

FULL AUTHORITY MEETING
Wednesday February 15, 2017 9:30 am
Ball's Falls Centre for Conservation – Glen Elgin Room
3292 Sixth Avenue, Jordan, ON

A G E N D A (Revised)

9:30 am

Closed Session

1. Job Evaluation ----- **Report No. CR-16-17**
-

10:30 am

Public Session

◆ **DECLARATION OF CONFLICT OF INTEREST**

◆ **ADOPTION OF AGENDA**

◆ **DELEGATION / PRESENTATIONS**

1) Past Board Members Recognition

- *Mark Bagu*
- *Carmen D'Angelo*
- *Tony Dalimonte*
- *Bart Maves*
- *Doug Ransom*
- *Barry Sharpe*

◆ **BUSINESS**

- (1) Resolution(s) resulting from closed session.
- (2) A. Annual General Meeting Minutes ----- Draft Minutes January 18, 2016
B. Full Authority Meeting----- Draft Minutes January 18, 2016
C. Draft Committee Minutes
 - a) *CAO Selection Committee Minutes (Jan 25, 2017)*
 - b) *Watershed Floodplain Committee Minutes (Jan 26, 2017)*
- (3) Business Arising from Minutes
- (4) Chairman's Remarks
- (5) Chief Administrative Officer Comments
 - **Addendum – Correspondence**

Continued ... P 2

Reports for Information

- (6) Sumbler Estates-633 South Pelham Rd – Investigation update ----- **Report No. 17-17**
(7) 257 Colbeck Drive adjacent to Coyle Creek ----- **Report No. 18-17**
-

Reports for Consideration

- (8) Unsolicited Proposal-Integration of Voice & Data (*January Report*) ---- **Report No. 14-17**
(9) Freedom of Information (FOI) Annual Report (2016) ----- **Report No. 19-17**
(10) Financial Capital Projects (2016)----- **Report No. 20-17**
(11) Annual Resolutions----- **Report No. 21-17**
 ♦ *Health and Safety Policy Statement*
 ♦ *Regulation 30, Workplace Violence & Harassment Prevention Policy*
(12) CLAC Terms of Reference Review ----- **Report No. 22-17**
(13) Board Member Per Diem & Honourarium-Annual Report ----- **Report No. 23-17**
(14) Long Beach – Potable Water Supply ----- **Report No. 24-17**
(15) Draft Communications and Media Policy ----- **Report No. 25-17**
(16) 2017 CAO Recruitment ----- **Report No. 26-17**
(17) Other Business
-

Closed Session

1. Legal update ----- Verbal
-

Public Session

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

ADDENDUM

Correspondence

- ❖ Auditor General DRAFT minutes
- ❖ Auditor General's letter dated Feb. 14, 2017
 - ❖ NPCA invitation letter to Niagara Region
 - ❖ NPCA invitation letter to City of Hamilton
 - ❖ NPCA invitation letter to Haldimand County
- ❖ Email response from Niagara Region – Jason Burgess
 - ❖ Email response from Hamilton – Tina Iacoe
 - ❖ Email response from Haldimand – Don Boyle
- ❖ Chronology of NPCA Operational review process – to date
- ❖ Summary of Discussion points – NPCA Operation Review Team Meeting Feb 14

February 15, 2017 Full Authority Meeting

MINUTES

Conference Call with the Auditor General's office

Date | time 1/24/2017 3:00 PM

In Attendance via Conference

Bonnie Lysyk – Auditor General of Ontario (bonnie.lysyk@auditor.on.ca)

Miraja - Director – Auditor General's office team

Sandy Annunziata – Chair, NPCA and Regional Councillor, Fort Erie (sandy.annunziata@niagararegion.ca)

Tony Quirk – Board member, NPCA, Budget Committee Chair and Regional Councillor, Grimsby
(tony.quirk@niagararegion.ca)

Michael Reles – Communications Specialist (mreles@npca.ca)

Lisa Conte – Administrative Assistant, Office of CAO & Board (lconte@npca.ca)

Discussion

Sandy

Thank you Bonnie for agreeing to speak with me. This will be the first time the NPCA has had an opportunity to engage your office in a formal way. For the benefit of our Board, and in the spirit of open and transparent reporting, I've asked our Executive Assistant to record the minutes of our conversation. I hope that is alright with you? Can you get me up to speed and share any conversations you've previously had with the former Chair or other agencies?

Bonnie

Our office received nine (9) similar pieces of correspondence in December from a number of Municipalities. We were also copied on the Ministers response. We read it and wanted to respond but sometimes when we are in the midst of other pieces of business and other audits, we can't react or respond. In this case, we were in the process of another audit, but the parties agreed to go ahead a year later than what was anticipated, so we found ourselves free to respond. We asked former Chair Timms whether the Board would be interested in doing some work with our office and he responded favourably. I asked why I was getting all these correspondences from the different Councils and I further spoke with the Mayor of Hamilton. He was also aware I had this on my desk. And I also received the response from the Ministry. That's basically the entire extent. It's an offer, if he wanted, we have the skill set. We know it would involve passing a motion from your Board. We respect your process. I know the Ministry will not want to appear this is an initiative they are advocating our office to do. We were never involved in any discussions with the Ministry.

Sandy

I know the correspondence you have reflects different voices and different Municipalities, and I've made the commitment that we will listen to all those voices. To that point, this is not a Ministry driven initiative?

