	1
Secondary Plans	1
Zoning By-law Amendments	4
Consents to Sever (including lot line adjustments)	3
Minor Variances	2
Niagara Escarpment Commission Development Permits	4
Renewable Energy Projects	0
Building Permits	13
Property Information Requests	3

2) Construction Approvals

No.	PERMIT #	MUNICIPALITY	ADDRESS	WORKS PROPOSED /PURPOSE	REGULATED FEATURE	TOTAL DAYS	COMMENTS
1	3186R2	Fort Erie	1007 Point Abino Road (Buffalo Yacht Club)	Dredging at Yacht Club in Lake Erie	Lake Erie	64	Complete Application not until November 2, 2015, therefore only 2 days to complete permit
2	3597	Fort Erie	1235 Kam Road	New foundation	Lake Erie Shoreline	2	
3	3656	NOTL	Garrison Village /Brookfield Homes	Trail along Two Mile Creek	Top of slope (Two Mile Creek Valley)	38	Complete Application not until October 28, 2015, therefore only 1 day to complete permit
4	3678	Wainfleet	10597 Lakeshore Road	Deck Extension	Lake Erie Shoreline	1	File took longer to develop but only 1 day from receiving application and payment
5	3679	Wainfleet	12863 Old Lakeshore Road	Shorewall and Septic Installation	Lake Erie Shoreline	6	
6	3680	NOTL	1444 Irvine Road	Tile Drainage to Accommodate Roof Top Drainage and	Lake Ontario Shoreline	121	Complete Application not until November 5, 2015,

				Outletting into a Natural Swale			therefore only 1 day to complete permit
7	3682	Port Colborne	3894 Forks Road East	Set up Mobile Home within Envelope of Old Home	Floodplain	6	
8	Minor Works	Hamilton	Airport Road (by Airport)	Culvert Replacement	Watercourse Alteration (storm water flows)	5	
9	No Objection	Welland/Port Colborne	Various	Emergency Hydro One Line Clearing	PSW Buffer	7	
10	3689	St. Catharines	1200 Fourth Avenue	New Culvert Crossing and Removal of Existing Crossing	Watercourse Alteration/Francis Creek	12	
11	3690	St. Catharines	1396 President Court	Replacement of Existing Garage	Toe of Valleyland	13	
12	3691	Lincoln	King & Greenlane Intersection	New Roundabout/Culvert Works	Watercourse Alteration	10	
13	3693	Hamilton	365 Glancaster Road	Watercourse Re-alignment for Subdivision	Watercourse Alteration	9	
14	3694	West Lincoln	Concession 4 Road	Enbridge Utility Watercourse Crossing	Watercourse /Lands adjacent to watercourse	8	
15	3695	Wainfleet	11105 Desiree Street	Demolish Existing Structure and Rebuild One Storey Cottage on Existing Foot Print	Lake Erie Shoreline	2	
16	No Objection	West Lincoln	4891 Canborough Road	Site Expansion for Clark Agri Service Ltd	Works located outside of Regulated Features	7	
17	No Objection	Lincoln	Cosby Road	TransCanada Compressor Station Modifications	PSW Buffer	8	
18	3697	Thorold	Merrittville Highway	Niagara Region Multi-Use Path	PSW/Lands adjacent to watercourse	1	

3) Tree and Forest Conservation By-law – See Forest By-Law Summary Report

4) Watershed Biology

In the month of November the Watershed Ecological Technicians have provided biology review for a variety of planning and regulations files, completing at least 11 site visits for planning pre-consultation or permit application review, including formal follow up with internal and external biology comments.

The Watershed Ecological Technicians have also completed approximately 17 Permit applications, with formal natural heritage comments being submitted to the Supervisor of Construction Approvals. A large focus of the Permit review in the month of October was still related to culvert replacement, drain maintenance activities and Enbridge integrity dig locations.

This month staff assisted with the second Cave Springs open house and continue to support the Cave Springs Management Plan by participating on the Cave Springs Writing Committee.

Two staff attended the Latornell Conservation Symposium. The Symposium provides a forum for practitioners, policy makers, nongovernment organizations, academics and businesses to network and discuss the challenges and opportunities in Ontario's conservation field. The topic of this year's symposium was Climate Change. They attended lectures and workshops focused on how climate change is impacting Ontario's watersheds and those exploring best management practices (BMP's) that can be used to build environmental, economic and social resilience. Of particular interest were several lectures outlining the importance of the function of wetlands as reservoirs to mitigate the effects of changes to rainfall that are expected.

The Supervisor of Watershed Biology attended the Vinemount Quarry (Hamilton), Thundering Waters (Niagara Falls), and the Niagara-on-the-Lake Official Plan review. Scoping and review of several Environmental Impact Studies were also completed.

B. Projects / Programs

1) Source Water Protection Plan

- A Source Protection Committee meeting was held on December 2, 2015. The purpose of the meeting was to provide updates on the implementation activities undertaken by Niagara Region, the local municipalities, and the province.
- Staff continue to provide support to the municipalities and MOECC in source protection as needed.

2) Water Quality Monitoring Program

- Staffs completed surface and groundwater monitoring for the 2015 field season.
- Staff are identifying macroinvertebrate samples collected through the NPCA biological monitoring program.

- Provincial Groundwater Monitoring Network (PGMN): Staff are currently downloading data from loggers, taking manual measurements and performing QA/QC check on groundwater level data as part of their routine data maintenance protocol.
- Staff attended the November Glanbrook Landfill Committee Meeting and will be submitting a proposal for its biological monitoring program in 2016.
- To-date, the NPCA has received nine (9) applications under the Well Water Decommissioning Program and have completed 9 projects. All funding for this program has now been allocated for 2015.
- Staff continue to investigate *E. coli* exceedances in Two Mile Creek (NOTL).
- At the request of the Glanbrook Conservation Club staff deployed two YSI Loggers at Lake Niapenco to monitoring winter-time dissolved oxygen concentrations.
- Staff continue to process ongoing water quality data requests.
- The NPCA Water Quality Monitoring team is continuing with several collaborative projects in 2015. These include:
 1. Microbial DNA Trackdown with Environment Canada and McMaster University,
 2. Climate Change Station with MOECC at Balls Falls;
 3. North Creek (West Lincoln) Nutrient Evaluation with MOECC;
 4. Reference Creek Study with MOECC; and
 5. Neonicotinoids monitoring for MOECC at Four Mile Creek (NOTL) and North Creek (West Lincoln).

3) Flood Control

a) Monitoring & Major Maintenance

- Binbrook Reservoir – Due to the extended dry summer, the reservoir's water level is still presently sitting approximately 1.5 feet (450mm) below normal operational holding level. Discharge from the reservoir has been minimal. Staff continue to monitor reservoir water levels on a daily basis and make adjustments as warranted.
- Staff continue to monitor daily the water levels at NPCA's 14 stream gauge stations, climatic data at NPCA's 15 climate stations, and undertake routine maintenance, calibration, and inspections at all 29 installations, as part of the NPCA's routine Flood Forecasting and Warning duties. The public may access this real-time water level and rainfall information through the NPCA's website.
- Lake Erie Flood Outlook bulletins were issued on November 12 and November 21 indicating that strong southwesterly winds were predicted to result in elevated lake levels and wave heights in excess of 3.0m. Localized flooding of low lying areas was experienced however as predicted, Lake Erie did not exceed critical flood levels.
- On November 28, the E.C. Brown gauge station sensor (which measures water level, flow, and flow direction) was removed in order to protect this sensitive piece of equipment from ice damage. It will be redeployed in May 2016.

b) Water Resource Engineering

- NPCA staff attended the quarterly meeting of the Conservation Authorities 'Coastal Working Group'. The purpose of this group is to provide a forum for staff from different Conservation Authorities to discuss issues, development, regulation, and the nature of hazards which occur along the Great Lakes shorelines.
- Staff continue to provide daily support to the Planning and Regulations program with respect to the analysis of natural hazards and the review of stormwater management engineering designs.

4) Restoration

Project Implementation – Watershed Plans

The Watershed Restoration Program is responsible for improving water quality, water quantity and biodiversity within the NPCA Watershed. The Restoration Program advances these areas through the implementation of watershed plans and cost-share incentive programs for landowners. These projects help address the chronic water quality degradation problems that are prominent in our watershed

Project Implementation – Voluntary Stewardship

Staff are currently completing the 65 stewardship projects that were approved for implementation in 2015. This includes the finalization of construction projects including wetlands, stream-work and BMP's.

Niagara College Partnership

Niagara College and the Niagara Peninsula Conservation Authority have been successfully working together since 1997. Activities have included advisory committee participation, joint purchasing of equipment, collaborative research, teaching projects and co-operative employment opportunities. Based on mutual commitment to community partnerships and education /community awareness, a formal agreement between the two parties was signed in 2001. The agreement formalized a strategic alliance between the two organizations and provides opportunities for the two organizations to work together on mutually beneficial projects and programs.

The following restoration projects between the College and the NPCA are currently underway for the school terms of 2015/16:

General Motors Partnership / Niagara College

NPCA staff and GM staff have been working with Niagara College students to naturalize portions of the Glendale Road facility that are no longer being utilized. This effort is part of General Motors Biodiversity Enhancement strategy. Niagara College students, as part of their living classroom experience assisted with the planting of trees, shrubs and wildflowers (pollinator gardens) as part of the naturalization effort and to count towards their College curriculum requirements. In addition, students assisted with the removal of invasive species including phragmites (common reed).

Harrison Drain Natural Channel Design Project: Niagara-on-the-Lake

NPCA staff are working with an Ecosystem Restoration student group on developing an invasive species management plan for the Harrison Drain Natural Channel Design project. The goal of the project was to work in partnership with the Town to test an alternative to routine maintenance dredging. This was done by incorporating a natural meander pattern in an otherwise straight and deep channel. This technique improves flow by slowing the water and helps to prevent the establishment of undesirable plant species and the trapping of sediment. The students are assisting with site monitoring and developing a plan to deal with flowering rush, an invasive species that has established at the site.

E.C. Brown Wetland Restoration Project

NPCA staff are working with an Ecosystem Restoration student group on developing an invasive species management plan for the E.C. Brown wetland restoration site. Currently the small wetland pool at this location is being over taken by phragmites. The students are researching methods of eradicating this species from the wetland in a safe way that will not harm the ecology (harm the plants and animals that are beneficial).

Ducks Unlimited Partnership

The NPCA renewed its on-going collaboration agreement with Ducks Unlimited in September for the implementation of five (5) wetland projects of mutual interest. All 5 projects are in the implementation phase. Once constructed, they will result in an additional 6 acres of wetland habitat created and an additional 121 acres of naturalized area around the wetlands, including flowering trees, shrubs and wildflowers to support declining bee and butterfly populations.

Niagara River Remedial Action Plan (RAP) Stage 3: Charting a course to delisting the Areas of Concern (AOC)

The RAP Coordinating Committee met on December 2nd, the next Coordinating Committee meeting will be on January 12th, 2016. The RAP deliverables and budget are on schedule. The following key deliverables are to be completed by March 31st, 2016:

Niagara River Fisheries – Finalize Binational Task Force Work Plan

A binational task force, under the Great Lakes Fisheries Commission is being established to look at developing binational fish community objectives for the Niagara River. The goal of the group will be to determine what the public expects the Niagara River can support in terms of fish population and health, and whether or not this has been achieved. Fisheries experts will be advising on what the fisheries populations and species composition in the Niagara River should be, as well as advising on remediation strategies for increasing coastal wetlands.

Niagara River Contaminated Sediment and Nuisance Algae

A review is required on the Niagara River RAP Technical Assessments for the Degradation of Benthos (historical contaminated sediment) and the Eutrophication (nuisance algae) Beneficial Use Impairments (BUI). The conclusion of both these assessments recommends a re-designation of the BUI status from "impaired" to

“unimpaired”. In order to fulfill the re-designation process, stakeholder and public review of the assessments is required. Public friendly guidance documents of each technical assessment are required to assist with the facilitation of this process. A consultant has been selected to prepare these documents.

Niagara River Web Site

The Great Lakes Water Quality Agreement 2012 has outlined new requirements for obtaining public comments with respect to RAP stakeholder engagement and delisting of Area of Concerns. As reflected in the RAP governance agreements and RAP Project Charter, a separate stand-alone website is required to better meet the needs of stakeholders and the public. The Niagara River Remedial Action Plan (RAP) currently has a webpage as part of the Niagara Peninsula Conservation Authority website. The goal of this project is to develop a Niagara River Remedial Action Plan (RAP) website to be consistent with other Areas of Concern websites and to meet public / stakeholder review and commenting needs. The website requires the ability to post and circulate technical documents for stakeholder and public engagement processes including feedback capabilities. The structure will be similar to the Source Water Protection Strategy website.

Niagara River Proposed RAMSAR Designation

The Ramsar Convention is a voluntary, intergovernmental treaty committed to encouraging education and sustainable development as a means of acknowledging global wetlands. The Convention uses a broad definition of wetlands, defined as any substrate that is at least occasionally wet, including lakes and rivers.

To qualify for Ramsar designation, the site must meet one of the following nine criteria:

1. Is representative, rare, or unique.
2. Supports vulnerable, endangered or threatened species.
3. Supports keystone or endemic species.
4. Supports species at a critical stage in their life cycles (migration, breeding).
5. Supports 20,000 or more water birds.
6. Supports 1% of the individuals in a population of one species of water bird.
7. Supports a significant proportion of indigenous fish species.
8. An important food source, spawning area, nursery or migration path for fish.
9. Supports 1% of the individuals in a population of one species or subspecies of wetland-dependent non-avian animal species.

The Niagara River has been shown, based on a coordinated expert analysis over the last several years, to meet the first 8 criteria. The 9th criterion was furthered studied and it is believed this criterion is met because of the Northern Dusky Salamander.

Northern Dusky Salamander (*Desmognathus fuscus*) - Carolinian population

In Ontario, this species is only found in the vicinity of a single cascading stream in the Niagara Gorge, occupying no more than about 0.005 km². The locality is isolated from any other population of the same species. Surveys to date have located and identified some 22 individuals and indicate a total adult population that is probably fewer than 250

individuals. Its minute range makes this salamander highly susceptible to extirpation if any change to its habitat were to take place. The major threats to this salamander are any activities that could affect the water table and dry out the spring that supplies its habitat. Salamanders are representative of pristine habitat conditions, as they cannot tolerate any type of pollution (they are also super cute). This species is listed as Endangered in Ontario and is protected under the Endangered Species Act, 2007.

There are more than 2,200 Ramsar sites globally; only 35 (1%) of these sites meet all nine criteria. The Niagara River would be the first bi-national Ramsar site in the North and South America (the America's).

Next Steps for Designation:

The Town of Niagara-on-the-Lake is the last municipality required to endorse the proposed nomination. A staff report seeking endorsement is currently being discussed by Town staff and the Agricultural Committee. The goal is to have all municipal endorsements obtained by March 2016. Outstanding endorsements are Town of Niagara-on-the-Lake and Niagara Region.

5) Special Projects

- Staff provided comments on planning applications, Niagara Escarpment Commission permits and Part 8 Building Permits for Niagara Region and local municipalities under the Planning Memorandum of Understanding, (ii) Permits to Take Water for the Ministry of the Environment and Climate Change, and (iii) a proposed quarry expansion in the City of Hamilton.
- Staff assisted Operations with the water resources investigation of Cave Springs, and Ball's Falls Sewage System.
- Staff assisted in planning and preparing a presentation for the Source Protection Committee.
- Staff worked on addressing naturally occurring groundwater concerns with the Ministry of the Environment and Climate Change, Public Health Ontario and the Ontario Geological Survey. NPCA has since accepted an invitation to join a provincial committee on addressing this issue and postponed our Groundwater Symposium on this concern.
- Staff responded to information requests such as from the Brock Environmental Sustainability Research unit and the general public.
- Staff continued Bedrock Aquifer Study field investigations, data management, analyses and project management. Staff continued supporting the University of Waterloo undergraduate geochemistry study of the bedrock valley aquifers of the Township of Wainfleet. Preparations were made for December drilling programs in Pelham, Wainfleet and the City of Hamilton.




RELATED REPORTS AND APPENDICES:

None

Prepared by:


Peter Graham, P.Eng, Director, Watershed Management

Respectfully submitted by:


Carmen D'Angelo, CAO/Secretary-Treasurer

This report was prepared with consultative input from Suzanne McInnes, MCIP, RPP – Manager, Plan Review and Regulations, Brian Wright, P.Eng. – Manager, Watershed Projects and NPCA staff.