Bonnie

Correct. The Ministry had nothing to do with it. We haven't received any correspondence compelling us to do this. In reading the Act, there are 2 aspects. The first is that the Authority is the recipient of grant money, so there is justification there. The other is that a motion be passed by the Authority asking us to do it. Then I could consider it and I'd want the reporting to be passed by your Board. The other thing I would do is provide a short write up on what I table in my annual report. This is totally up to you, if the timing works with respect to the process you have to follow and our schedule. It is also an opportunity for us to demonstrate as an office that if the Municipalities want that, we're willing to help.

Sandy

Thank you for that Bonnie. Ultimately, we would need to explore your first point. We roughly get \$150-\$300k in provincial funding. The rest of our Funding comes from levy apportionment shared between Niagara, Hamilton and Haldimand. So provincial funding is shockingly minimal. Given that fact, is it really within the mandate of the Auditor General's office? The Board will need that question answered.

Bonnie

Timing is everything. I think there is an opportunity for us to demonstrate what a solid Auditor General's office can do when you need something done. From what is in the media in the last couple of years, hiring decisions cause consequences to the success of your operations. Unsure about whether there is a good understanding of what the AG can do when there is a financial issue. Proceeding with Operational Reviews or a Value for Money Audit. When the Provincial Bill came through, some negativity resulted from that. There was a lot of commentary of AG function and that it doesn't work for Municipalities. The only invested interest our office has in doing this is to demonstrate the value we can bring to the table for you. You have to want that too. We would never impose our office. We respect your process. We have the ability to do the work. It's definitely not something we are doing in partnership with the Ministry or any other agency.

Sandy

From what you heard or read, what or where are the broader areas of concern?

Bonnie

We really haven't invested a lot of time in the details. We would want you to demonstrate what the Authority is doing. Show what your Strategic plan is. The operations that have been done around the Strat Plan. What was intended and what has happened. In terms of charges to different projects, how the billing part works, and see if there is any recommendations around that. I know there is an issue of potential conflict of interest. I think we look at it from a practical perspective, you know, what is good practice in general vs Authority. Separate Board from operations. Certain understanding for Board members and certain understanding for operational management. We would measure according to that. If there is something that necessitated a more forensic look, based on that first phase work, we would make the recommendation for a forensic audit. When people see something happening that they don't like, they confuse unethical with criminal and that's where it costs a lot of money because when something is unethical, you don't have a policy in your Organization, that doesn't mean it's criminal. So once we see the review and the policies in place, we could look at that and make a recommendation. I can't say for sure but we would need those details first.

Sandy

I appreciate that you haven't really looked at this other than a first glance at the surface. Have you seen any news reports or an unsigned document or the details of what that document contains?

Bonnie

We didn't. We didn't ask for any documents. We could have. I'm not concerned with any conflicts that we couldn't deal with. We would need to sit with your Audit Committee and scope it out. Here is what we think. Here is what you think. We have the objectives, criteria and terms of reference and we would do an engagement letter and agree on criteria and objective. Create a document, sign off on it and clarify every aspect of this so there's no question where this goes after it. For the reporting side, you definitely want it to go to your Board. The concern is the constituents, how does reporting happen for these individuals, and possibly releasing something all things to consider, whether you want to ask us to do it.

Sandy

As Chair Bonnie, I don't have the Authority to make unilateral decisions. The Board is the decision making Authority. I have to bring this back to the Board and I'm sure they will need a certain comfort level. What I'm hearing is you've never audited a Conservation Authority?

Bonnie

We have done source water protection. Staff have worked with CA's before. We are familiar with environmental work and if we require technical, we supplement. This is not new ground for us. This is another set of eyes for us. It's Nuance and you have some other conflict of interest. We've dealt with that before on other audits.

Sandy

So really Bonnie, you also see this as an opportunity for you to broaden the mandate of your office because in many ways, this is uncharted territory for you as well. This poses a Segway into work being performed on other CA's?

Bonnie

Not broaden, but it's an opportunity to demonstrate value for discussion down the road for our mandate to be broadened. The Authority is unique. The great thing is we don't charge. The budget is set and ready to go.

Tony Q

Hi Bonnie. Thank you for this opportunity to help us better understand the process. As NPCA Audit Chair, my concern is timing. I'll repeat the concerns of the Chair. You say you have a team available but we have to summarize this conversation and bring it to the Board to identify what the offer is and get their approval. Our next Board meeting isn't until Feb 15. If we choose to proceed in some shape or form once we receive direction, moving forward, would there still be an opportunity in a few months or is this now or never?

Bonnie

Feb 15 is not unreasonable, but in a few months from now, I would say we couldn't do that until November or December. We have a reporting cycle. Could we wait a couple of weeks, seeing it's an unusual situation, I think we could wait and help you out if you want us. So a couple of weeks but after that, I'd have to say no. It would be Nov before we could start anything.