Report To: Board of Directors
Subject: Operations Status Report
Report No: 127-15
Date: December 16, 2015

RECOMMENDATION:

That the NPCA Board RECEIVE Report No. 127-2015 for information.

PURPOSE:

Operations Status Report

DISCUSSION:

- **Ball's Falls CA**

The 'Christmas In the Country' Educational Program (for School Groups) kicked off on November 23rd and continued to the 11th of December.

The lower park has been closed for the winter. The washroom, the historical area, and the reception barn have been winterized and the water lines cleared.

For the month of November, Ball's Falls sold:

Adults admissions	492
Seniors/students admissions	186
Children admissions	67
Maximum - vehicles admissions	50
Self-pay admissions	2
Regular membership pass	2
Senior membership pass	0
Membership renewals	0
Pavilion Rentals	2
Historical Tours given	0
Barn Wedding Receptions	0
Church Ceremonies	0
Centre for Conservation - wedding receptions	0
Centre for Conservation – non wedding rentals	10

Respectfully Submitted by Nathaniel Devos, Park Superintendent at Ball's Falls Conservation Area

- **Binbrook CA**

The park is now fully winterized for the upcoming winter season.

The Waterfowl Hunting Program will come to a seasonal close on Saturday December 12th.

Planning for the 2016 Special Events has begun including the Annual Ice Fishing Derby and Family Movie Night. Additional information is forthcoming.

Weather conditions permitting, the annual ice fishing season will be set to open Monday January 4th, 2016. Huts and equipment are being prepped to support that program.

This report was respectfully submitted by Mr. Mike Boyko, Park Superintendent

- **Chippawa Creek CA & Long Beach CA**

Both campgrounds are now fully winterized with water and wastewater systems now blown out and Comfort Stations closed. The final grass cutting at both parks is complete. Picnic tables are stacked for the winter and those that require repairs are being prepped. Equipment and Vehicles are being cleaned and have been given an end of season maintenance check prior to being put away.

Remaining Capital projects are nearing completion which includes the residing of the Main Comfort Station and Boardwalk Repairs at Chippawa Creek CA. At Long Beach, staff are trenching for campsite drainage, fixing or replacing leaky campsite taps, and doing fence and building repairs.

Respectfully Submitted by Rob Kuret, Park Superintendent, Chippawa Creek CA, and Mike MacIntyre, Park Superintendent, Long Beach CA.

- **Central Workshop – Gainsborough CA**

With December approaching, a final mowing has been completed at many of the passive parks within the NPCA Watershed. Staff have kept busy painting, removing hazardous trees, winterizing water systems, winterizing equipment, mounting and doing equipment maintenance on snow removal equipment. Staff also installed two Memorial Benches at Mud Lake Conservation Area. Regular park maintenance continues.

All staff have now completed the new Ministry of Labour mandated Working At Heights Training.

Respectfully Submitted by Mich Germain, Superintendent, Central Workshop

ECOLOGICAL STATUS REPORT

- **Cave Springs Conservation Area**

The draft Cave Springs Ecological Study has been completed by the NPCA staff Ecologist. This report summarizes all components of the study and its' finding and provides recommendations for determining suitable uses and activities for the site. This includes findings on the plants, sensitive plants, large mammals, birds, frog/toads, salamanders, snake, turtles, small mammals and bats. CA staff and technical peer review follows with the results for consideration into the site Master.

- **Smith-Ness Conservation Area**

Site restoration work at the site for 2015 included the creation of sloughs and a forest extension to create a more naturalized and diverse edge. Wildlife habitat enhancements of the site continue in 2016.

- **NPCA Hunting Program**

Staff has issued an additional 8 hunting permits for a total of 420 permits issued for the NPCA Conservation Areas for 2015. Of this total, hunting permits are issued to 67 individuals residing outside of our administrative area.

Respectfully Submitted by Kim Frohlich, NPCA Ecologist

COMMUNITY & VOLUNTEER REPORT

- **Volunteers**

Volunteers have been busy in the month of November. Over 35 volunteers attended a tree planting day at Smith-Ness Conservation Area on November 4th. The volunteers planted 300 trees/shrubs on the property to naturalize a portion of the property that was once agricultural field. Volunteers have also been assisting with the delivery of the Christmas in the Village school program running weekdays at Ball's Falls. Volunteers have been invited to help at the Christmas Village at Ball's Falls on December 5th. They will be taking on many roles, including crafts, cookie decorating, photography assistant, event ambassador, historical tours, etc.

Staff have recently met with other volunteer coordinators from Credit Valley Conservation, Toronto Region Conservation Authority and Grand River Conservation Authority to discuss volunteer policies, health and safety training, volunteer screening and recruitment. Staff met with Niagara Sustainability Initiative to discuss the creation of a Friends of Jordan Harbour group. On Thursday December 17th the NPCA will be hosting a lunch at the Grist Mill at Ball's Falls to welcome the Friends of Morningstar Mill and to show them our own Mill.

- **Cave Springs Management Plan: Community Engagement**

The final stakeholder meetings have been completed. The NPCA hosted an Open House/Information Session for the Cave Springs Management Plan on Tuesday November 24th 2015 between 7-9PM at the Ball's Falls Centre for Conservation. The attendees were given a brief presentation about the Management Plan process and then were invited to

walk around the room to view conceptual drawings of various aspects of the property, including the Margaret Reed House, the parking lots, staircase, walking trails, lookout points, etc. Attendees were asked to submit their comments on-line or by filling out the forms distributed the evening of the Open House. The Open House was well attended with approximately 40 guests many staying well past 9pm to engage in conversations with staff about the project and to give their feedback.

▪ Conservation Achievement Awards

The 2015 Conservation Achievement Awards will be held at Ball's Falls Centre for Conservation on February 24th 2016 at 7PM. A committee of staff members has been assembled and planning is underway. A call for public nominations will be available on the NPCA website in the coming weeks.

Respectfully Submitted by Kerry Royer, Community & Volunteer Coordinator

RELATED REPORTS AND APPENDICES:

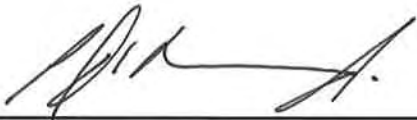
1 – None

Prepared by:



David Barrick
Director of Operations

Submitted by:



Carmen D'Angelo
Chief Administrative Officer
Secretary Treasurer

Report To: Board of Directors
Subject: Corporate Services Project Status Report
Report No: 128-15
Date: December 16, 2015

RECOMMENDATION:

That Report No. 128-15 be received for information.

PURPOSE:

To provide the Board a summary of projects important to the Conservation Authority's business objectives.

DISCUSSION:

The project status report is to provide information pertaining to process improvements, initiatives in support of the strategic plan and supporting the organization to achieve its mission, vision and values.

FINANCIAL IMPLICATIONS:

Projects are within budget allocations for staff time and activity, including the job design and job evaluation project which is a new project initiative that was not identified during the budget preparation and approval cycle.

RELATED REPORTS AND APPENDICES:

1.0 Accounting & Financial Management

- ❖ Began preparation for the 2015 audit, we will need to convene an Audit Committee meeting to plan the dates and completion of the 2015 Audit.
- ❖ OPSEU Local 217 ratified the collective agreement on November 24th with a vote of 93% in favour of the agreement (27-2). The collective agreement now requires the approval by the NPCA board. We began calculating the retroactive payments to the unionized staff as per the agreement with the goal of paying out the retro pay prior to the year end, pending approval by the board.

2.0 GIS & Information Management

GIS/Information Management staff has been working on supporting several ongoing Authority initiatives:

- ❖ Staff have migrated and replaced the 'NPCA Watershed Explorer' from Regional to NPCA servers. The NPCA's Watershed Explorer is our publically accessible web mapping tool. It has a different objective in comparison to our 'NPCA Watershed Manager' application (which is to support internal staff operations with decision support), in that it's a customer service tool and makes Authority business data transparent to the public at large which includes watershed residents, staff at our municipal partners, consultants, and developers etc. Users can get a sense if their property is regulated or subject to plan review by the Authority, and what the associated issues may be at a very high level. It also includes a lot of our monitoring data, and links to associated information (i.e. near real time hydrometric network graphs and other content in our corporate website) or published reports (available Watershed Plans and Report Cards). As a result, it showcases a lot of what the Authority is about through a map context
- ❖ CityView Implementation – The vendor is busy configuring the system with our business specific customizations based on the data collection and workflow establishment phase which continues to be refined through clarifications between staff and the implementation consultants. The templates for the standardized letters that the system will produce as deliverables and outcomes from our review processes were completed this month. NPCA continue developing test scripts for the upcoming validation onsite consultation meeting with the vendor in early January when the customized version of the system is install locally and tested prior to training and deployment/go live.
- ❖ Caves Spring Master Plan support has included 12 maps for the ecological report and participation in the recent open house this month.
- ❖ GIS staff have been working with several Niagara College post graduate GIS students to get to Authority projects off the ground that were supplied to the college, and are hosting an internship for a Brock Geography student interested in working with GIS which started earlier in November.
- ❖ Improvements to our Conservation Areas/Operations GIS information assets continue. Staff are finishing up new and improved trail maps for our properties for the corporate website and nearing completing of the Conservation Area property acquisition database.
- ❖ Staff are engaged in the Watershed Planning gap analysis project and preparing comments to the final recommendations from and information management and needs perspective.
- ❖ Staff closed out the CACIS conference budget and provided the details and remaining funds to the next organization committee of Conservation Authorities in southwestern Ontario who are hosting next year.

- ❖ Day to day GIS business support including custom map creation, enterprise system support, spatial analyses etc. Several wetland and floodplain updates are currently being integrated into a regulations mapping updated.

3.0 Foundation and Communications:

- ❖ The communications department has been busy working on several files including: promotion for Cave Springs open house, new web site developed for Welland River flood plain mapping project, quarterly newsletter to municipalities, assisting with communications around policy review project and promotion for Ball's Falls Christmas village event as well as the upcoming Binbrook fishing derby.
- ❖ In addition, the online geocache application and guidelines have been posted on the NPCA website as of December 4.
- ❖ The communications team is implementing CRM software to better market and communicate to our customers. CiviCRM is free software that will work on the back end of the NPCA website and will be utilized to capture information for future marketing efforts.
- ❖ The Foundation continues to plan for its first Wild Game dinner to be held April 22 at the Royal Canadian Legion in Welland. Special thanks to Kathy Richardson from Ministry of Natural Resources for all her assistance. Kathy has helped plan close to 40 wild game dinners. Thanks also to the Board members who volunteered to be a part of the committee. We will hold a meeting in early January. Thank you for your support!
- ❖ The Foundation Board held a meeting on Dec. 2. Good progress is being made at developing appropriate policies and procedures to ensure a transparent and well-run fundraising organization to support the NPCA. Thanks to Member Baty, Vice-Chair Annunziata and Chair Timms for their support and efforts. Recruitment of additional Foundation Board members is underway.
- ❖ Kevin Vallier attended the annual Association of Fundraising Professionals congress at the Metro Toronto Convention Centre. Seminars included: The Five Essentials for a Robust Fundraising Program, Your Organization's Story Telling-The Foundation to Fundraising Success, Creating a Case for Support that Will Inspire and How to Conduct a Special Event Audit.

4.0 Human Resources

- ❖ Recruitment: Interviews have been completed and a hire has been made for the vacant Restoration Lead position. The new team member will begin on January 4, 2016.

- ❖ Recruitment: In the planning stages for recruitment of a Financial Analyst (new role) and Accounting Administrator (role to be vacant due to retirement in March 2016)
- ❖ HRMS: Existing employee information is being input into the NORMING system and training has begun for the system administrator. Flexibility allows us to add/remove categories providing opportunity to customize and track any employee information/items. We will additionally be able to create electronic procurement and expense requests through the system. Overview of the system to be provided to staff at the December town hall meeting.
- ❖ Health & Safety: Have met with both JOHSC chairs to discuss items that need attention. Currently verifying training needs with the Public Service Health and Safety Association (PSHSA) as well as researching a Municipal Safety Group that provides for WSIB premiums. The need for simplification and clarity with Incident/Accident reporting forms has prompted a review of the current forms in place.
- ❖ Health & Safety: Solicited quotes from 5 agencies for First Aid/CPR/AED training as well as updated AED machines. Awaiting approval for training to commence in Q1 2016.
- ❖ Job Descriptions for the Watershed Management team are ready for final stages of approval. Job Description reviews with employees in the Corporate Services team are being completed in December.

Prepared by:



Jeff Long
Senior Manager, Corporate Services

Submitted by:



Carmen D'Angelo
Chief Administrative Officer
Secretary Treasurer

This report was prepared in consultation with: Cathy Kaufmann, Accounting Administrator; Geoff Verkade, Supervisor, GIS; Kevin Vallier, Manager, Development & Communications; and Misti Ferrusi, HR Generalist.



Report To: Board of Directors

Subject: Financial and Reserve Report – Month Ending November 30, 2015

Report No: 129-15

Date: December 16, 2015

RECOMMENDATION:

That Report No. 129-15 be received for information.

DISCUSSION:

To provide the Board a summary of operations & capital expenditures versus revenues and to provide a comparison of actual results to the budget as approved by the Board.

The report confirms the general financial oversight and compliance with Public Sector Accounting Board standards. Trends and variance reporting will be provided in accordance with accounting best practices.

FINANCIAL IMPLICATIONS:

The lines of business are within budget allocations identified during the budget preparation and approval cycle.

RELATED REPORTS AND APPENDICES:

Appendix “A” – Budget Status report month ending November 30, 2015

Appendix “B” – Statement of Reserves for month ending November 30, 2015

Prepared by:



**Jeff Long,
Senior Manager Corporate Services**

Submitted by:



**Carmen D'Angelo;
Chief Administrative Officer
Secretary Treasurer**

This report was prepared in consultation with Cathy Kaufmann, Accounting Administrator

Niagara Peninsula Conservation Authority
Consolidated Income Statement
For the Period Ending - November 30, 2015

	Current Mth Actual	Current Mth Budget	Act vs.Bdgt B / (W)	Y.T.D. Actual	Y.T.D. Budget	Act vs.Bdgt B / (W)	12 Month Budget
Revenue							
Municipal Funding	-	-	-	8,802,943	8,802,943	-	8,802,943
Provincial Funding	-	41,200	(41,200)	378,087	478,200	(100,113)	519,500
Federal Grants	38,000	29,700	8,300	130,000	205,300	(75,300)	235,000
Permits and Regulatory Fees	20,265	28,600	(8,335)	398,271	321,300	76,971	350,000
Park Operations	60,535	3,800	56,735	1,299,277	1,364,700	(65,423)	1,374,000
Other Revenue	43,952	17,800	26,152	437,713	203,900	233,813	213,100
Interest Income	2,811	5,000	(2,189)	25,591	52,500	(26,909)	98,000
Reserves and Foundation	-	60,000	(60,000)	-	415,000	(415,000)	480,000
Total Revenue	165,564	186,100	(20,536)	11,471,882	11,843,843	(371,961)	12,072,543
Expenses							
Salaries & Benefits	401,301	420,051	18,750	5,147,653	5,343,292	195,639	5,793,556
HR & Employee Expenses	20,028	23,225	3,197	119,924	178,215	58,291	193,220
Board & Volunteer Expenses	1,782	1,670	(112)	56,040	48,605	(7,435)	60,100
Professional Fees	13,361	17,945	4,584	186,228	255,505	69,277	290,200
Occupancy Costs	17,018	36,445	19,427	436,677	427,525	(9,152)	457,300
Office Expenses	21,421	16,280	(5,141)	159,279	158,695	(584)	176,745
IT, GIS & Communications	1,747	100	(1,647)	14,546	1,400	(13,146)	1,400
Marketing & Promotions	36,271	12,325	(23,946)	142,864	178,275	35,411	187,800
Vehicle & Equipment	23,422	17,705	(5,717)	243,348	294,405	51,057	316,677
Watershed Maintenance	52,719	33,010	(19,709)	279,696	378,890	99,194	412,000
Park Maintenance	23,886	19,933	(3,953)	283,924	327,312	43,388	352,000
Corporate Services	22,791	23,935	1,144	1,713,135	1,691,145	(21,990)	1,841,445
Total Expenses	635,748	622,624	(13,124)	8,783,314	9,283,264	499,951	10,082,443
Surplus / (Deficit)	(470,184)	(436,524)	(33,660)	2,688,568	2,560,579	127,989	1,990,100
Capital Purchases	56,233	45,000	(11,233)	471,050	1,548,417	1,077,367	1,990,100
Surplus / (Deficit)	(526,417)	(481,524)	(44,893)	2,217,519	1,012,162	1,205,357	(0)

Report To: Board of Directors

Subject: NPCA Tree and Forest Conservation By-law Status

Report No: 130-15

Date: December 2, 2015

RECOMMENDATION:

That Report No. 130-15 regarding the status of NPCA Forestry activities and the Tree and Forest Conservation By-law be received for information.

PURPOSE:

To provide an update on the status of Tree & Forest Conservation By-law and forestry activities being conducted by the NPCA Forester.

DISCUSSION:

By-law issues/main activities since November 5, 2015 include:

- Harvest operations are in progress under Good Forestry Practices (GFP) permits in woodlots located in Thorold, St.Catharines and Lincoln. Operations are being routinely monitored by the NPCA Forester to ensure conformance with permit conditions and operating conditions are suitable (dry weather).
- Approved GFP permit applications for 4 properties in Fort Erie, St.Catharines, Niagara Falls and Lincoln. Operations are planned for Fall 2015 on sites that do not require frozen ground conditions.
- Conducted a site visit to a woodlot at the request of the land owner. The site visit was to determine if the woodlands would benefit from a selection harvest because of ash decline from Emerald Ash Borer. Assessment was conducted with the land owner to determine if a harvest operation under a Good Forestry Practices permit would be feasible. The owner was informed about the permit process and provided a list of reputable logging contractors.
- Commenced work on Managed Forest Plans (MFP) for five Conservation Authority properties (Chippawa Creek, Balls Falls, Stevensville, Willoughby Marsh and Long Beach). The plans must be submitted to the MNR by June 30, 2016. The purpose of a MFP is to guide the land owner in the management of their forest and values found within it. The Managed Forest Program provides an incentive to landowners to foster ecologically sound forest management on their land through qualifying for a potential reduction in property taxes if they prepare a plan and agree to be good stewards of their property.

- Responded to tree cutting/clearing complaints in Niagara Falls and West Lincoln. The complainants involved removal of dead or dying ash trees. No contravention of the Bylaw.
- Received and provided advice to persons calling about declining ash trees located in urban areas not covered by the By-law. Some inquired if the NPCA would remove their ash trees. They were informed that if the tree is on their property then they are responsible for its removal, or contact the adjacent owner if they are located on their land.
- Provided comments on two planning issues related to woodlands and/or treed areas in Fort Erie and Grimsby. Issues included the determination of woodland status and exemption conditions.

RELATED REPORTS AND APPENDICES:

None

Prepared by:

Dan Drennan

Dan Drennan,
R.P.F; Forester

Reviewed by:

Peter Graham

Peter Graham
Director, Watershed Management

Submitted by:

Carmen D'Angelo

Carmen D'Angelo
Chief Administrative Officer
Secretary Treasurer



Report To: Board of Directors
Subject: 2015 Thanksgiving Festival – Review
Report No: 131-15
Date: December 16, 2015

RECOMMENDATION:
That Report No. 131-15 be RECEIVED for information.

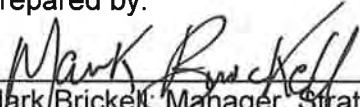
PURPOSE:
The Thanksgiving Festival has now been running for 41 years, and in that time has undergone many changes. Year after year this event is very popular and at the same time, resource intensive. At the request of management, Brianne Wilson, Event Coordinator, has prepared a review of the 2015 Festival which will be used to guide decisions and improve the event, going forward.

DISCUSSION:
2015 Thanksgiving Festival Highlights:

- More than 30,000 people attended this year's event
- Total event revenue was more than \$238,000
- Total event expenses are expected to be \$112,000
- 142 artisan vendors
- 12 food vendors
- 11 entertainers
- 98% of vendors plan to participate next year
- \$4,800 profit from beer and wine sales
- 2800 staff and volunteer hours

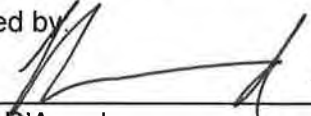
FINANCIAL IMPLICATIONS:
There are no direct financial implications related to this report.

RELATED REPORTS AND APPENDICES:
1. 2015 Thanksgiving Festival Executive Summary

Prepared by:

Mark Brickell, Manager, Strategic Initiatives

Reviewed by:

David Barrick, Director of Operations

Submitted by:

Carmen D'Angelo
Chief Administrative Officer /Secretary Treasurer

Thanksgiving Festival Report



EXECUTIVE SUMMARY

Prepared by: Brianne Wilson, Coordinator, Events

Date: November 2015

Niagara Peninsula Conservation Authority
250 Thorold Road West, 3rd Floor Welland
905-788-3135
905-788-1121

EXECUTIVE SUMMARY

The 41st Ball's Falls Thanksgiving Festival is a 4 day event, targeted to families within the community and beyond, to engage in a "homecoming" traditions, where they are encouraged to enjoy the beauty of their surrounding environment, while shopping for unique wares, sampling delectable food choices and enjoying local music talents.

The major goal of the event is to engage more than 25,000 guests over the course of the weekend while running a profitable event. This year the event team was successful in reaching the goals and will use this event as a benchmark for future events.

An event of this magnitude has many moving parts and components and requires a significant amount of planning and consideration. The planning of an event this size commences as soon as the subsequent event concludes.

A significant number of permits and licenses are required to execute this event. Permits from the municipality for the erection of the tents, road closure permits, and road occupancy are all required. Additionally, Special Occasion Permits from the Alcohol and Gaming Commission of Ontario (AGCO) for the service of craft beer and VQA wines. The permitting process begins in the early spring and commences in the two weeks preceding the event. Regulations through Public Health legislation also must be adhered to.

A significant number of services are also contracted during this event. Amenities such as portable washroom facilities, recycling, waste disposal, event fencing, bussing and shuttling, communications systems and tent companies are all contracted for their services. Each item contracted is necessary to the smooth execution of the event.

The biggest attraction at this festival continues to be the variety and number of vendors who are there to sell their unique wares. This year there were 142 artisan vendors participating in 23 different product categories. Each vendor purchases a booth space within the barn, marquis tents or outdoors. Booth prices vary based on their size and location. When the vendors were asked about their overall satisfaction of this year's event more than 90% of them indicated that they were satisfied or very satisfied. 98% of the vendors indicated they are interested in participating in the 2016 event. The revenue generated from vendor fees was \$65,060.21. The average over 5 years is \$53,189.28. This represents a 22% increase in vendor fees over the 5 year average.

Concession vendors are also invited to participate in the event. This year there were 12 concession vendors. Revenue generated from these vendors, plus their commission totaled \$25,605. The budget line for concessions also includes the commission received from vendors such as the ATM providers, pony rides and inflatables. Concessions currently total \$33,727.30. The average over 5 years is \$17,417.27. This represents a 48% increase in concession revenue over the 5 year average.

2015 was the second year the NPCA hosted a farmer's market at the thanksgiving festival. 10 participants joined the event. 4 of which were VQA wineries and 6 were local producers. The feedback received from customers is that the market is generally well received and is a component that should continue to be offered at the event.

The festival committee was able to secured 11 different entertainers with a modest \$12,000 budget. The entertainment at the event conveys a roots/folks genre. Many of the artists are performing original music to complement the cover songs they additionally perform. Discussion surrounding perusing a more popular act has taken place. In order to pursue this option, significant planning into logistics and funding will need to take place 12 to 18 months in advance of securing such an act.

A number of features and displays were offered during the event, including a live casting pond by Bass Pro Shops of Niagara on the Lake. Local organizations such as Trout Unlimited and the Niagara Bruce Trail Club participated in the weekend event conveying information about their organization. For future events, the festival team would like to invite additional like-minded agencies, and include a NPCA tent within that section.

New to the festival this year was a craft beer and wine pavilion hosted by an exclusive vendor. Silversmith Brewery and Cave Spring Cellar were the exclusive vendors. The revenue generated from this component of the event was \$16,342.92 in ticket sales and another \$3,000 in booth fees for a total of \$19,342.92. Expenses for this line item were \$13,647.37, which derived a net gain of \$5,695.55. In 2014, the net gain was \$1,851.42. This represents a 67% increase in gain over 2014.

Part of what makes the Thanksgiving Festival unique is the historical setting. As a result, extensive historical tours and demonstrations are conducted over the course of the event. The blacksmith shop is operational, tours of the cabin, and Ball family homestead are conducted as well as tours of the Grist Mill. In 2015, the festival team opted not to run the mill, as junior staff were not confident in their ability to safely and effectively run the operation. For 2016, the mill will be operational once again.

Human resources at an event of this magnitude are significant. There are 34 different jobs that require 372 people to fill them over the course of the weekend. There are 14 different volunteer jobs, representing 112 spaces. There were 44 volunteers who committee to volunteer positions over the course of the weekend. Casual Staffing compromises 9, paid positions per day, which are filled by 45 casual staff. There are 180 positions that are required to be filled over the course of the weekend. 11 different positions are filled by 20 fulltime, salaried staff each day. 80 positions are required over the course of the event.

Our biggest challenge at the event continues to be related to parking—the number of parking spaces, entry and exit times, and traffic flow around the event. Solutions to alleviate these issues must be developed in order to grow this event beyond its current capacity. Alternatives include, offsite shuttling, expanding current parking resources, employing more traffic control officers on perimeter routes, more training for new parking staff, and more parking staff. Shuttling with buses continues to be cumbersome and a contributing factor to inefficiency in the parking lots. Solutions to utilize friendly modes of transportation need to be more thoroughly investigated.

Wi-Fi service was offered to vendors for the first time in 2015. While the service was accessible by most, the bandwidth of the service will need to be increased at subsequent events to ensure vendor's sales and transactions are not compromised. In addition to increased Wi-Fi solutions, a cellular solution to improve the cell network in the area will need to be investigated, as nearly all customers now carry mobile devices. New to 2015 was a "Festival App". The "app" provided full details of all event occurrences and included an event camera with appropriate branding.

Event marketing in 2015 was extensive. Approximately \$13,000 was spent to appropriately advertise the event. Most notably, the festival website saw a 60% increase in web traffic over the weekend compared to the same time period over 2014. Full site take over's on local newspaper websites, traditional and digital billboards, and an organic social media campaign were some of the tools utilized.

In order to determine the economic impact of the event, event derived statistics were entered into a model developed by the Ministry of Tourism and Culture. The results of the model determined that the indirect and direct benefit of the event on the tourism region of Niagara was approximately \$2 Million dollars. The full breakdown of that number is contained within the body of this report.

This year's festival was very successful in terms of fundraising. Total revenue of **\$238,685.92** was collected at the 2015 event and a total **of \$102,614.88** in expenditures were reported, resulting in a **\$136,071.04** gain. (As of Nov 27, 2015)**This number will fluctuate as additional expense are received and entered into the accounting system

Customer Feedback and surveying was completed through our festival app and through direct email from those who subscribed to the Thanksgiving Festival website. Customers indicated that event parking, seating, and food line-ups were important items that required improvement. Over 90% of our customers rated the event positively with 80% of them indicating they would recommend the event to their friends or colleagues.

An extensive list of recommendations was derived from customer and vendor feedback as well as from a full event-debriefing meeting. The event team largely concurs with the feedback received from vendors and customers on the items that require improvement. The lists of full recommendations are listed on page 34.

Overall the event team has viewed the event in its entirety as a successful and profitable event that offers a unique experience in a perfect conservation setting. The indirect and direct benefits of the event are significant, and the NPCA should endeavor to improve the infrastructure and logistical components of the event to ensure its positive growth into the future.

Report To: Board of Directors
Subject: Internet Live Streaming of NPCA Board of Directors Meetings
Report No: 132-15
Date: December 16, 2015

RECOMMENDATIONS

That the Internet Live Streaming of NPCA Board of Directors Meetings Report No. 132-15 be received for information purposes.

REPORT

Purpose

To update the NPCA Board of Directors about the investigation of a technical solution with regards to broadcasting Board of Directors meetings online.

Background

At the October Board of Directors meeting a request was made to inquire about the Authority's capabilities to potentially live stream future meetings via the internet. This was to compensate for the fact that monthly meetings had transitioned to occur during day time hours which makes it difficult for members of the public to attend in the gallery and witness proceedings.

Investigation of Solutions

Staff first sought out to determine if Cogeco Cable would consider broadcasting Authority meetings on their local television channel like they do Regional Council, select municipal councils, and some other regional Agency, Board, or Commission meetings. No interest was expressed.

Staff also engaged SkyComp Solutions Inc. as their IT managed services provider to help identify a technical solution to live stream events on the internet. SkyComp has experience with this need as they are involved with successfully live streaming other notable Niagara happenings.

Solution

SkyComp recommends that the Authority utilize an online service called Livestream (www.livestream.com). Livestream provides a place to both broadcast and watch live events in High Definition (HD) video quality through the internet. Since it is a cloud based solution it has no impacts to our datacenter and network. Public will be able to view the broadcast on all device types, and optionally through various software applications. The primary intent however would be to embed it into the corporate website.

The service costs \$199/month billed annually, and includes live embedding on any website or Facebook, analytics, and telephone based technical support. It also automatically records and stores broadcast events that the Authority can then make available to the public at its discretion.

To support the service, the Authority would need to acquire a quality HD video camera, and a laptop to serve as the mixer and internet connection. These costs combined are estimated at about \$4,000.

To leverage the existing amplification and audio system at the Balls Falls Center for Conservation, SkyComp will be engaging an audio/video business partner to configure the system to that equipment onsite. Additional microphones would enhance the audio but this cost has not been considered in this report.

The service will also support conducting meetings at venues other than Balls Falls assuming there is an adequate internet connection, and audio amplification to capture and mix in with video.

The estimated costs of \$6,400 was not part of the 2016 budget.

Implementation

Staff are targeting the February 2016 Board of Directors meeting for the first broadcast assuming all necessary acquisitions and the associated configuration go smoothly over the holiday month.

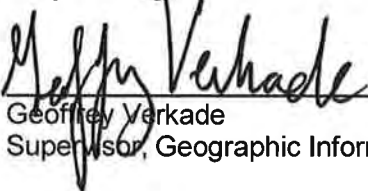
Alignment to NPCA's 2014-2017 Strategic Plan

The NPCA Strategic Plan focuses impart on transparent governance and enhanced accountability through clear and respectful communication. Ensuring the NPCA's stakeholders and the broader public can watch Board of Directors meetings live through the internet as an alternative to attending directly in the gallery makes Authority proceedings highly transparent.

Attachments:


1. Livestream Corporate Service Brochure

Prepared by:




Geoffrey Verkade
Supervisor, Geographic Information Services

Reviewed by:



Jeff Long
Sr. Manager, Corporate Services

Submitted by:



Carmen D'Angelo,
Chief Administrative Officer / Secretary-Treasurer



Livestream for Corporate

Perfect for all organizations, from startups to Fortune 500 companies.

Photo taken during the Dragon V2 Unveil, broadcasted on Livestream.



Connect with Stakeholders

Livestream lets your company connect with key stakeholders during your corporate events, such as private internal gatherings, company-wide keynote presentations, shareholder meetings or new product releases. Customers, employees, and shareholders can watch on any device, including desktops, tablets, mobile devices, and Roku-connected TVs.



"Livestream provided a high-level solution for us to stream our daily opening and closing bell, along with investor meetings for key personnel to view who can't be there in person."