Tony Q

Going back to process, here is what I have concerns with. I understand you would need to work with us to do the scoping. We have a motion and on the direction of the Chair, we are in the process of making offers to Hamilton, Haldimand and Niagara Region to be part of that scoping process. We're waiting for them to respond. This is the direction of the Board to direct staff to bring in an independent consultant for scoping. The deeper dive would come after. Our biggest concern is timing may not play out. We may have to go back to the Board and say if we haven't scoped it out properly, quite frankly you've seen all the correspondence from the Municipalities, the NPCA has not been sent any of these documents officially, we are trying to do our response, so before you do any of these thing, an Organization would do an internal investigation of allegations that are ever made to any issues before you go running out and say "you've got to do an audit". We have a Board and now under the leadership of Sandy, we haven't had time to address any of those concerns that have been made. Or even have conversations with our existing staff. I'm concerned about the propriety of saying "yes", we're going to take it at face value and haven't looked into these issues in a comprehensive review as a Board and now we're rushing to meet a deadline that's being imposed from higher up. The trade-off being, you can get it done for free but it has to be done tomorrow. But we're not ready to do it tomorrow.

Bonnie

The only reason I put this out there is because of timing. I thought this would help you. We're actually very experienced in going in and understanding the knowledge of your organization and scoping it and recommending

the scope. It's what we do. Whenever we start an audit, there is time spent to define scope whether Operational Review or Value for money. That's the general term. But then we go in and scope it down. We're not imposing anything. Especially if that's what you've already committed to doing. We're happy to help. But if the Audit right now doesn't work for you, I feel I've approached you and that's ok and maybe down the road if you need our help, we're here.

Sandy

Thanks for that Bonnie. We really want to respect the process. There is a motion before us and I think it's important to respect the language, the intent and fulfill the spirit of the motion. We want to be accommodating but we need to be as public, open and transparent as possible. I can't make that unilateral decision and I won't disrespect the Board or the motion. We will take these minutes to the Board with timelines you've indicated and we will make a thoughtful decision.

Bonnie

I understand. You must go through proper discussions and you have to feel comfortable and know what you want to have done. We'll sit tight until your Board meeting, but after that we will move on. Unless you want to think about it and get back to me with a decision, or rather wait until the 18th.

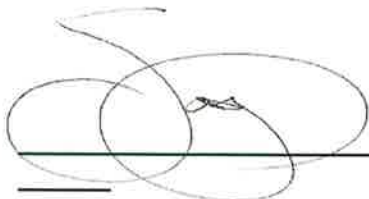
Sandy

I cannot make a unilateral decision Bonnie. I've been tasked to have discussions with the Auditor General and this is our first step. I can't give you a commitment. We are respecting the motion approved by the Board. We have invitations going out to our partners in Hamilton, Niagara and Haldimand to work cooperatively with our CAO in finalizing a procurement process that will provide an independent operational review and performance assessment. And those thoughtful actions won't be ratified until Feb 15th.

Bonnie

We'll do some background and get ready. If the answer is "no, we're not ready" or if there is something that comes up that you want us to do, I'll keep the promise that we'll be available to help you. I totally understand.

Adjourned 3:30pm



**Sandy Annunziata;
NPCA Chair**

(unedited by Bonnie Lysyk)

**Bonnie Lysyk;
Ontario Auditor General**



Office of the Auditor General of Ontario
Bureau de la vérificatrice générale de l'Ontario

February 14, 2017

Mr. Sandy Annunziata
Chair, NPCA Board
250 Thorold Rd W, 3rd Floor
Welland, ON L3C 3W2

Dear Mr. Annunziata:

Following the NPCA Board Meeting on January 18, 2017 and our conference call, I understand that the Board requires more time to review the various letters and motions in order to make a decision on the type of review to be conducted, and who will be selected to complete the work. My Office was introduced as part of the NPCA motion as one potential independent body who could conduct the audit. Ultimately that is up to the Board to decide.

I respect the process of the Board and know that it will take time to pass a motion and to decide who will conduct the audit, the scope, and objectives. With this in mind, I will be re-allocating my staff to another audit on Tuesday, February 21, 2017. My Office could potentially assist the NPCA in a "pilot" audit capacity in the future, and I would be willing to revisit this issue once a final decision and plans for the review have been made by your Board.

I appreciate you taking the time to speak with me, and I wish you the best in your deliberation.

Sincerely,

Bonnie Lysyk
Auditor General

20 Dundas Street West
Suite 1530
Toronto, Ontario
M5G 2C2
416-327-2381
fax 416-327-9862
tty 416-327-6123

20, rue Dundas ouest
suite 1530
Toronto (Ontario)
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ats 416-327-6123

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**NIAGARA PENINSULA
CONSERVATION
AUTHORITY**

**Office of the Chief Administrative Officer
And Secretary Treasurer**

250 Thorold Road West, 3rd Floor, Welland ON L3C 3W2
Telephone (905) 788-3135 x 230 | Facsimile (905) 788-1121
pgraham@npca.ca | www.npca.ca

January 27, 2017

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

Attention: Jason Burgess - Director, Procurement and Strategic Acquisitions

Re: NPCA - Operational Review and Performance Assessment

Dear Mr. Burgess,

At NPCA's Full Authority Board meeting of January 18, 2017, the Board brought forward and carried a resolution that included:

- Initiating an independent and thorough third-party Operational Review and Performance Assessment of NPCA operations from 2011 through 2016; and
- Inviting the City of Hamilton, Haldimand County, and The Niagara Region to assign a staff member with procurement expertise to work with the NPCA Acting CAO in undertaking the competitive procurement and selection process.

Although this motion will not be ratified by the full Board Authority until February 15th, I have been directed by the Chair to extend this invitation now, in order to respect the intent and spirit of the motion which directed me to act "immediately." As such, I am extending this invitation to Niagara Region to confirm whether you or a designated qualified representative, would be willing to participate in this process.

Please advise accordingly by February 7th and certainly contact me should you require clarification or have any questions pertaining to the above.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. Graham', written over a horizontal line.

Peter Graham, MBA, P.Eng.
Acting CAO / Secretary-Treasurer

Copy: Sandy Annunziata - Chair, NPCA
James Kaspersetz - Vice Chair, NPCA
Carmen D'Angelo - CAO, Niagara Region



**NIAGARA PENINSULA
CONSERVATION
AUTHORITY**

**Office of the Chief Administrative Officer
And Secretary Treasurer**

250 Thorold Road West, 3rd Floor, Welland ON L3C 3W2
Telephone (905) 788-3135 x 230 | Facsimile (905) 788-1121
pgraham@npca.ca | www.npca.ca

January 27, 2017

City of Hamilton
120 King Street West
9th Floor, Suite 900
Hamilton, ON
L8P 4V2

Attention: Tina Iacoe - Procurement Manager

Re: NPCA - Operational Review and Performance Assessment

Dear Ms. Iacoe,

At NPCA's Full Authority Board meeting of January 18, 2017, the Board brought forward and carried a resolution that included:

- Initiating an independent and thorough third-party Operational Review and Performance Assessment of NPCA operations from 2011 through 2016; and
- Inviting the City of Hamilton, Haldimand County, and The Niagara Region to assign a staff member with procurement expertise to work with the NPCA Acting CAO in undertaking the competitive procurement and selection process.

Although this motion will not be ratified by the full Board Authority until February 15th, I have been directed by the Chair to extend this invitation now, in order to respect the intent and spirit of the motion which directed me to act "immediately." As such, I am extending this invitation to the City of Hamilton to confirm whether you or a designated qualified representative, would be willing to participate in this process.

Please advise accordingly by February 7th and certainly contact me should you require clarification or have any questions pertaining to the above.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. Graham'.

Peter Graham, MBA, P.Eng.
Acting CAO / Secretary-Treasurer

Copy: Sandy Annunziata - Chair, NPCA
James Kaspersetz - Vice Chair, NPCA
Stewart Beattie - Board Member (City of Hamilton)
Chris Murray - City Manager (City of Hamilton)



**NIAGARA PENINSULA
CONSERVATION
AUTHORITY**

**Office of the Chief Administrative Officer
And Secretary Treasurer**

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pgraham@npca.ca | www.npca.ca

January 27, 2017

Haldimand County
Dunnville Satellite Office
111 Broad Street East
P.O. Box 187
Dunnville, Ontario
N1A 2X5

Attention: Cathy Case - Manager, Support Services

Re: NPCA - Operational Review and Performance Assessment

Dear Ms. Case,

At NPCA's Full Authority Board meeting of January 18, 2017, the Board brought forward and carried a resolution that included:

- Initiating an independent and thorough third-party Operational Review and Performance Assessment of NPCA operations from 2011 through 2016; and
- Inviting the City of Hamilton, Haldimand County, and The Niagara Region to assign a staff member with procurement expertise to work with the NPCA Acting CAO in undertaking the competitive procurement and selection process.

Although this motion will not be ratified by the full Board Authority until February 15th, I have been directed by the Chair to extend this invitation now, in order to respect the intent and spirit of the motion which directed me to act "immediately." As such, I am extending this invitation to Haldimand County to confirm whether you or a designated qualified representative, would be willing to participate in this process.

Please advise accordingly by February 7th and certainly contact me should you require clarification or have any questions pertaining to the above.

Sincerely,

A handwritten signature in black ink, appearing to be 'P. Graham', written over a horizontal line.

Peter Graham, MBA, P.Eng.
Acting CAO / Secretary-Treasurer

Copy: Sandy Annunziata - Chair, NPCA
James Kaspersetz - Vice Chair, NPCA
Rob Shirton - Board Member (Haldimand County)
Don Boyle - CAO (Haldimand County)

Lisa Conte

From: Burgess, Jason <Jason.Burgess@niagararegion.ca>
Sent: Monday, January 30, 2017 12:26 PM
To: Lisa Conte
Cc: D'Angelo, Carmen; Annunziata, Sandy; James Kaspersetz ; Peter Graham
Subject: RE: NPCA Operational Review and Performance Assessment

Mr. Graham,

This email confirms that the Niagara Region will provide support to the NPCA on this matter.

Please feel free to contact when you need our assistance.

Jason Burgess, CPA, CA
Acting Commissioner of Corporate Services
Niagara Region
1815 Sir Isaac Brock Way, PO Box 1042, Thorold L2V 4T7
Phone: 905-980-6000 ext. 3292 Toll-free: 1-800-263-7215
Cell: 905-401-7995

From: Lisa Conte [mailto:lconte@npca.ca]
Sent: Friday, January 27, 2017 12:49 PM
To: Burgess, Jason
Cc: D'Angelo, Carmen; Annunziata, Sandy; James Kaspersetz ; Peter Graham
Subject: NPCA Operational Review and Performance Assessment

Dear Mr. Burgess,
Please find attached correspondence sent on behalf of Acting CAO, Peter Graham.