Ian Wolff - Director of Broadcasting

All the tools you need to broadcast your events live to any device



Unlimited Streaming



Privacy Controls

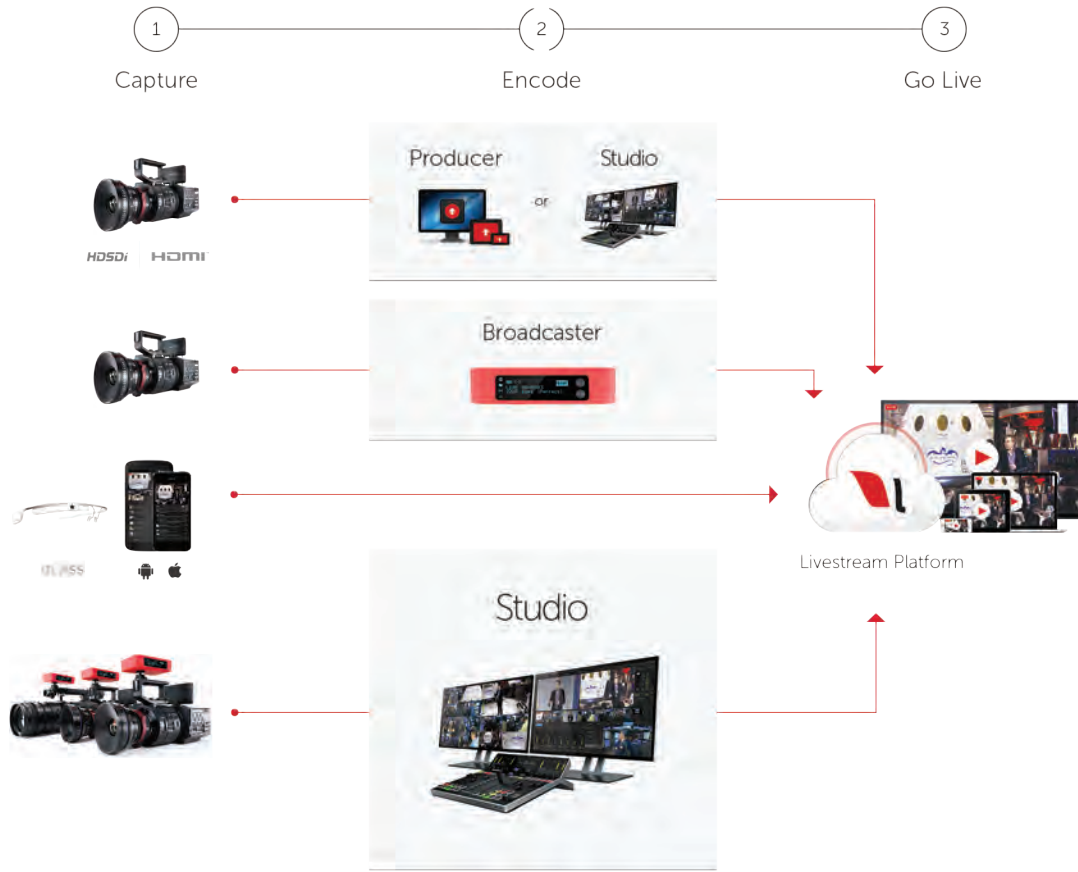


White-Label Solutions



Phone Support

How to Livestream



Trusted by 10,000+ active customers
around the world

No matter your size or budget, Livestream has an unlimited plan that meets your needs.



Ready to Go Live?

Visit livestream.com/broadcast or call us at +1 (646) 490-1679

REPORTS FOR CONSIDERATION

- ❖ **REPORT NO. 133-15** – *Regulation #2-Revision-Code of Conduct - Public*
- ❖ **REPORT NO. 134-15** – *Purchasing and Procurement Policy*
- ❖ **REPORT NO. 135-15** – *Draft Agreement – St. Johns Centre & NCDSB*

Note: Final Report awaiting response from NCDSB

December 16, 2015 Full Authority Meeting

Report To: Board of Directors

Subject: NPCA Regulation #2 Revision to Meeting Procedures – Code of Conduct Members of the Public

Report No: 133-15

Date: December 16, 2015

RECOMMENDATION:

That the NPCA Board of Directors **APPROVE** revisions to NPCA Regulation #2 entitled *Meeting Procedures* to address Code of Conduct of public members, community groups and the media representatives attending public meetings.

PURPOSE:

To revise the *Meeting Procedures* to address Code of Conduct of members of the public, community groups and the media to ensure open communication, accountability, and transparency of NPCA meetings, and, to ensure meetings are conducted without disruption.

DISCUSSION:

As per Section 30. (1) of the *Conservation Authorities Act*, an Authority shall make regulations, which includes the provision in the calling of meetings of the authority and prescribing the procedure at those meetings. The NPCA Board of Directors adopted Regulation #2 entitled “Meeting Procedures” on November 19, 2014 in order to be in compliance with the legislation.

Further, as per Regulation 123 entitled “Conservation Areas – Niagara Peninsula” of the *Conservation Authorities Act*, and in specific Section 4.(1) (e) of the Regulation, ...”*No person, in the conversation area, be abusive, insulting or threatening or make excessive noise or disturb other persons*”.

Given that there was a disturbance at the November 18, 2015 meeting of the NPCA Authority meeting and subsequently another disturbance at the November 19, 2015 meeting of the NPCA Community Liaison Committee, NPCA Regulation #2 is recommended to be revised in order to address similar type of events should they occur in the future.

The revision involves amending NPCA Regulation #2 to include a section entitled “Conduct of Members of the Public, Community Agencies and the Media”, as follows:

Conduct of Members of the Public, Community Agencies and the Media;

- Except under the parameters of Section #14 “Meetings with Closed Sessions”, all meetings of the NPCA shall be open to the public to ensure accountability and transparency.
- During a meeting of the NPCA, no member of the public, community agency or media shall address the Board of Directors unless they have been approved to address the Authority as described in Section #13 “Delegations”.
- Prior, during or post a meeting of the NPCA, no member of the public, community agency or media shall be abusive, insulting or threatening or make excessive noise or disturb other persons.
- As determined by the Chair of the NPCA meeting or by the Chief Administrative Officer (or designate), if a member of the public, community agency or media is abusive, insulting or threatening or makes excessive noise or disturbs others, the individual(s) will be requested to leave the conservation area for the day.
- In the event the individual(s) refuses to leave the conservation area for the day, the Chief Administrative Officer (or his/her delegate) will direct the Superintendent of the conservation area, or an appointed NPCA Officer, to have the individual(s) removed. Should the individual(s) refuse to leave the conservation area as requested by the Superintendent or appointed NPCA Officer, the municipal police service will be called to assist.
- Should the same individual(s) repeat actions that are deemed abusive, insulting or threatening or make excessive noise or disturb other persons, the NPCA Chair may establish a period of time where the individual(s) will be denied access to the conservation area.
- For individuals identifying themselves as media representatives, when requested by the NPCA Chair or Chief Administrative Officer, the media person(s) shall produce media credentials that demonstrate they are affiliated with a media association that has formally adopted a “Code of Conduct” or similar policy framework that adheres to the Canadian Association of Journalists’ *Ethics Guidelines* and the associated *Principles for Ethical Journalism*. Further, the media representative(s) should be associated with a media association that has a formal appeal mechanism that is accessible by the NPCA should any reporting be deemed unfair. If the media representative(s) do not produce credentials as described, they will be treated as a member of the public.

FINANCIAL IMPLICATIONS:

There are no financial implications to this report.

RELATED REPORTS AND APPENDICES:

1. Regulation #2 (with proposed revisions).

Submitted by:

A handwritten signature in black ink, appearing to read 'C. D'Angelo', is written over a solid horizontal line.

**Carmen D'Angelo
Chief Administrative Officer
Secretary Treasurer**



Board of Directors

Policy Handbook - Regulation # 2

Meeting Procedures



Resolution No. FA-210-14
Dated: November 24, 2014

Revised December 16, 2015
Resolution No. FA-XXX-15



Carmen D'Angelo;
Chief Administrative Officer



D. Bruce Timms;
NPCA Chairperson

Table of Contents

1.0	Introduction	3
2.0	Quorum	4
3.0	Annual Meeting.....	4
4.0	Duties of the Chair for the NPCA Board of Directors.....	5
5.0	Conduct of Members.....	6
6.0	Conduct of Members of the Public, Community Agencies and the Media	7
7.0	Freedom of Information	7
8.0	Notice of Meeting.....	8
9.0	Agenda for Meetings	9
10.0	Conflict of Interest.....	10
11.0	Disclosure of Pecuniary Interest	11
12.0	Notice of Motion	11
13.0	Delegations.....	12
14.0	Meetings with Closed Sessions	13
15.0	Vote	13
16.0	Minutes.....	14
Appendix A - Common Motions		15
A	Motion to Adjourn.....	15
B	Motion to Amend.....	15
C	Motion to Censure.....	15
D	Motion to Close Debate (Previous Question)	16
E	Motion to Postpone Definitely.....	16
F	Motion to Postpone Indefinitely	16
G	Motion to Reconsider	16
H	Motion to Refer (to Committee)	17
I	Motion to Suspend the Rules (Waive the Rules)	17
J	Motion to Table	17
K	Point of Order	18
L	Point of Personal Privilege	18

Appendix B - Code of Conduct	19
1.0 General.....	19
2.0 Gifts and Benefits.....	19
3.0 Confidentiality	19
4.0 Use of Authority Property	19
5.0 Work of a Political Nature.....	20
6.0 Conduct at Authority Meetings	20
7.0 Influences on Staff	20
8.0 Business Relations	20
9.0 Encouragement of Respect for Corporation and its Regulations	20
10.0 Harassment	20
11.0 Interpretation	20

DRAFT

1.0 INTRODUCTION

As per Section 30. (1) of the *Conservation Authorities Act*, an Authority shall make regulations, which includes:

- Providing for the calling of meetings of the authority and prescribing the procedure at those meetings;
- Prescribing the powers and duties of the Secretary-Treasurer; and
- Designating and empowering officers to sign contracts, agreements and other documents on behalf of the Authority.

This ***Board of Directors Regulation #2 Meeting Procedures*** has been developed to adhere to the legislation cited above.

This handbook will also function as a reference for appointed Board of Directors in order to effectively and efficiently conduct board meetings relevant to the Niagara Peninsula Conservation Authority.

Furthermore, this handbook will guide the Board of Directors in adhering to the legislative mandate of the Niagara Peninsula Conservation Authority (NPCA) and achieving the associated NPCA Mission and Vision.



2.0 Quorum

- 2.1 At a NPCA Board meeting, a quorum consists of one-half of the members appointed by the participating municipalities. Given that there are 15 appointed members from the participating municipalities, quorum is eight or more appointed members.
- 2.2 If there is no quorum within one half hour after the time appointed for the meeting, the Chair for the meeting shall declare the meeting adjourned due to a lack of a quorum and the recording secretary shall record the names of the members present and absent.
- 2.3 Where the number of members, who by reason of the provisions of the Municipal Conflict of Interest Act, R.S.O. 1990, c.M.50, are disabled from participating in a meeting, is such that at the meeting the remaining members are not of sufficient number to constitute a quorum, then the remaining number of members shall be deemed to constitute a quorum, provided such number is not less than two.
- 2.4 If during the course of an Authority or Committee meeting a quorum is lost, then the Chair shall declare that the meeting shall stand recessed or adjourned, until the date of the next regular meeting or other meeting called in accordance with the provisions of this Regulation. (See also **Section 8.0** below).

3.0 Annual Meeting

- 3.1 The annual meeting of the NPCA Board will occur on the third Wednesday of January.
- 3.2 Appointed members will continue to serve on the NPCA Board until the Chief Administrative Officer receives written notice that the respective members have been re-appointed or the respective members have been replaced by another appointment.
- 3.3 At this meeting, the election of the Chair and Vice-Chair shall occur in accordance to Section #7 of Regulation #1: Governance and Administration Policies.

4.0 Duties of the Chair for the NPCA Board of Directors

- 4.1 It shall be the duty of the Chair, with respect to any meetings over which he/she preside, to:
 - a) Preserve order and decide all questions of order, subject to appeal; and without argument or comment, state the rule applicable to any point of order if called upon to do so;
 - b) Ensure that the public in attendance does not in any way interfere or disrupt the proceedings of the Board;
 - c) Ask any individual that is disrupting the Board to leave;
 - d) Adjourn the meeting without question, in the case of grave disorder arising in the meeting room;

- e) Receive and submit to a vote all motions presented by the Members or Committee, as the case may be, which do not contravene the rules and regulations of the Authority;
- f) Announce the results of the vote on any motions so presented;
- g) Decline to put to a vote motions which infringe upon the rules of procedure, or which are beyond the jurisdiction of the Authority;
- h) Enforce on all occasions the observance of order and decorum among the Members;
- i) Adjourn the meeting when business is concluded;
- j) Adjourn the sitting without a question being put or suspend or recess the sitting for a time to be named if considered necessary;
- k) Represent and support the Authority, declaring its will and implicitly obeying its decisions in all things; and
- l) Perform other duties when directed to do so by resolution of the Authority.

4.2 Upon request of the Chair, the Vice-Chair assumes the duties of the Chair as described above.

5.0 Conduct of Members

- 5.1 No Director at any meeting of the Authority shall:
- a) Criticize any decision of the Authority or the Committee, as the case may be, except for moving, in accordance with the provision of this by-law, that the questions be reconsidered.
 - b) 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.
 - c) Leave their seat or make any noise or disturbance while a vote is being taken or until the result is declared.
 - d) Interrupt a member while speaking, except to raise a point of order or a question of privilege.
 - e) Speak disrespectfully or use offensive words against the Authority, Authority members, staff, or any member of the public;
 - f) Speak beyond the question (s) under debate;
 - g) Resist the rules or disobey the decision of the Chair on the questions or order or practices or upon the interpretation of the rules of the Authority.
- 5.2 If any Director resists or disobeys, they may be ordered by the Chair to leave their seat for the remainder of the meeting. In the case of an apology being made by the offender, they may, by majority vote of the Authority, be permitted to retake their seat.
- 5.3 No person except Directors and Staff shall be allowed to come to the Board's table during the meetings of the Board without permission of the Chair or the Board.
- 5.4 Censorship of an individual director for conduct unbecoming a Board member in the fulfillment of their duties will be in accordance with a Motion to Censure described in Appendix A.

6.0 Conduct of Members of the Public, Community Agencies and the Media;

- 6.1 Except under the parameters of Section #14 “Meetings with Closed Sessions”, all meetings of the NPCA shall be open to the public to ensure accountability and transparency.
- 6.2 During a meeting of the NPCA, no member of the public, community agency or media shall address the Board of Directors unless they have been approved to address the Authority as described in Section #13 “Delegations”.
- 6.3 Prior, during or post a meeting of the NPCA, no member of the public, community agency or media shall be abusive, insulting or threatening or make excessive noise or disturb other persons.
- 6.4 As determined by the Chair of the NPCA meeting or by the Chief Administrative Officer (or designate), if a member of the public, community agency or media is abusive, insulting or threatening or makes excessive noise or disturbs others, the individual(s) will be requested to leave the conservation area for the day.
- 6.5 In the event the individual(s) refuses to leave the conservation area for the day, the Chief Administrative Officer (or his/her delegate) will direct the Superintendent of the conservation area, or an appointed NPCA Officer, to have the individual(s) removed. Should the individual(s) refuse to leave the conservation area as requested by the Superintendent or appointed NPCA Officer, the municipal police service will be called to assist.
- 6.6 Should the same individual(s) repeat actions that are deemed abusive, insulting or threatening or make excessive noise or disturb other persons, the NPCA Chair may establish a period of time where the individual(s) will be denied access to the conservation area.
- 6.7 For individuals identifying themselves as media representatives, when requested by the NPCA Chair or Chief Administrative Officer, the media person(s) shall produce media credentials that demonstrate they are affiliated with a media association that has formally adopted a “Code of Conduct” or similar policy framework that adheres to the Canadian Association of Journalists’ *Ethics Guidelines* and the associated *Principles for Ethical Journalism*. Further, the media representative(s) should be associated with a media association that has a formal appeal mechanism that is accessible by the NPCA should any reporting be deemed unfair. If the media representative(s) do not produce credentials as described, they will be treated as a member of the public.

7.0 Freedom of Information

- 7.1 The Authority members shall be governed at all times by the provisions of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).
- 7.2 In the instance where a member vacates their position on the Authority Board they will continue to be bound by MFIPPA requirements.