Kind Regards,
Lisa Conte
*Administrative Assistant,
Office of Chief Administrative Officer
& Board of Directors*
Tel. 905-788-3135 x. 250
Cell 905-933-3159
Email: lconte@npca.ca



Niagara Peninsula Conservation Authority
250 Thorold Road West, 3rd Floor,
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www.npca.ca

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From: Iacoe, Tina <Tina.Iacoe@hamilton.ca>
Sent: Monday, February 13, 2017 12:39 PM
To: Lisa Conte
Subject: RE: NPCA Operational Review and Performance Assessment

Good afternoon Lisa.

Can you please advise Mr. Graham that, further to his conversations with Mike Zegarac, I will be participating in this initiative on behalf of the City of Hamilton. Thanks.

Tina Iacoe CPPO, CPPB
Manager of Procurement
City of Hamilton
9th Floor, 120 King Street West
Hamilton, ON L8P 4V2
905-546-2424, ext 2796

From: Lisa Conte [mailto:lconte@npca.ca]
Sent: January-27-17 12:53 PM
To: Iacoe, Tina
Cc: Sandy Annunziata (sandy.annunziata@niagararegion.ca); James Kaspersetz
Beattie Murray, Chris; Peter Graham Stewart
Subject: NPCA Operational Review and Performance Assessment

Dear Ms. Iacoe,
Please find attached correspondence sent on behalf of Acting CAO, Peter Graham.

Kind Regards,
Lisa Conte
*Administrative Assistant,
Office of Chief Administrative Officer
& Board of Directors*
Tel. 905-788-3135 x. 250
Cell 905-933-3159
Email: lconte@npca.ca



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From: Don Boyle <dboyle@haldimandcounty.on.ca>
Sent: Saturday, January 28, 2017 9:14 AM
To: Lisa Conte; ccase@haldimandcounty.ca
Cc: Sandy Annunziata (sandy.annunziata@niagararegion.ca); Rob Shirton
Peter Graham; Karen General
Subject: Re: NPCA Operational review and Performance Assessment
Attachments: image003.jpg

After a thorough review of our upcoming commitments to our Council, we unfortunately are unable to free up staff resources to assist you.

Sincerely
Don

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Lisa Conte <lconte@npca.ca>
Date: 2017-01-27 12:58 PM (GMT-05:00)
To: ccase@haldimandcounty.ca
Cc: "Sandy Annunziata (sandy.annunziata@niagararegion.ca)" <sandy.annunziata@niagararegion.ca>, "James Kaspersetz", "Rob Shirton", Don Boyle <dboyle@haldimandcounty.on.ca>, Peter Graham <pgraham@npca.ca>
Subject: NPCA Operational Review and Performance Assessment

Dear Ms. Case,
Please find attached correspondence sent on behalf of Acting CAO, Peter Graham.

Kind Regards,
Lisa Conte
Administrative Assistant,
Office of Chief Administrative Officer
& Board of Directors
Tel. 905-788-3135 x. 250
Cell 905-933-3159
Email: lconte@npca.ca<mailto:lconte@npca.ca>
[cid:image003.jpg@01D1FD29.AE339E80]
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Welland, ON L3C 3W2
Tel. 905-788-3135
Fax 905-788-1121
www.npca.ca<http://www.npca.ca/>

CHRONOLOGY OF NPCA OPERATIONAL REVIEW PROCESS TO DATE

As at Feb 14, 2017

DATE	ACTION	STATUS
JAN 18, 2017	Board passes Resolution to initiate a third party Operational Review and Performance Assessment of NPCA operations 2011 - 2016	
JAN 24, 2017	Conference Call held with Bonnie Lysyk – Auditor General of Ontario	
JAN 27, 2017	By way of CAO letter; Niagara Region, City of Hamilton, Haldimand County were invited to participate in the process by assigning a staff member to work with NPCA in undertaking the competitive procurement and selection process	Provided the due date of Feb 7 th for response
JAN 28, 2017	Haldimand County responds; “unable to free up staff resources to assist” NPCA	Haldimand NOT participating
JAN 30, 2017	Niagara Region responds affirmatively in providing support to NPCA	NRegion participating in procurement process
FEB 3, 2017	Sent Draft Minutes to AG for review and comment	No response
FEB 6, 2017	Hamilton GM reaches out to discuss and clarify expectations – no commitment made – requested additional time	Requests extension to Friday Feb 9
FEB 9, 2017	Staff sent email to AG requesting a status of the Draft minutes	No response
FEB 13, 2017	Hamilton’s Manager of Procurement confirms participation in the procurement and selection process	Hamilton participating in procurement process
FEB 13, 2017	MEETING SET FOR FEB 14 Agenda sent to participants. NIAGARA REGION & HAMILTON meeting with CAO to discuss procurement process and the required actions	
FEB 13, 2017	Staff sent email to AG requesting sign-off to minutes of Jan 24	Responded - Will address tomorrow
FEB 14, 2017	AG contacted Chair to advise she will be; 1. forwarding a letter indicating she is assigning her team to another file 2. sending proposed revisions to the Draft minutes	Not yet received.
FEB 14, 2017	MEETING HELD AT NIAGARA REGION 3:30 – 4:30 PM with CAO Graham, Jason Burgess and Tina Iacoe	Summary of Discussion points (attached)

NPCA Operational Review Team Meeting

Tuesday February 14, 2017

Niagara Region HQ

1815 Sir Isaac Brock Way

Thorold, ON

Attendees: Jason Burgess, Tina Iacoe, Peter Graham

Meeting Objective: To initiate an independent and thorough third-party Operational Review and Performance Assessment of NPCA operations from 2011 through 2016.

Summary of Discussion Points

1. Procurement type – The recommendation is to issue an RFP with the use of a minimum technical score.
2. **Upset Fee** – We recommend setting a fixed fee for Phase 1 at \$40,000.
3. Fixed Hourly Fee Rate – We recommend that fees for subsequent phases be part of the RFP and part of the evaluation.
4. **Evaluation Team** – We recommend (3) three staff members that have no conflict of interest in this issue.
5. **Document preparation and issuance** – Niagara Region and Hamilton will assist in the document preparation, Niagara Region will issue the document on behalf of NPCA. It is recommended that Niagara Region's policies and procedures be utilized.
6. Hamilton and Niagara will provide sample scopes for NPCA to develop project scope.
7. Hamilton and Niagara will provide sample scoring/evaluation matrix.
8. It is recommended that the final RFP document be approved by the Board prior to it being issued.
9. Timing to secure a 3rd party consultant is estimated to be 6 – 8 weeks from approval of Board.

Next Meeting: TBD

REPORTS FOR INFORMATION

- ❖ *Sumbler Estates – 633 South Pelham Road - Report 17-17*
- ❖ *Coyle Creek (adjacent to) – 257 Colbeck Drive - Report 18-17*

February 15, 2017 Full Authority Meeting

Report To: Board of Directors

Subject: 633 South Pelham Road – Pipe in Wetland Investigation Update

Report No: 17-17

Date: February 15, 2017

RECOMMENDATION:

That Report No. 17-17 regarding 633 South Pelham Road investigation update, be RECEIVED for information.

PURPOSE:

To update the Board on the status of the investigation of a drain pipe in a wetland on the property at 633 South Pelham Road, Welland.

BACKGROUND:

At the January 18, 2017 Board meeting, a delegation was made by Mr. Don LaBute that raised questions about the status of an investigation of a drain pipe in a wetland. The Board directed staff to prepare a report advising of the status of this investigation.

The subject property is located at 633 South Pelham Road, Welland and is approximately 4.68 hectares in area. The property contains a wetland, which is part of the Drapers Creek Wetland Complex, designated by the province as Provincially Significant Wetland (PSW). A map showing the subject property noting the PSW is provided in Appendix 1.

In April 2015, the Owner of the property applied to the City of Welland for a Zoning By-law amendment (ZBA) and Draft Plan of Subdivision (DPS) to develop the lands into a 63-unit residential subdivision. These applications were refused by Welland Council in June 2015, to which the Owner appealed to the Ontario Municipal Board (OMB). During the time leading up to the OMB Hearing, the Owner applied to the Region of Niagara for a Regional Official Plan Amendment (ROPA 11) to remove the Environmental Protection designation associated with the PSW.

In May 2015, Mr. LaBute met with staff from the NPCA to advise that there is a stormwater pipe in the wetland and inquired whether it was in violation of Ontario Regulation 155/06 (NPCA's Regulation). Staff advised Mr. LaBute that it would be difficult to proceed with compliance action since it was unknown as to when the pipe was installed. Based on this, Mr. LaBute did not file a formal complaint.

During the last week of April 2016, the OMB convened a hearing for the ZBA and DPS (Note: at this point, the Region had not made a decision on ROPA 11). The OMB hearing was phased such that the first phase of the hearing would address the issue of whether or not the wetland on

the subject property met the criteria to be considered a PSW. The second phase of the hearing, which is yet to happen, will address land use planning issues as informed by the outcome of the first phase. Mr. LaBute was a party to the OMB hearing along with the City, Region and Owner.

On May 5, 2016, the NPCA received the first formal complaint about the pipe in the wetland. On June 6, 2016, NPCA staff met with Mr. LaBute and Mr. Ed Smith regarding the pipe in the wetland. Staff advised Mr. LaBute and Mr. Smith that an investigation was underway. Later in June, NPCA staff advised Mr. Smith that our investigation would be put on hold until we receive the OMB's decision. In November 2016, an interim decision was rendered by the OMB upholding the PSW status of the wetland.

On October 19, 2016, the City of Welland confirmed to the NPCA that the pipe in the wetland was installed in and around 2004. NPCA staff note that given the pipe installation preceded when NPCA's Regulation took effect, the NPCA does not have the legal authority to require the Owner to remove the pipe. As this effectively "grandfathers" the pipe, it is recommended to not proceed with charges under the NPCA's Regulation (O. Reg. 155/06). Accordingly, NPCA staff considers its investigation of this pipe closed.

FINANCIAL IMPLICATIONS:

None


RELATED REPORTS AND APPENDICES:

Appendix 1 – Location Map and Draper's Creek PSW

Prepared by:


David Deluce; MCIP, RPP
Supervisor Development Reviews

Reviewed by:


Suzanne McInnes; MICP, RPP
Acting Director, Watershed Management









Submitted by:


Peter Graham; P.Eng. MBA
Acting Chief Administrative Officer/Secretary Treasurer

Prepared in consultation with D. MacKenzie, C. Tech., rcsi, Supervisor, Construction Permits & Compliance



Legend

- Corporate Watershed Divide N
- OWES WETLANDS
 -  Non-Provincially Significant Wetland
 -  Provincially Significant Wetland
- Regulation Wetlands
- Ontario Road Network
 -  Major Highways
 -  Arterial Roads
 -  Local Roads
- Assessment Parcels
- 2K Hydrography
 -  Red: Band_1
 -  Green: Band_2
 -  Blue: Band_3
- AIRPORTS
- SWOOP_2015

Notes

Report To: Board of Directors

Subject: 257 Colbeck Drive, Welland (adjacent to Coyle Creek)

Report No: 18-17

Date: February 15, 2017

RECOMMENDATION:

That Report No. 18-17 regarding 257 Colbeck Drive, be RECEIVED for information.