8.0 Notice of Meeting

- 8.1 The Chair shall call regular meetings of the Authority. Notice of regular meetings will be sent out from the Authority office at least five calendar days prior to the meeting date.
- 8.2 Notice of any meeting shall indicate the time and place of that meeting and the agenda for the meeting.
- 8.3 All material and correspondence to be dealt with by the Authority at a meeting will be submitted to the Chief Administrative Officer at least fourteen (14) days in advance of the meeting in question.
- 8.4 Written notice of motion may be given by any member of the Authority and shall be forthwith placed on the agenda of the next meeting.
- 8.5 When a quorum is first present after the hour fixed for a meeting, the Chair shall call the meeting to order.
- 8.6 If no quorum is present one-half hour after the time appointed for a meeting, the Chief Administrative Officer shall call the roll and record the names of the members present and the meeting shall stand adjourned until the next meeting.
- 8.7 The business of the Authority shall be taken up in the order in which it stands on the agenda unless otherwise decided by the Authority.
- 8.8 No member shall present any matter to the Authority for its consideration unless the matter appears on the agenda for the meeting of the Authority or leave is granted to present the matter by the affirmative vote of a majority of the members present.
- 8.9 The following matters shall have precedence over the usual order of business:
 - a. a point of order
 - b. a matter of privilege
 - c. a matter of clarification
 - d. a motion to suspend a rule of procedure or to request compliance with the rules of procedure
 - e. a motion that the question be put to a vote
 - f. a motion to adjourn
- 8.10 The Chair may, at his/her pleasure, call a special meeting of the Authority on three days' written notice. That notice shall state the business of the special meeting and only that business shall be considered unless permission is granted by two-thirds of the members present.
- 8.11 With the exception of any municipal planning or regulation matter that requires an immediate decision of the Board of Directors, or priority business of a matter before the courts, all matters will be dealt with "in person" at a Board of Directors meeting. For those planning and regulation matters requiring immediate attention, and/or matters before the courts, the Chair may call a meeting of the Board of Directors via telephone conference or other conferencing technology. Such a telephone

conference meeting must have quorum of the Directors participating and voting will be as outlined in Section 15.0.

- 8.12 Any member of the Board of Directors, with 50% support of the other Directors, may request the Chair to call a meeting of the Board and the Chair will not refuse.
- 8.13 Notwithstanding **Section 8.6** of this Procedure, a meeting which has been interrupted through the loss of a quorum may be reconvened without notice provided that the meeting is reconvened on the same day.
- 8.14 The Chair or the CAO/Secretary-Treasurer may, by notice in writing or email, deliver to the members so as to be received by them at least 12 hours before the hour appointed for the meeting, postpone or cancel any meeting until the next scheduled date for the specific committee affected.
- 8.15 The Chair or the CAO/Secretary-Treasurer may, if it appears that a storm or like occurrence will prevent the members from attending a meeting, postpone that meeting by advising as many members as can be reached. Postponement shall not be for any longer than the next regularly scheduled meeting date.

9.0 Agenda for Meetings

- 9.1 Authority staff, under the supervision of the CAO shall prepare for the use of members at all regular meetings of the Authority, an agenda which shall include, but not necessarily be limited to, the following headings:
 - a. Business – In Camera
 - b. Roll Call
 - c. Approval of Agenda
 - d. Declaration of Pecuniary Interest
 - e. Presentations
 - f. Administrative Business
 - i. Approval of Minutes of Previous Meeting
 - ii. Business Arising from Minutes
 - iii. Correspondence
 - iv. Chair’s Comments
 - v. CAO’s Comments
 - g. Business – For Information (including):
 - i. Project Status Reports
 - ii. Financial Statements
 - h. Business – For Consideration
 - i. New Business
 - j. Reports and Updates from Board Members
 - k. Adjournment
- 9.2 The agenda for special meetings of the Authority shall be prepared as directed by the Chair.

10.0 Conflict of Interest

- 10.1 A conflict of interest refers to a situation in which the private interests or personal considerations of the member could compromise, or could reasonably appear to compromise, the member's judgment in acting objectively and in the best interest of the Authority.

A conflict of interest also includes using a member's position or confidential information for private gain or advancement or the expectation of private gain or advancement (e.g. direct or indirect financial interest in a matter, a contract or proposed contract with the Authority). A conflict may occur when an interest benefits any member of the member's family (spouse, partner, children, parents, siblings), friends or business associates. A conflict of interest includes engagement of members in private employment or rendering services for any person or corporation where such employment of services are considered a conflict of interest as defined by the Province of Ontario conflict of interest legislation.

- 10.2 Members shall refrain from placing themselves in conflict of interest situations.
- 10.3 A member must resign from the Authority if he or she is or becomes involved in private employment or rendering services considered to be a conflict of interest.
- 10.4 A member who has reasonable grounds to believe that he or she may have a conflict of interest or that there may be an appearance of a conflict of interest, in respect of a matter that is before the committee shall:
- a) Disclose orally the actual, potential or perceived conflict of interest at the beginning of the committee meeting or as soon as possible; and
 - b) Excuse him or herself from the committee meeting while the matter is under consideration. If the member is participating via telephone or other electronic means, the chair shall ensure that the member is not able to listen to or participate in the discussion of the matter.
- 10.5 A member who has disclosed an actual, potential or perceived conflict of interest to the chair or the committee, as the case may be, shall refrain from voting or participating in the consideration of the matter, or from commenting on, discussing or attempting to exert his or her personal influence on another member with respect to the matter.
- 10.6 The minutes of the meeting shall reflect the disclosure of the actual, potential or perceived conflict of interest and whether the member withdrew from the discussion of the matter.
- 10.7 If it is not entirely clear whether or not an actual, potential or perceived conflict of interest exists, then the member with the potential conflict of interest shall disclose the circumstances to the Chair. The Chair will determine if there is a conflict of interest or if the member's conduct has violated this policy, in a timely fashion, dependent on the complexity of the situations and will communicate his or her decision directly to the member.
- 10.8 A member who has concerns about the conduct of another member regarding compliance with this policy should raise those concerns with the Chair. The Chair

will follow essentially the same process for addressing complaints as for dealing with declared conflicts of interest with modifications to suit the difference circumstances.

11.0 Disclosure of Pecuniary Interest

- 11.1 Where a member, 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 Standing Committee at which the matter is the subject of consideration, the member 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.
- 11.2 Where a meeting is not open to the public, in addition to complying with the requirements, the Member shall forthwith leave the meeting for the part of the meeting during which the matter is under consideration.
- 11.3 Where the interest of a Member has not been disclosed by reason of their absence from the particular meeting, the Member shall disclose their interest and otherwise comply at the first meeting of the Authority or Standing Committee, as the case may be, attended by them after the particular meeting.
- 11.4 The meeting secretary shall record in reasonable detail the particulars of any disclosure of pecuniary interest made by members of the Authority or Committees, as the case may be, and any such record shall appear in the minutes/notes of that particular meeting of the Authority or of the Committee, as the case may be.

12.0 Notice of Motion

- 12.1 Except as otherwise provided in this Regulation, a notice of motion to be made at an Authority or Committee meeting shall be given in writing and shall be delivered to the CAO/Secretary-Treasurer not less than seven (7) business days prior to the date and time of the meeting, to be included in the agenda for the Authority or Committee meeting at which the motion is to be introduced.
- 12.2 The CAO/Secretary-Treasurer shall include such notice of motion in full in the agenda for the meeting concerned.
- 12.3 Reports of Committees included in the Authority agenda shall constitute notice of motion with respect to any matter contained in such reports and recommended by any such Committee for adoption by the Authority.
- 12.4 Staff reports in the Authority agenda not having been considered by any Committee for adoption, shall constitute notice of motion for the purposes of any motion brought to the Authority with respect thereto.

- 12.5 Notwithstanding the foregoing, any motion or other business may be introduced for consideration of the Authority provided that it is made clear that to delay such motion or other business for the consideration of an appropriate Standing Committee would not be in the best interest of the Authority and that the introduction of the motion or other business shall be upon an affirmative vote of the majority of the members of the Authority present.
- 12.6 Any motion called from the Chair and for whatever reason deferred in three successive regular meetings of the Authority or Committee which is not proceeded with shall be deemed to be withdrawn.
- 12.7 Reconsideration of a motion previously adopted by the Authority requires a two-thirds majority of the Board, thus 10 or more Members (See Section G of Appendix A).

13.0 Delegations

- 13.1 Any person or organization desiring an opportunity to address the Authority may make a request in writing to the Chief Administrative Officer/Secretary-Treasurer fourteen (14) days in advance of a scheduled meeting if such request is to be included in the agenda of that meeting. The request should comprise a brief statement of the issue or matter involved and indicate the name of the proposed speaker(s).
- 13.2 The Chief Administrative Officer/Secretary-Treasurer is empowered to seek clarifications from the person or organization if the submitted statement is ambiguous and/or requires further explanation.
- 13.3 Any person or organization requesting an opportunity to address the Authority but not having made a written request to do so in accordance with **Section 13.1** may appear before a meeting of the Authority but will be heard only if approved by a ruling of 2/3 of the Directors of the meeting.
- 13.4 No delegation, whether or not listed on the agenda, shall be heard without a ruling by the Chair of the meeting giving leave, but such ruling may be immediately appealed by a proper motion, and the ruling of the meeting shall govern.
- 13.5 Notwithstanding **Section 13.2**, a representative of a participating municipality of the Authority, duly authorized by resolution of such council, shall be heard as of right, and further any member of the Authority shall be heard as of right.
- 13.6 Except by leave of the Chair or appeal by the leave of the meeting, delegations shall be limited to a time of not more than ten (10) minutes.

14.0 Meetings with Closed Sessions

- 14.1 A meeting or a part of a meeting may be closed to the public if the subject matter being considered relates to:
- a) the security of the property of the Authority;
 - b) personnel matters about an identifiable individual including Authority employees;
 - c) a proposed or pending acquisition of land;
 - d) labour relations or employee negotiations;
 - e) litigation or potential litigation including matters before administrative tribunals affecting the Authority;
 - f) the receiving of advice that is subject to solicitor-client privilege.
- 14.2 A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act.
- 14.3 Before holding a meeting or part of a meeting that is to be closed to the public, the members shall state by resolution during the open session of the meeting that there will be a meeting closed to the public and the general nature of the matter to be considered at the closed meeting.
- 14.4 No vote shall be taken and no written record shall be kept in a closed meeting unless it is for a procedural matter, or for giving directions or instructions to officers, employees or agents of the Authority or persons retained under contract with the Authority.
- 14.5 Any materials presented to the Board of Directors during a closed meeting will be returned to the CAO/Secretary-Treasurer prior to departing from the meeting.

15.0 Vote

- 15.1 On a tie vote, the motion is lost, and the Chair, may vote to make it a tie unless the vote is by ballot. The Chair cannot, however, vote twice, first to make a tie and then give the casting vote.
- 15.2 A majority vote of the members present at any meeting is required upon all matters coming before the meeting.
- 15.3 Interrelated motions shall be voted on in the following order:
- a) motions to refer the matter, and
 - b) if no motion under clause (a) is carried, the order for voting on the remaining motions shall be:
 - i) amending motion
 - ii) the original motion
- 15.4 Unless a member requests a recorded vote, a vote shall be by a show of hands or such other means as the Chair may call.

- 15.5 Before a vote is taken, any member may require a recorded vote and it shall be taken by alphabetical surname with the Chair voting last. On a recorded vote, each member will answer “yes” or “no” to the question, or will answer “abstain” if the said member does not wish to vote. If any Member abstains from voting, they shall be deemed to have voted in opposition to the question, and where the vote is a recorded vote, their vote shall be recorded accordingly by the secretary.
- 15.6 At the meeting of the Authority at which the non-matching levy is to be approved, the Chair shall at the appointed time during the meeting, call the roll of members present, and having been advised by the Secretary-Treasurer of those present and the respective, eligible weighted votes, conduct the roll call vote to approve of non-matching levy by a weighted majority of the members present and eligible to vote. (see O. Reg. 139/96)
- 15.7 Where a question under consideration contains more than one item, upon the request of any member, a vote upon each item shall be taken separately.
- 15.8 A vote on any planning or regulation matter dealt with through a telephone conference meeting (F-11) shall be a recorded vote.
- 15.9 If a vote is required, upon circumstances described in **Section 8.11**, the Chair may direct the CAO to conduct a “telephone or email survey” and record the vote.
- 15.10 Where any member of the Authority or Committee is acting in the place of the Chair or the Committee Chair, as the case may be, such member shall have and may exercise all the rights and powers of the Chair or the Committee Chair of the Standing Committee as the case may be, while so acting.

16.0 Minutes

- 16.1 The CAO/Secretary-Treasurer shall undertake to have a recording secretary in attendance at meetings of the Authority and each Standing Committee. The recording secretary will make a record in the form of Minutes of the meeting proceedings and in particular shall record all motions considered at the meeting.
- 16.2 For matters dealt with in closed session, the CAO or designate will take notes of any direction provided, for endorsement by the Chair and Vice-Chair.
- 16.3 Minutes of all meetings shall include the time and place of the meeting and a list of those present and shall state all motions presented together with the mover and seconder.
- 16.4 The Secretary-Treasurer shall send out the minutes of Board of Directors meetings to each member of the Authority.
- 16.5 The Authority will electronically send the minutes of Board of Directors meetings to member municipalities following approval of those minutes by the Board of Directors.

Appendix A Common Motions

A Motion to Adjourn

- A.1 A Motion to Adjourn:
- a) is always in order except as provided by this by-law;
 - b) is not debatable;
 - c) is not amendable;
 - d) is not in order when a member is speaking or during the verification of the vote;
 - e) is not in order immediately following the affirmative resolution of a motion to close debate; and
 - f) when resulting in the negative, cannot be made again until after some intermediate proceedings have been completed by the Authority.
- A.2 A motion to adjourn without qualification, if carried, brings a meeting or a session of the Authority to an end.
- A.3 A motion to adjourn to a specific time, or to reconvene upon the happening of a specified event, suspends a meeting of the Authority to continue at such time.

B Motion to Amend

- B.1 A motion to amend:
- a) is debatable;
 - b) is amendable;
 - c) shall be relevant and not contrary to the principle of the report or motion under consideration; and
 - d) may propose a separate and distinct disposition of a question provided that such altered disposition continues to relate to the same issue which was the subject matter or the question.
- B.2 Only one motion to amend an amendment to the question shall be allowed at one time and any further amendment must be to the main question.
- B.3 Notwithstanding anything herein to the contrary, no motion to amend the motion to adopt any report shall be permitted.

C Motion to Censure

The Niagara Peninsula Conservation Authority Board of Directors may call for a motion to censure an individual Member for conduct unbecoming a board member in the fulfillment of his/her Niagara Peninsula Conservation Authority duties. This will require a seconder and a 2/3 vote of members present at the Board of Directors meeting to pass. The motion to censure must be dealt with immediately and once the motion is approved, the appointing municipality will be advised, in writing, by the Chair of the Board of Directors.

D Motion to Close Debate (Previous Question)

- D.1 A motion to close debate:
- a) is not debatable;
 - b) is not amendable;
 - c) cannot be moved with respect to the main motion when there is an amendment under consideration;
 - d) should be moved by a member who has not already debated the question;
 - e) can only be moved in the following words: "I move to close debate".
 - f) requires a majority of members present for passage; and
 - g) when resolved in the affirmative, the question is to be put forward without debate or amendment.

E Motion to Postpone Definitely

- E.1 A motion to postpone definitely:
- a) is debatable, but only as to whether a matter should be postponed and to what time;
 - b) is amendable as to time;
 - c) requires a majority of members present to pass; and
 - d) shall have precedence over the motions to refer, to amend, and to postpone indefinitely.

F Motion to Postpone Indefinitely

- F.1 A motion to postpone indefinitely:
- a) is not amendable;
 - b) is debatable, and debate may go into the merits of the main question, which effectively kills a motion and avoids a direct vote on the question;
 - c) requires a majority vote; and
 - d) shall have precedence over no other motion.

G Motion to Reconsider

- G.1 A motion to reconsider, under this Regulation:
- a) is debatable;
 - b) is not amendable; and
 - c) requires a two-thirds majority vote, regardless of the vote necessary to adopt the motion to be reconsidered.
- G.2 After any question, except one of indefinite postponement has been decided by the Authority, any Member who was present and who voted in the majority may, at a subsequent meeting of the Authority, move for the reconsideration thereof, provided due notice of such intention is given as required by this Regulation, but no discussion of the main question by any person shall be allowed unless the motion to reconsider has first been adopted.
- G.3 After any question, except one of indefinite postponement has been decided by Committee, but before a decision thereon by the Authority, any member who was present at the Committee meeting concerned and who voted in the majority, may, at a subsequent meeting of the Committee, provided the Authority still has made

no decision thereon, move for the reconsideration thereof, provided due notice of such intention is given as required by this Regulation, but no discussion of the main question by any person shall be allowed unless the motion to reconsider has first been adopted.

G.4 No question upon which a notice of reconsideration has been accepted shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered.

G.5 If a motion to reconsider is decided in the affirmative, reconsideration shall become the next order of business and debate on the question to be reconsidered shall proceed as though it had never previously been considered.

H Motion to Refer (to Committee)

H.1 A motion to refer:

- a) is debatable;
- b) is amendable; and
- c) shall take precedence over all amendments of the main question and any motion to postpone indefinitely, to postpone definitely or to table the question.

I Motion to Suspend the Rules (Waive the Rules)

I.1 A motion to suspend the rules:

- a) is not debatable;
- b) is not amendable; and
- c) requires a 2/3 majority to carry;
- d) takes precedence over any motion if it is for a purpose connected with that motion and yields to a motion to table.

J Motion to Table

J.1 A motion to table:

- a) is not debatable;
- b) is not amendable.

J.2 A motion to table a matter with some condition, opinion or qualification added to the motion shall be deemed to be a motion to postpone.

J.3 The matter tabled shall not be considered again by the Authority until a motion has been made to take up the tabled matter at the same time or subsequent meeting of the Authority.

J.4 A motion to take up a tabled matter is not subject to debate or amendment.

J.5 A motion that has been tabled at a previous meeting of the Authority cannot be lifted off the table unless notice thereof is given in accordance with **Section 12** of this Regulation.

J.6 A motion that has been tabled and not taken from the table for six (6) months shall be deemed to be withdrawn and cannot be taken from the table.

K Point of Order

The Chair or Committee Chair, as the case may be, shall decide points of order. When a Member wishes to raise a point of order, the Member shall ask leave of the Chair/Committee Chair and after leave is granted, the Member shall state the point of order to the Chair/Committee Chair, after which the Chair/Committee chair shall decide on the point or order. Thereafter, the Member shall only address the Chair/Committee Chair for the purpose of appealing the decision to the Authority or the Committee, as the case may be. If the Member does not appeal, the decision of the Chair/Committee Chair shall be final. If the Member appeals to the Authority or the Committee as the case may be, the Authority/Committee shall decide the question without debate and the decision shall be final.

L Point of Personal Privilege

When a Member considers that his integrity or the integrity of the Authority or Committee has been impugned, the Member may, as a matter of personal privilege and with the leave of the Chairman, draw the attention of the Authority or the Committee, as the case may be, to the matter by way of a point of personal privilege. When a point of personal privilege is raised, it shall be considered and decided by the Chair or Committee Chair, as the case may be, immediately. The decision of the Chair or Committee Chair, as the case may be, on a point of privilege may be appealed to the Authority.

DRAFT

Appendix B Code of Conduct

1.0 General

All members shall serve in a conscientious and diligent manner. No member shall use the influence of office for any purpose other than for the exercise of his/her official duties.

2.0 Gifts and Benefits

Members shall not accept fees, gifts or personal benefits (greater than \$50 in value) that are connected directly or indirectly with the performance of duties, except compensation authorized by law.

3.0 Confidentiality

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

Members 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.

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

Particular care should be exercised in releasing information such as the following:

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

The list above is provided for example and is not inclusive.

4.0 Use of Authority Property

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

5.0 Work of a Political Nature

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

6.0 Conduct at Authority Meetings

During meetings, members shall conduct themselves with decorum. Respect for delegations and for fellow members requires that all members show courtesy and not distract from the business of the Authority during presentations and when other members have the floor.

7.0 Influences on Staff

Members shall be respectful 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 member or faction.

8.0 Business Relations

No member shall borrow money from any person who regularly does business with the 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 member shall act as a paid agent before the Authority or a committee of the Authority, except in compliance with the terms of the Municipal Conflict of Interest Act.

9.0 Encouragement of Respect for Corporation and its Regulations

Members shall represent the Authority in a respectful way and encourage public respect for the Authority and its Regulations.

10.0 Harassment

Harassment of another member, staff or any member of the public is misconduct. It is the policy of the 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.

Harassment may be defined as any behaviour by any person including a co-worker that is directed at or is offensive to another person on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, age, marital status or family status and any other prohibited grounds under the provisions of the Ontario Human Rights Code.

11.0 Interpretation

Members of the Authority seeking clarification of any part of this Appendix should consult with the Municipal Clerk or Corporate Council of the municipality that appointed the respective member.

Report To: Board of Directors
Subject: Purchasing and Procurement Policy
Report No: 134-15
Date: December 16, 2015

RECOMMENDATION:

That the Purchasing and Procurement Policy, Report No. 134-15 be approved by the Board of Directors.

PURPOSE:

Attached as Appendix A is the proposed Purchasing and Procurement Policy. The purpose of this document is to provide the necessary policies and procedures to procure the required quantity and quality of goods and services at the most favourable costs to NPCA in the most effective and efficient manner.

BACKGROUND:

The policy was last amended in 1996. The policy required amendments to the purchasing procedures to ensure proper controls and approvals are in place. In addition authorization levels have been adjusted to bring them in line with current purchasing activity.

FINANCIAL IMPLICATIONS:

Improved purchasing practices which ensures competitive pricing for the procurement of goods and services.

RELATED REPORTS AND APPENDICES:

1. Appendix A – Purchasing and Procurement Policy.

Prepared by:



Jeff Long; Sr. Manager, Corporate Services

Submitted by:



**Carmen D'Angelo;
Chief Administrative Officer / Secretary Treasurer**



NPCA Corporate Administrative Policy

Section	Name of Policy
	Purchasing & Procurement

Developed by: Corporate Services Department

Approved by: Board of Directors Date: December 10, 2015

Effective Date: xx, 2015 Latest Revision:

Niagara Peninsula Conservation Authority (NPCA)

Purchasing & Procurement Policy

TABLE OF CONTENTS

Section 1	Purchasing Principles	Page 2
Section 2	Policies and Procedures	Page 3
Appendix 1	Authorized Buyers	Page 11
Appendix 2	Goods and Services Exempt from Provisions of Purchasing Policy	Page 12
Appendix 3	Bid Irregularities	Page 13
Appendix 4	Definitions	Page 15
Appendix 5	Bid Form	Page 17
Appendix 6	Standard Contract Terms and Conditions	Page 18
Appendix 7	Corporate Credit Card Policy	Page 21



NPCA Corporate Administrative Policy

Section	Name of Policy
	Purchasing & Procurement

SECTION 1

Purchasing Principles, Goals and Objectives

The Purchasing principles of Niagara Peninsula Conservation Authority (NPCA) shall be as follows:

- (a) to encourage competitive bidding;
- (b) to ensure objectivity and integrity in the Purchasing process;
- (c) to ensure fairness between bidders;
- (e) to offer a variety of Purchasing methods, and to use the most appropriate method depending on the particular circumstances of the acquisition;
- (f) to the extent possible, to ensure openness, accountability and transparency while protecting the best interests of the Corporation;
- (g) to obtain the best value for the Corporation when procuring Goods and/or Services;
- (h) to encourage the Purchase of Goods and/or Services with due regard to the preservation of the natural environment;
- (i) to maintain timely and relevant policies and procedures.



NPCA Corporate Administrative Policy

Section	Name of Policy
	Purchasing & Procurement

SECTION 2:

Policies & Procedures

2.1 Purpose

The purpose of this document is to provide the necessary policies and procedures to procure the required quantity and quality of goods and services at the most favourable costs to NPCA in the most effective and efficient manner.

2.2 Purchasing Limits and Authorization

The following purchasing limits, with specified authorization and procedural requirements, will apply within all divisions the in NPCA. Authorized buyers include senior staff and their designates. Designates are listed in Appendix 1. Items where these policies and procedures do not apply are identified in Appendix 2.

The dollar amounts shown in the Purchasing & Procurement Policy setting the parameters for the purchasing process, except as otherwise stated, shall be the total cost of all individual items purchased, including taxes and freight. For leased goods the purchasing limits will apply to the total amount being financed.

Purchasing limits are defined as the aggregate cost to purchase the goods or services. Purchases of goods and services where delivery is expected over a long period of time, or at irregular intervals (under contract, blanket or open orders), the purchase amount shall be deemed to be the total estimated cost for the contract period.

Facsimile Transmission (FAX), or other electronic transmissions from which written copy can be obtained are acceptable for informal bids. Formal bids must be received by NPCA at the designated location, date and time as original documents properly signed and sealed. FAX, or other electronic transmissions shall not be accepted as formal bids.

Once a decision has been made, all formal bids received, and evaluation forms used in the bid award, are to be submitted with the purchase information to the Senior Manager, Corporate Services for central storage and audit purposes.



NPCA Corporate Administrative Policy

Section	Name of Policy
	Purchasing & Procurement

(a) Low Value Purchases (up to \$5,000 excluding Taxes)

Department representatives are authorized to procure Goods and/or Services up to a total of \$5,000, excluding taxes. Only purchases that can be demonstrated to have been made at Fair Market Value shall be made. Department Representatives may procure goods and/or services through the following means;

- ❖ Credit Card used in strict accordance with the Corporates Credit Card Policy as outlined in Appendix 7.
- ❖ Purchase Order to the Supplier; or
- ❖ Direct invoice from the Supplier approved and signed by the Department Representative or Designate with authority to approve the purchase.

(b) Informal Quotations (purchases greater than \$5,000 and not exceeding \$35,000)

- ❖ Three **written or verbal** quotes obtained and documented;
- ❖ If three quotes are not obtained, the reasons must be documented by the buyer;
- ❖ Reasons for accepting other than lowest quotation must be documented and retained on file;
- ❖ Purchase orders are to be completed by an authorized buyer with documentation attached to the purchase order requisition.
- ❖ Capital Asset purchases must be approved by the Department Head.

(c) Formal Quotations (purchases greater than \$35,000 and not exceeding \$55,000)

- ❖ Minimum of three **written** quotations are required to be obtained from suppliers;
- ❖ If three written quotes are not obtained, the reasons must be documented and retained on file for post-audit purposes;
- ❖ Reasons for accepting other than the lowest quotation must be documented and retained on file for post audit purposes;
- ❖ Purchase orders are to be completed by an authorized buyer with documentation attached to the purchase order requisition;
- ❖ Approval of the Department Head is required.



NPCA Corporate Administrative Policy

Section	Name of Policy
	Purchasing & Procurement

(d) Request for Proposals (purchases greater than \$55,000.00)

- ❖ Goods and services greater than \$55,000.00 are to be obtained by a sealed formal bid process (eg. Tender, Request for Proposal, Prequalification). The formal bid is to be advertised in the appropriate media being the NPCA website and the Ontario Public Buyers Association (OPBA) website www.opba.ca. The advertisement shall include at a minimum a project title, brief description of the goods or services being acquired, required timing of submission and contact person;
- ❖ Senior staff designated in Appendix 1 are responsible for preparing the formal bid package, including detailed specifications in accordance with Sections 2.2 and 2.3;
- ❖ Purchasing Specialist, Legal or Consultant review of the formal bid document is required prior to issuing the bid document;
- ❖ Instructions are to be provided to reception staff for the receipt and distribution of formal bid packages received from bidders;
- ❖ Approval of NPCA is required for selection of the successful bidder;
- ❖ Reasons for accepting other than the lowest bid must be documented;
- ❖ The summary of formal bids and the reasons for accepting other than the lowest bid must be attached to the purchase order requisition for post-audit purposes;
- ❖ Signing Officers shall affix signatures to appropriate documents as required.

f) Revenue Generating Contracts

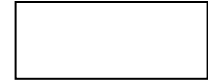
The same conditions and limits outlined above for goods and services will be applied to revenue generating contracts.

2.4 Procurement of Professional and Technical Consulting Services

The purchasing limits in Section 2.2 apply to the purchase of Professional and Technical Consulting Services.

2.5 Bid Requests Containing Irregularities

Each sealed bid received in response to a bid request will be reviewed to determine whether a bid irregularity exists. Appendix 3 establishes the response, which will be taken if an irregularity exists.



NPCA Corporate Administrative Policy

Section	Name of Policy
	Purchasing & Procurement

2.6 Approval of the Minister of Natural Resources

The approval of the Minister of Natural Resources through Section 24 of the *Conservation Authorities Act* must be obtained where money for the project is granted by the Minister under Section 39 of the *Conservation Authorities Act*.

2.7 Emergency Purchases

Goods and services required to address an emergency where the purchase is essential to prevent loss of life, potential loss in business, damage to property, or for the continuation of a program or service that is essential to the well being of the Authority shall be acquired by the most open market procedure and the lowest overall cost possible. Goods and services of \$55,000.00 and over shall be approved by the Chair, or in his/her absence the Vice-Chair, subject to telephone and / or email notification of the members of NPCA.

For emergency goods and services with a purchase cost of \$10,000 to \$54,999.99 approval is required by the CAO/Secretary-Treasurer and the respective Department Lead. The Senior Manager, Corporate Services will report these emergency purchases in the quarterly Budget Variance Report to the NPCA Board of Directors.

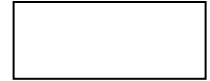
2.8 Cooperative Purchasing

NPCA shall encourage and participate in cooperative purchasing with other levels of government or other public agencies whenever the best interests of all participants would be served. Contracts shall be awarded on the basis of both lowest overall bid and quality of product or service.

2.9 Negotiation

Notwithstanding section 2.3, purchase by negotiation may be adopted when any of the following conditions apply:

- a) when in the judgment of the Authorized Buyer goods are judged to be in short supply due to market conditions;
- b) there is only one known source of the goods or service;
- c) two or more identical low bids have been received;
- d) the lowest bid substantially exceeds the estimated costs of the goods;



NPCA Corporate Administrative Policy

Section	Name of Policy
	Purchasing & Procurement

- e) all bids received fail to comply with the specifications, tender terms and conditions and it is impractical to recall tenders;
- f) the extension of the existing contract would prove more cost effective or beneficial;
- g) a single source is recommended because it is more cost effective or beneficial to the Authority to ensure compatibility with an existing product, facility or service;
- h) when no bids are received;
- i) when only one bid is received in a bid call;
- j) after the request for proposal process, it may be necessary for discussion and revision of the proposal.

2.10 Reporting Procedures

Regardless of Sections 2.3, 2.4, 2.7, 2.9 and 2.11 prior to the award of any contract for goods and services, a specific report to NPCA Board of Directors shall be submitted in any of the following instances:

- a) when the acquisition of goods and services for the NPCA exceeds \$55,000.00;
- b) when the lowest overall bid is not being recommended and that bid amount exceeds \$35,000.00;
- c) when the goods or service has been procured in an emergency situation and the value of the goods and service exceeds \$55,000.00;
- d) when the negotiation process has been applied and the negotiated amount exceeds \$35,000.00;
- e) when the cost of the proposed acquisition is greater than \$35,000.00 and exceeds the amount provided in the budget for that acquisition;
- f) where the value of goods to be disposed exceeds \$35,000.00.

2.11 Disposal of Surplus Goods

The C.A.O./Secretary-Treasurer or designate shall have the authority to sell, exchange or otherwise dispose of goods declared as surplus to the needs of NPCA, *with the exception of real property*, and where it is cost effective and in the interest of NPCA to do so. The items or groups of items may:



NPCA Corporate Administrative Policy

Section	Name of Policy Purchasing & Procurement
---------	---

- a) be offered to other public agencies;
- b) be sold by external advertisement, formal request, auction or public sale;
- c) be advertised internally to employees for sale and sealed bids will be received with award to the highest bidder;

Obsolete or surplus goods may be sold or traded to the original supplier or others in that line of business where it is determined that a higher net return will be obtained.

A reserve price may be established where it is deemed appropriate.

In the event that all efforts to dispose of goods by sale are unsuccessful, the Senior Manager, Corporate Services shall be directed to dispose of such items in an appropriate manner and document the disposition.

2.12 Prohibitions

- a) No contract for goods or services including professional and consulting services shall be divided to avoid the requirements of this purchasing policy;
- b) No personal purchases shall be made by NPCA for members or employees of NPCA or their families;
- c) An employee or member who has the responsibility of declaring goods surplus shall not bid or personally obtain any goods he/she has declared surplus;
- d) No employee or member of NPCA working at a NPCA auction or having responsibility for sending items to a public auction may bid on any NPCA items at that auction;
- e) No employee or member of NPCA shall purchase or offer to purchase, on behalf of NPCA, any goods or services, except in accordance with this purchasing policy;
- f) Any member, employee or member of an employee's family of NPCA is expressly prohibited from accepting, directly or indirectly from any person, company, firm or corporation to which any purchase order or contract is, or might be awarded, any rebate, gift or money, except:
 - gifts of a very small intrinsic value;
 - gifts given for the use and benefit of NPCA;
 - moderate hospitality during the normal course of business that would not significantly exceed what NPCA, through the employee's expense account, would likely provide in return and would not be perceived by others as influencing the making of a business decision.



NPCA Corporate Administrative Policy

Section	Name of Policy
	Purchasing & Procurement

g) No employee shall sell directly to NPCA or use NPCA to purchase goods and services at a reduced price for personal use except as provided by NPCA’s Corporate policies.

2.13 Health and Safety

NPCA is committed to promoting health and safety in the workplace by preventing accidents, injuries and occupational illness.

NPCA staff will follow the Safe Purchasing Policy and Checklist in the Health and Safety Manual as a component of the existing purchasing process.

In keeping with this policy, NPCA staff directly responsible for engaging service providers (Contractors) must:

- Identify potential health and safety hazards.
- Specify health and safety requirements in the contract.
- Obtain agreement from the Contractor to follow these requirements prior to awarding the contract.
- Actively monitor compliance with health and safety requirements.
- Ensure appropriate staff receive the direction and training to fulfill their responsibilities.

Contractors shall be required at all times to comply with the *Occupational Health and Safety Act (Act)*, Regulations, all Industry Standards, and Guidelines, and shall be responsible for and take every precaution reasonable in the circumstances for the protection of all workers associated with the services being performed, whether employed by the Contractor, NPCA or a third party.

Contractors shall acknowledge that they have read, understood and provided training in relation to the Act, Regulations, all Industry Standards and Guidelines to its supervisors and employees. Upon request, the Contractor shall provide its health and safety policies and procedures and other related materials to NPCA for review prior to the commencement of the services. In the event the Contractor determines that any of its material and/or equipment is unsafe, the Contractor shall take appropriate action to protect the employees and third parties from all hazards and immediately notify NPCA.

The Contractor shall report all serious accidents, critical injuries, fatalities, and accidents involving third parties to NPCA immediately.



NPCA Corporate Administrative Policy

Section	Name of Policy
	Purchasing & Procurement

In the case of construction projects, NPCA staff shall also comply with the *Occupational Health and Safety Act* and Regulations for Construction Projects.

2.14 The Municipal Freedom of Information and Protection of Privacy Act

The information collected in response to NPCA’s Purchasing Policy is collected under the authority of the Conservation Act. The information collected will be used solely for the purpose stated. Documents submitted by bidders shall become the property of NPCA..

2.15 References

Contractors not used previously by NPCA must provide three satisfactory references prior to the award of a contract for services in excess of \$35,000.

2.16 Local Preference

NPCA will endeavor to achieve the best value in its purchasing transactions. As a result NPCA will not practice local preference in awarding purchases. This will allow NPCA to comply with the *Discriminatory Business Practices Act, R.S.O. 1990, chapter D12*.

2.17 Disclosure of Bid Information if Requested

NPCA may disclose the results of the quotation process to other suppliers and members of the public as follows:

- For Quotations and Tenders – Bidder’s names and amount bid;
- For Request for Proposals – Bidder’s names only as decision to award to bidder is based on specific evaluation criteria.



NPCA Corporate Administrative Policy

Section	Name of Policy
	Purchasing & Procurement

Appendix 1 - NPCA Purchasing & Procurement Policy

AUTHORIZED BUYERS

Method of Purchasing	Dollar Value	Purchasing Authority	Approval Authority	Type of Agreement with Supplier
Low Value Purchases	Up to \$5,000	Department Representative	Department Manager	Cash, Purchase Order or Credit Card
Informal Quotations	>\$5,000 to \$35,000	Department Manager	Director, Senior Manager	Purchase Order or legally executed agreement
Formal Quotations	>\$35,000 to \$55,000	Director / Senior Manager	CAO	Purchase Order of legally executed agreement
Request for Proposals	>\$55,000	Director / Senior Manager	CAO	Purchase Order or legally executed agreement



NPCA Corporate Administrative Policy

Section	Name of Policy
	Purchasing & Procurement

Appendix 2 - NPCA Purchasing & Procurement Policy

GOODS AND SERVICES EXEMPT from the provisions of the Purchasing & Procurement Policy

1. Training and Education
 - a) Conferences, conventions, courses and seminars;
 - b) Magazines, books, periodicals;
 - c) Memberships

2. Employee and Member Expenses
 - a) Meal Allowances
 - b) Travel and Entertainment
 - c) Accommodation

3. Employer's General Expenses
 - a) Payroll Deduction Remittances
 - b) Medical and Dental Expenses
 - c) Licenses (vehicles, radios, lifts etc.)
 - d) Insurance Premiums
 - e) Damage Claims
 - f) Petty Cash Items and Petty Cash Replenishment
 - g) Tax Remittances
 - h) Employee Income
 - i) Bank Charges

4. Professional and Special Services
 - a) Authority Per Diems and Honorariums
 - c) Legal Fees
 - d) Witness Fees
 - e) Appraiser Fees
 - f) Legal Settlements

5. Utilities
 - a) Postage
 - b) Hydro, Fuel oil, Gas
 - c) Telephone and telecommunications services

6. Real Property



NPCA Corporate Administrative Policy

Section	Name of Policy Purchasing & Procurement
---------	---

Appendix 3

NPCA - Purchasing & Procurement Policy

BID IRREGULARITIES	IRREGULARITY RESPONSE
Late Bids	Automatic rejection and returned unopened
Bids completed in pencil	Automatic rejection
Unsealed formal quotation or tender envelopes	Automatic rejection
Execution of Agreement to Bond: <ul style="list-style-type: none"> • bond company corporate seal or equivalent proof of authority to bind company or signature missing 	Automatic rejection
Execution of Bid Bonds: <ul style="list-style-type: none"> • corporate seal or equivalent proof of authority to bind company or signature of the bidder or both missing • corporate seal or equivalent proof of authority to bind company or signature of bonding company missing 	Automatic rejection
Other Bid Security <ul style="list-style-type: none"> • uncertified cheque • cheques drawn on other than approved Bank 	Automatic rejection
Qualified Bids (bids qualified or restricted by an attached statement).	Acceptable unless otherwise specified in the request.
Bids received on documents other than those requested	Acceptable unless otherwise specified in the request
Proper response envelope or label not used	Acceptable if officially received on time
Corporate Seal missing	Other proof of authority to bind offering entity is acceptable
Insufficient Financial Security (e.g. no Where security is required and amount is not deposit or bid bond or insufficient deposit) specified in request	Automatic rejection unless insufficiency is de Minimus (trivial or insignificant)
Where security is required and amount of Security is specified in request	Automatic rejection

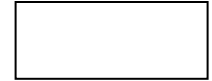


NPCA Corporate Administrative Policy

Section	Name of Policy Purchasing & Procurement
---------	---

BID IRREGULARITIES	IRREGULARITY RESPONSE
Part Bids (all items not bid)	Acceptable unless complete bid has been specified in the request
Bids containing minor clerical errors	2 working days after notification to correct initial errors. NPCA reserves right to waive initialing and accept bid
Uninitiated changes to the Request Documents	initialing and accept bid
Alternate items bid in whole or in part	Acceptable for further consideration unless specified otherwise in request
Unit prices in the Schedule of Prices changed but not initialed	2 working days after notification to correct and initial changes. NPCA reserves the right to waive initialing and accept bid
Other mathematical errors which are not consistent with the unit prices	2 working days after notification to initial corrections
Pages are missing	2 working days after notification to supply the missing pages where in the opinion of NPCA, the missing page(s) would not directly affect the bid submitted. NPCA reserves the right to waive the extra pages and accept bid or to reject the bid outright
Bid Documents which suggest that the bidder Consultation with a Solicitor on a case has made a major mistake in calculations or bid	On a case by-case basis and report to membership of NPCA

Where “working days” specified; will be taken from the time the bidder is notified by NPCA staff of the irregularity.



NPCA Corporate Administrative Policy

Section	Name of Policy
	Purchasing & Procurement

Appendix 4

NPCA Purchasing & Procurement Policy

DEFINITIONS

Term	Definition
acquisition	means the process of obtaining goods or services, including rental or lease
authorized buyer	means those senior staff members or designated buyers as identified in Appendix 1
bid	means an offer or submission from a vendor in response to a request for quotation, tender or proposal, which is subject to acceptance or rejection
bid request	means a written request for bids or a solicitation, which may be in the form of a Request for Quotation, Request for Tender or Request for Proposal
blanket order	means a purchase order which establishes prices or a method for determining prices, terms and conditions and the period of time during which a vendor agrees to provide goods or services to the purchaser upon the purchaser's demand
consulting and professional services	includes architects, engineers, designers, surveyors, planners, lawyers, accountants, auditors, management and financial consultants, brokers and any other consulting and professional services rendered on behalf of the Authority
contract	means a binding agreement between two parties
contractor	means the party responsible for providing the service
cooperative purchasing	means the participation of two or more public agencies, in a request for a quotation, tender or proposal
formal quotation process	means a quotation that is provided by way of a sealed bid in response to a detailed request
goods and services	includes supplies, equipment, materials and maintenance and service contracts
member	means an individual appointed to serve as a director on NPCA's Board
open market procedure	means obtaining price quotations from vendors verbally or in writing
personal purchases	means a purchase of goods and services requested by a member, or by any employee of NPCA or their family members, the requirement for which is not for NPCA or any of its purposes, but is personal to the person requesting the purchase
proposal	means an offer from a vendor in response to a request for proposal, acceptance of which may be subject to further negotiation. The selection of the successful supplier is based on the effectiveness of the proposed solution rather than on price alone. The effectiveness of the proposal is measured against a standard set of evaluation criteria



NPCA Corporate Administrative Policy

Section	Name of Policy
	Purchasing & Procurement

Term	Definition
purchase order	means a written or electronic offer to purchase goods and services or a written or electronic acceptance of an offer
purchase requisition	is a request, in an approved form sent to the Finance Division to purchase goods and services
quotation	means an offer from a bidder to buy or sell goods and services
senior staff member	means a senior staff director of NPCA as identified in Appendix 1
signing officer	means one of the NPCA Board Chairman, Vice-Chairman, C.A.O./Secretary-Treasurer, Director, Watershed Management, Senior manager, Operations and the Senior Manager, Corporate Services
single source	means although there may be more than one source in the open-market, only one of these is recommended for consideration in a contract
sole source	means there is only one source of supply
tender	means an offer from a bidder to buy from or sell goods and services in response to a public advertisement requesting tenders



NPCA Corporate Administrative Policy

Section	Name of Policy Purchasing & Procurement
---------	---

Appendix 5

NPCA – Purchasing & Procurement Policy

BID FORM

Request for: Quotation _____ Issue Date: _____
 Tender: _____ Due Date: _____
 Proposal: _____ Time: _____

You are hereby invited to bid the lowest net prices including all delivery charges for which you are prepared to furnish the goods requested herein, in accordance with the terms and conditions, instructions to bidders and specifications enclosed.

PARTICULARS

We hereby offer to supply all labour, selected materials, equipment and services necessary for the proper and expeditious completion of the contract in accordance with plans and/or specifications attached for the sum of:

_____ + _____ + _____ = _____

Price HST Freight Total

By your signature hereunder, it is deemed that you have read and agreed to all terms and conditions. Acceptance of this offer shall be indicated by Niagara Peninsula Conservation Authority by the issuance of a purchase order and the bidder acknowledges that upon such issuance that the bidder shall be bound by the terms and conditions set out herein.

 Business Name / Contact Person (please print)

 Address Title

 City/Town Authorized Signature

 Postal Code Telephone Title

Address to: Niagara Peninsula Conservation Authority
 250 Thorold Road, 3rd Floor
 Welland, Ontario L3C 3W2



NPCA Corporate Administrative Policy

Section	Name of Policy
	Purchasing & Procurement

Appendix 6

NPCA – Purchasing & Procurement Policy

STANDARD CONTRACT TERMS AND CONDITIONS

SCOPE: These contract terms and conditions form a part of each contract and apply in like force to contracts for the purchase of materials, supplies, equipment and services. All bidders will be bound by the terms and conditions set forth, except as specifically qualified in instructions to Bidders issued in connection with any individual request.

DEFINITIONS:

NPCA: The Niagara Peninsula Conservation Authority and its Board of Directors.

BID: The offer of a bidder to furnish goods or services in response to a request for tender, proposal or quotation.

CONTRACT: The acceptance by NPCA of an offer by a bidder to furnish goods or services.

VENDOR: A seller of goods and services and includes bidders, contractors, professional services and other companies, partnerships and proprietorships.

SUBMISSION OF OFFERS:

1. Bids must be submitted on and in accordance with forms supplied by NPCA. Submissions in any other form will not be accepted, eg: telephone or facsimile. The bid must be duly executed and in the case of a corporation must be signed by an officer(s) of the company and the corporate seal affixed thereto. Bids must be sealed and must clearly indicate the contents and the name and address of the bidder. NPCA is not responsible for bids which have not been properly identified.
2. Bids submitted later than the date and time specified cannot be considered.
3. Bids may be submitted for all or any part of the requirements listed, unless otherwise specifically indicated, however, NPCA reserves the right to accept or reject all or part of any bid.
4. In the event that your company is in a position to offer an equal or better proven method or product, taking into consideration End Use Cost, please submit a bid in accordance with the request and also references to verify your opinion.



NPCA Corporate Administrative Policy

Section	Name of Policy
	Purchasing & Procurement

5. All goods and services shall be F.O.B. destination, freight prepaid by the vendor to any specified delivery point, unless otherwise specified.
6. In the event of any discrepancy the unit price shall govern.
7. Vendor declares that the bid is NOT made in connection with any other bidder submitting an offer for the same goods or services and is in all respects fair and without collusion or fraud.
8. No member of NPCA n and no officer or employee of NPCA is, will be, or has become interested, directly or indirectly, as a contracting party, partner, stockholder, surety or otherwise howsoever in or on the performance of the said Contract, or in the supplies, work or business in connection with the said Contract, or in any portion of the profits thereof, or any supplies to be used therein, or in any monies to be derived therefrom.
9. Where specified, quantities are estimated and NPCA reserves the right to increase or decrease purchase quantities.
10. Any variations to the request must be noted on the request form. Where further information is requested, this forms part of the contract and must be completed.
11. The submission of a bid shall be deemed proof that the vendor has satisfied himself as to all the provisions of the request, all the conditions which may be encountered, of what materials will be required, or any other matter which may enter into the carrying out of the contract to a satisfactory conclusion, and no claims will be entertained by NPCA based on the assertion by the Vendor that he was uninformed as to any of the provisions or conditions intended to be covered by the contract.
12. It will be the Vendor's responsibility to clarify with NPCA, any details in question mentioned or not mentioned in this request or shown on the attached documents **BEFORE** submitting his bid. **LATE BIDS CANNOT BE CONSIDERED.**
13. NPCA is subject to payment of sales and excise taxes and these shall be included in the bid amounts unless otherwise specifically indicated in the request.
14. All bids must be legible and written in ink or typewritten.
15. NPCA shall not be responsible for any liabilities, costs, expenses, loss or damage incurred, sustained or suffered by the Vendor prior or subsequent to or by reason of the acceptance or the non-acceptance NPCA of any Vendor Document submission or by reason of any delay in its acceptance.



NPCA Corporate Administrative Policy

Section	Name of Policy
	Purchasing & Procurement

16. NPCA reserves the right to remove from eligibility to submit bids for an indeterminate period, the name of any Vendor for failure to accept the Contract, or the name of any Vendor for unsatisfactory performance of the contract.
17. A Vendor may request to withdraw or substitute all or part of their Bid Document at any time up to the official closing time. The last Vendor bid submission received shall supersede and invalidate those parts of the previously submitted Vendor Bid submission. A request for withdrawal of a Vendor Bid submission shall be by letter on the Vendor's stationery and shall be executed by an authorized signing officer of the Vendor, delivered in the same manner as the Vendor Bid submission.
18. The lowest bid may not necessarily be accepted by NPCA.
19. Vendors are encouraged to offer discounts for prompt payment. Discounts of 2%/15 days or better shall be considered in the evaluation and may affect the award decision. Payment terms shall be indicated on the pricing detail sheet. In the absence of a favourable discount, the standard of Net 30 days from the date of receipt of the invoice shall apply.



NPCA Corporate Administrative Policy

Section	Name of Policy
	Purchasing & Procurement

Appendix 7

NPCA - Purchasing & Procurement Policy

CORPORATE CREDIT CARD POLICY

1. Definition and Purpose

The use of corporate credit cards issued to authorized staff provides the following main benefits:

- Efficient, flexible and convenient mean for purchasing low value goods and services
- Replaces costly labour-intensive and paper based processes
- Speedier order fulfillment resulting from immediate supplier payment
- Empowerment of employees
- Reduce the need for petty cash
- Avoids employee out of pocket expenses for business purposes Corporate credit cards are not intended to avoid or bypass appropriate purchasing or payment procedures, but to complement existing procedures.

2. Authority

The credit card issued will be approved by both the CAO/Secretary-Treasurer and respective Department Director, Senior Managers and issued to those employees who occupy positions with the appropriate delegated purchasing authority. Positions with the appropriate delegated authority does not necessarily include all Authorized Buyers in the NPCA Purchasing Policy. Corporate credit cards are issued to the CAO/Secretary-Treasurer, Department Director and Senior Managers, as well as Department Managers and Supervisors where the position warrants. Each credit card will have a unique number, and will be issued both in the name of The Niagara Peninsula Conservation Authority and the name of the employee who has been authorized to use the card. The card is not transferable to, or to be used by, any other person including other employees.

3. Restrictions

Corporate credit cards are not to be used for the following purchases:

- When the purchase price exceeds the cardholder's credit limit. Credit cards issued have a predetermined credit limit. A transaction cannot be split into two or more separate amounts to bypass the cardholder's credit limit.



NPCA Corporate Administrative Policy

Section	Name of Policy
	Purchasing & Procurement

- Contracted services
- Hazardous materials
- Personal purchases or cash advances
- Rental and lease agreements beyond one year
- Illegal transactions

4. Staff Travel Expenses

Staff travel expenses paid by corporate credit card must be in accordance with the guidelines provided in NPCA’s Human Resources Manual.

5. Cardholder Responsibilities

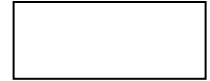
The cardholder is responsible for:

- Using the credit card in accordance with the guidelines set out in this policy and procedure.
- The security of the card and ensuring that documents bearing the card number are kept in a secure location with controlled access. When quoting the card number over the telephone, fax or internet for a purchase, every precaution should be taken to avoid the risk of unauthorized use of the card number. The credit card number is only to be provided for internet purchases if it is known to be a secure site.
- The cardholder must notify immediately Bank of Montreal Master Card and the Senior Manager, Corporate Services if the credit card is lost or stolen. Bank of Montreal Master Card can be notified during 24 hours, 7 days a week as follows:

Canada and USA	1-800-263-2263
Elsewhere	514-877-0330

- Obtaining receipts for each purchase and reconciling the receipts with the monthly credit card statement.
- The cardholder is responsible for the vendor search and selection, product/service specification, quality, quantity, price negotiation, freight charges, delivery requirements, and resolving any problems arising from the purchase including returns and disputed charges.
- Upon a transfer of position within NPCA or termination from NPCA, the cardholder shall return the credit card to the Senior Manager, Corporate Services for immediate cancellation of the card. Cardholders who do not comply with this policy, may have their credit card privileges revoked by the CAO/Secretary-Treasurer without notice and may be subject to disciplinary action reasonable in the circumstances.

6. Late Payment Charges



NPCA Corporate Administrative Policy

Section	Name of Policy Purchasing & Procurement
---------	---

NPCA will not pay late payment charges. All cardholder statements will be paid in full as charged by Bank of Montreal, even if they are not reconciled in time for payment. Accounting Administrative Services staff will code un-reconciled credit card charges to an appropriate account which will not be reallocated unless there is a significant error occurring.

7. Reconciliation and Approval of Monthly Statement

Monthly statements are received by the Accounting Administrator, who then disburses a copy of the statement to the cardholder for reconciliation. Cardholders are requested to submit credit card receipts, including the appropriate account code, immediately after a purchase to the Accounts Clerk to facilitate processing the payment of the monthly statement by the due date. The cardholder shall resolve disputed charges with vendors immediately. The Accounts Clerk forwards a copy of the monthly statement and receipt copies to the cardholder's direct supervisor for approval of the credit card charges to ensure that policy and procedures have been followed.

Monthly statements are to be signed indicating approval of the statement as follows:

- Cardholder to Approving Supervisor
- Supervisor to Manager
- Manager to Department Director or Senior Manager Directors
- Department Director or Senior Manager to CAO/Secretary-Treasurer
- CAO/Secretary-Treasurer to NPCA Board of Directors Chairman or in their absence the Vice Chairman

8. Card Renewal

Each credit card is issued for a period of one year. Credit cards will be automatically renewed unless Bank of Montreal is advised otherwise by the Senior Manager, Corporate Services.

Report To: Board of Directors

Subject: St. Johns Centre DRAFT Lease Agreement

Report No: 135-15

Date: December 16, 2015

RECOMMENDATION:

1. That this report be **RECEIVED**; and
2. That the NPCA Board **AUTHORIZE** the CAO to sign a Lease Agreement with Niagara Catholic District School Board (NCDSB) regarding the St. John's Centre property.

PURPOSE:

For the Board to authorize execution of a Lease Agreement with NCDSB regarding the St. John's Centre property.

This report aligns with the 2014-2017 NPCA Strategic Plan under 'Effective Communication with Stakeholders & Public,' specifically, 'Identify potential new partners, funders and allies.'

BACKGROUND:

At the May 20th Board meeting, the Board authorized staff to issue a call for Expressions of Interest (EOI) for use of the property and buildings at the St. Johns Centre, in Thorold. As reported at the September 16th Board meeting, four submissions were received. During that meeting staff were directed to enter into discussions with all four respondents for the purpose of clarifying key proposal components and assessing the strength of each proposal, prior to making a final recommendation to the Board. At the November 18th Full Authority meeting, the Board authorized staff to structure a lease agreement with the preferred respondent, NCDSB.

DISCUSSION:

NPCA staff have prepared a DRAFT 5-year Lease Agreement in consultation with legal and the NCDSB (Appendix 1). Subject to the necessary approvals from NCDSB, staff is requesting the Board to authorize the CAO to sign a final agreement.

As previously noted, the NCDSB will be the lead organization with supporting partners such as Brock University, Niagara College and the Niagara Native Centre. Again, it is worth noting that this proposal aligns perfectly with the original objectives and activities identified by the St. Johns Centre Foundation, prior to the NPCA taking ownership of the property.

FINANCIAL IMPLICATIONS:

The DRAFT Lease Agreement with NCDSB effectively addresses the issue of mid to long-term financial sustainability for this unique site; as they are assuming the operating and capital expenses of the property. Further, they would provide certificates of insurance in the amount of \$5 million with the NPCA listed as additional insured related to liability at the site.


The DRAFT Agreement also allows the NPCA to utilize the St. John's Centre on weeknights, weekends, if requested, and to sub-lease additional office space and/or events if requested/warranted.

This Agreement ensures the vision of Father Jackman continues while leveraging appropriate community partnerships to make the site financially sustainable to the NPCA; effectively removing the expenses related to this site from the NPCA.

RELATED REPORTS AND APPENDICES:

1. Appendix 1: DRAFT 5-Year Lease Agreement with Niagara Catholic District School Board regarding the NPCA owned St. John's Centre property.

Prepared by:



David Barrick
Director of Operations

Submitted by:



Carmen D'Angelo
Chief Administrative Officer
Secretary Treasurer

THIS *LEASE* made on the 31st day of January, 2016

BETWEEN

NIAGARA PENINSULA CONSERVATION AUTHORITY (NPCA) *in accordance with the provisions of the Short Forms of Leases Act R.S.O. 1990 c.S.11*

The “Landlord”

AND

NIAGARA CATHOLIC DISTRICT SCHOOL BOARD (NCDSB)

The “Tenant”

IN CONSIDERATION of the mutual covenants contained herein, the Landlord and Tenant hereby agree as follows:

1. Grant and Term

The Landlord hereby leases to the Tenant the Lands and Premises known as the St. Johns Centre Property, located at 3024-3054 Orchard Hill Road, Thorold, Ontario. This agreement shall take effect on January 31, 2016 (the “Commencement Date”) and shall end on January 31, 20121 (the “Termination Date”), subject to the terms and conditions of this Lease.

2. Rent

The Tenant agrees to pay rent on the 1st. day of February, each year of this agreement, the amount of \$1.00.

3. Landlord’s Covenants

- (1) The Landlord covenants with the Tenant;
 - (a) the quiet enjoyment of the Lands and Premises;
 - (b) to maintain adequate insurance coverage for the Lands and Premises *for loss or damage by fire.*

4. Tenant’s Covenants

- (1) The Tenant covenants with the Landlord;
 - (a) to pay all amounts payable by the Tenant to the Landlord under this Lease *including but not limited to rent as set out in paragraph 2. hereof;*
 - (b) to pay all realty taxes and local improvement charges levied against the property which comprises the leased premises *during the currency of the term;*
 - (c) to pay all utilities *charges for hydro, gas and water during the currency of the term;*
 - (d) to observe and perform all the covenants and obligations of the Tenant herein;

- (e) to comply with all local ordinances and regulations *of the City of Thorold*, including requirements within the Niagara Escarpment Plan;
- (f) to use the property in a manner consistent with the *anticipated uses set out in the informal proposal submitted by the Niagara Catholic District School Board, November 2, 2015 (attached as Appendix 1) which forms part of this lease*;
- (g) to sublet to Brock University, Niagara College, the Niagara Native Centre and other parties approved by NPCA *only, no other sublet or assignment without leave and approval of the NPCA*;
- (h) to maintain the Lands and Premises, including grounds, gardens and all buildings at a high standard, consistent with its uses, in recent years, *during the term of the lease*;
- (i) to pay for any interior renovations or alterations undertaken with NPCA *prior notice and approval*;
- (j) to pay for any exterior facility additions or alterations undertaken with NPCA *prior notice and approval*;
- (k) to keep the Lands and Premises insured for public liability and property damage in the amount of \$5,000,000 Dollars and to name the Landlord as an additional insured therein *and provide the NPCA with a copy of said insurance policy on execution of this lease*;
- (l) to ensure that all other parties conducting “business” on the property shall keep the Lands and Premises insured for public liability and property damage in an amount not less than \$2,000,000 and that the Landlord be named as additionally insured *and provide the NPCA with a copy of said insurance policy upon request*.

5. **Other Considerations**

- (a) Both parties agree to meet on a quarterly basis to discuss and problem solve around areas of challenges and opportunities;
- (b) Both parties agree that the Tenant *and the named subtenants set out in paragraph 4.(g)* shall be able to use the Lands and Premises on weekends for special events or education related activities up to 10 times per year between May and October and an additional 10 times per year between November and April. The Landlord shall have full access to the Lands and Premises all other weekends. Both parties agree to develop a shared calendar to coordinate such usage. Said calendar shall be negotiated and confirmed in February *of each year of the agreement*;
- (c) Both parties shall have access to the Lands and Premises after 5:00 p.m. and shall coordinate this access through the shared calendar referenced above;
- (d) All parties on the Lands and Premises shall be mindful of the adjacent landowners and the general quietness of the area. Pro-active Communication with adjacent landowners is encourage;
- (e) Both parties agree that the Tenant has first claim to any “office space” located on the Lands and Premises. However, should the Tenant not require all of the “office space”, the Landlord shall have the right to sub-lease that space to a third party *with the consent of the NCDSB which will not be unreasonably withheld*;
- (f) Both parties agree that all fixtures, furniture, appliances, artwork, tools and any other moveable assets located anywhere on the Lands and Premises at the time of possession shall remain as property of the Landlord and shall not be removed for any reason without prior consent form the Landlord.

6. Events of Default

Upon the occurrence of any of the following events (an “Event of Default”)

- (a) The Tenant fails to pay any rent or other sums due hereunder when due;
- (b) The Tenant has breached a covenant in this Lease and on receipt of notice in writing from the Landlord the Tenant fails to remedy such breach within thirty (30) days of receipt of such written notice;
- (c) The Tenant has abandoned the Lands and Premises; then the Landlord may, at its option;
 - (i) re-enter upon and take possession of the Lands and Premises or any part thereof in the name of the whole and re-let the Lands and Premises or any part thereof on behalf of the Tenant or otherwise as the Landlord sees fit;
 - (ii) terminate this Lease by giving the Tenant twenty (20) days prior written notice of the termination; or
 - (iii) re-enter into and upon the Premises or any part thereof in the name of the whole and repossess and enjoy the same as of the Landlord’s former estate, anything herein contained to the contrary notwithstanding.

7. Termination

Either party may terminate this agreement by mutual agreement or unilaterally without penalty, provided that written notice has been given twelve (12) months in advance. *In the event of termination by mutual agreement or on notice without penalty realty taxes and utilities will be adjusted to the date of termination.* Should the tenant opt to terminate the agreement with less than twelve (12) months notification, and not by mutual agreement, the Tenant shall pay the Landlord \$4,000 for each month short of the 12-month provision.

8. Option to Renew

By mutual agreement, the parties may opt to renew this agreement for an additional five (5) years, under the same terms and conditions.

9. Surrender

Upon the expiration or other termination of the term, the Tenant shall immediately quit and surrender possession of the Lands and Premises and upon surrender, all right, title and interest of the Tenant in the Lands and Premises shall cease.

10. Overholding

If the tenant continues to occupy the Lands and Premises after the expiration or other termination of the Term without any further written agreement and the Land lord accepts Rent, a tenancy from year to year shall not be created by implication of law or custom but the Tenant shall be a monthly tenant.

11. Entire Agreement

There is no promise, representation or undertaking by or binding upon the Landlord except such as are expressly set forth in this Lease, and this Lease including the Schedules contains the entire agreement between the parties hereto.

12. Registration

The Tenant may not register Notice of this Lease

13. Notice

(1) Any demand, notice, direction or other communication to be made or given hereunder (in each case, "Communication") shall be in writing and shall be made or given by personal delivery, by courier, by facsimile transmission, or sent by registered mail, charges prepaid, addressed as follows:

Landlord:
250 Thorold Road West
Welland, Ontario
L3C 3W2
Fax: 905-734-1121
E-mail cdangelo@npca.ca

Tenant:
427 Rice Road
Welland, Ontario
L3C 7C1
Fax: 905-734-8828
E-mail john.crocco@ncdsb.com

or to such address or facsimile number as any party may, from time to time, designate in accordance with this Section.

(2) A Communication will be considered to have been given or made on the day that it is delivered in person or by courier, or sent by facsimile or, if mailed, seventy-two (72) hours after the date of mailing. If the postal service is interrupted or substantially delayed, any Communication will only be delivered in person or by courier, or sent by facsimile, or E-mail.

14. Governing Law

This Lease shall be construed and enforced in accordance with, and the rights of the parties shall be governed by, the laws of the Province of Ontario.

15. Amendment or Modification

No amendment, modification or supplement to this Lease shall be valid or binding unless set out in writing and executed by the Landlord and the Tenant.

16. Force Majeure

In the event that either party hereto shall be delayed or hindered in or prevented from the performance of any act required hereunder by reason of strikes, lock-outs, labour troubles, inability to procure materials, failure of power, restrictive governmental laws or regulations, riots, insurrection, war or other reason of a like nature not the fault of the party delayed in performing work or doing acts required under the terms of this Lease, then performance of such act shall be excused for the period of the delay and the period for the performance of any such act shall be extended for a period equivalent to the period of such delay.

17. Severability

All of the provisions of this Lease are to be construed as covenants and agreements. If any provision of this Lease is illegal or unenforceable, it shall be considered separate and severable from the remaining provisions of this Lease, which shall remain in force and be binding as though the provision had never been included.

18. Time of the Essence

Time shall be of the essence hereof.

19. Successors and Assigns

This Lease shall endure to the benefit of and be binding upon the heirs, executors and administrators and the successors and assigns of the Tenant.

IN WITNESS WHEREOF, the Landlord and the Tenant have executed this lease on the date set forth above.

SIGNED, SEALED AND DELIVERED

NIAGARA PENINSULA CONSERVATION AUTHORITY

PER

Carmen D'Angelo – CAO/Secretary – Treasurer

NIAGARA CATHOLIC DISTRICT SCHOOL BOARD

PER

John Crocco – Director of Education and Secretary-Treasurer