PURPOSE:

To update the Board on the status of the investigation on lands adjacent to 257 Colbeck Drive in the City of Welland, with respect to possible alterations in or adjacent to a Regulated feature.

BACKGROUND:

The landowner of 257 Colbeck Drive in the City of Welland first approached the NPCA at an NPCA open meeting at Balls Falls on January 27, 2016 regarding activities associated with the subject site and the adjacent property to the south next to Coyle Creek ("Coyle Creek Lands") see Appendix 1 attached. The landowner asked the NPCA Manager of RAP & Restoration to visit the site in question to assess the erosion taking place. This request was forwarded to NPCA's Construction Permits and Compliance Division. A summary of the investigation is included in Appendix 2.

CONCLUSIONS:

Staff have completed a thorough investigation of this matter and consulted legal counsel throughout the process. Even though this matter was brought to the NPCA's attention in early 2016, and it falls within the two-year statute of limitation period, there is insufficient, detailed information that could be used to lay charges under the *Conservation Authorities Act*. Based on the absence of detailed reliable information that would stand up in the courts, and the length of time that has lapsed since the purported works occurred, staff communicated to the landowner that recourse through enforcement was not a viable option. Accordingly, NPCA staff considers the investigation of this file closed.

FINANCIAL IMPLICATIONS:

None

RELATED REPORTS AND APPENDICES:

Appendix 1 – Map of Subject Area


Appendix 2 – Chronology of Investigation

Prepared by:



Darren MacKenzie, C.Tech. rcsi
Supervisor, Construction Permits & Compliance

Reviewed by:

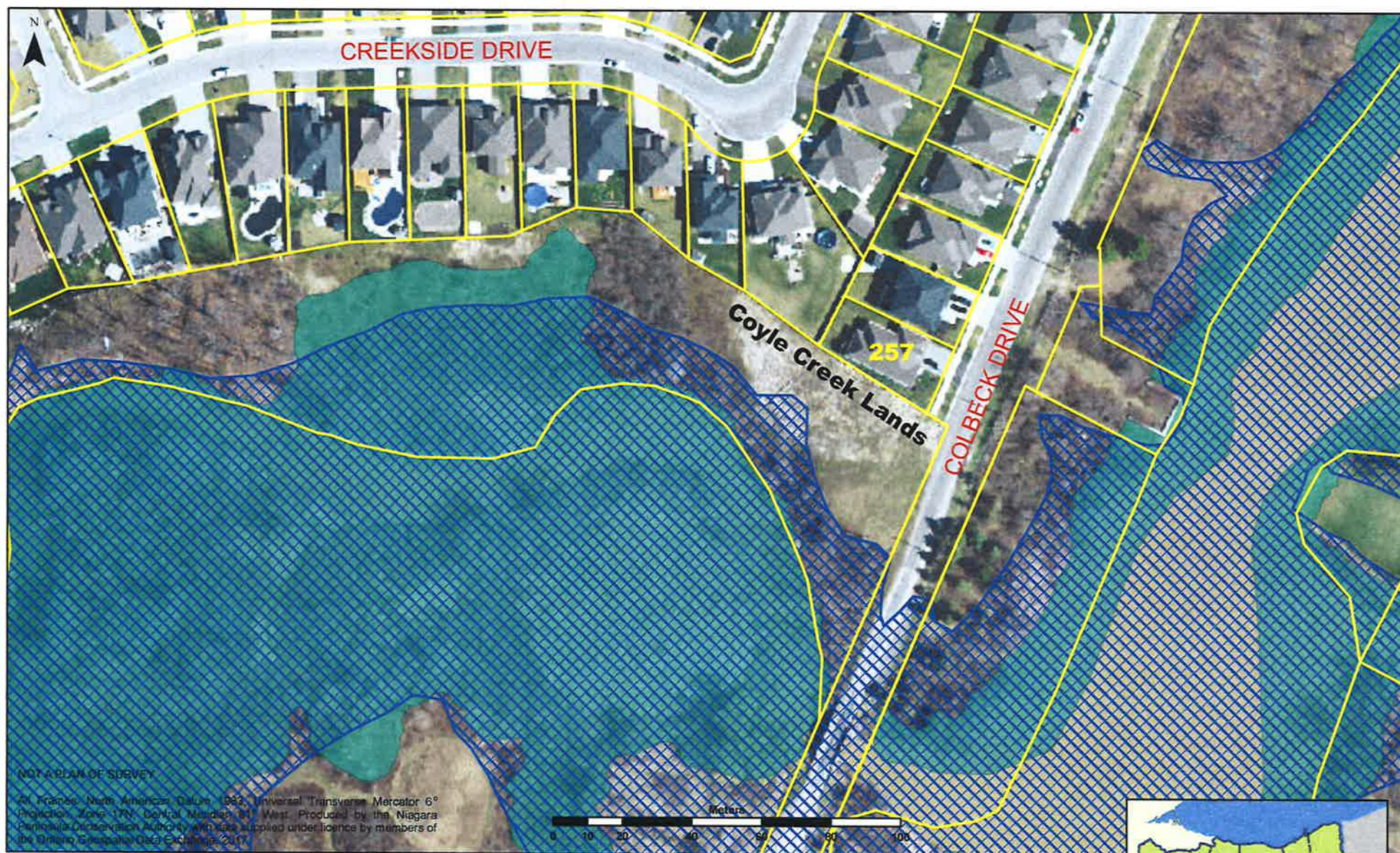





Suzanne McInnes, MCIP, RPP
Acting Director, Watershed Management

Submitted by:



Peter Graham, MBA P.Eng.
Acting Chief Administrative Officer / Secretary Treasurer

**Legend**

- | | | |
|--|--|--|
|  Assessment Parcel |  Regulated Wetlands |  Municipal Boundaries |
|  Regulated Floodplains |  NPCA Jurisdiction | |



APPENDIX 2

February 4, 2016	NPCA staff met with the landowner at his residence to discuss his concerns regarding a possible violation on the Coyle Creek lands by the placement of fill and grading.
February 8, 2016	NPCA staff received an e-mail from the landowner requesting a written copy of the site visit findings along with a copy of the Rules and Regulations documenting the two-year statute of limitations.
February 26, 2016	NPCA staff responded via email to the landowner and included a copy of the Conservation Authorities Act.
April 18, 2016	NPCA staff visited the Coyle Creek lands to take photos and inspect the area after receiving permission to enter the lands.
April 20, 2016	The landowner appeared as a delegation to the NPCA Board relating to activities associated with the Coyle Creek lands.
May 4, 2016	The Director of Watershed Management telephoned the landowner to further seek clarification on the information contained in the complaint, and any other information that would be relevant to the investigation.
May 18, 2016	<p>NPCA staff met with City of Welland staff to discuss and confirm the facts of what had transpired since 2012 within the subject properties. During that discussion and subsequent review by the City of Welland, the following was determined:</p> <ul style="list-style-type: none"> ○ 257 Colbeck Drive rear yard drainage is from north to south and discharges onto the Coyle Creek lands. ○ The downspout of 257 Colbeck Drive is directed towards the Coyle Creek Lands to the south and should be redirected to discharge either to the front or back of the property. ○ The services that were originally installed on the Coyle Creek Lands is not part of any development and is not registered on any approved drawings. ○ The Coyle Creek Lands are outside of the urban boundary and not currently zoned for the purpose of development. Any proposed future development or alteration to these lands would require a change to the urban boundary and zoning and would subsequently be circulated to the NPCA for comment. Changes to an urban area boundary can only be considered through a Municipal Comprehensive Review (MCR). <p>Based on the information gathered during this investigation, the following is noted:</p> <ul style="list-style-type: none"> ○ The Coyle Creek Lands, based on Google Street View imagery and site inspection, have apparently been altered sometime on or before August 2012, the extent of which is unknown. ○ Based on current NPCA mapping, only a small portion of

	<p>these works are within the floodplain; however, the majority of these works are within the 30 metre buffer of the provincially significant wetland boundary.</p> <ul style="list-style-type: none"> ○ The Coyle Creek Lands have been stabilized with early colonizing common weed species; however, there is some soil erosion present on the property. <p>It was resolved by the investigating Compliance Officer that there was insufficient evidence to proceed with laying of charges based on the review of the material presented.</p>
November 22, 2016	<p>The Director of Watershed Management and the Manager of Plan Review and Regulation met with the landowner and Mr. Ed Smith.</p> <p>The Director of Water Management indicated that the NPCA had completed the investigation and was not going to issue a notice of violation owing to the lack of evidence. The landowner did not like the answer and questioned why the NPCA had not directly approached the person (contractor) who allegedly placed the fill shown in his photos presented to the Board in April 2016. As such, at the November 22, 2016 meeting staff agreed to contact the person who the owner claims placed the fill.</p>
December 19, 2016	<p>NPCA staff contacted the contractor to ask a series of questions relating the Coyle Creek lands. When the intention of the call was explained to the contractor, he advised that he would speak with his son first to determine how to proceed.</p>
December 21, 2016	<p>A subsequent call was made to the contractor by NPCA staff on and a message left. As of Jan 31, 2017, there has been no response.</p>

REPORTS FOR CONSIDERATION

❖ *Unsolicited proposal – Voice & Data–*

January report re-submitted REPORT 14-17

❖ *FOI Annual Report 2016 & 2017 Designation REPORT 19-17*

❖ *Financial Capital Projects (2016) REPORT 20-17*

❖ *Annual Resolutions REPORT 21-17*

❖ *CLAC Terms of Reference review REPORT 22-17*

❖ *Board Member Remunerations REPORT 23-17*

❖ *Long Beach Potable Water Supply REPORT 24-17*

❖ *Draft Communications & Media Policy REPORT 25-17*

❖ *2017 CAO Recruitment REPORT 26-17*

February 15, 2017 Full Authority Meeting

Report To: Board of Directors

Subject: Unsolicited Proposal – Integration of Voice, Data, and Merchant Services

Report No: 14-17

Date: ~~January 18, 2017~~

Resubmitted: February 15, 2017

RECOMMENDATION:

1. THAT Unsolicited Proposal for Integration of Voice, Data and Merchant Services Report No. 14-17 be **RECEIVED**, and:
2. THAT the NPCA Board of Directors **AUTHORIZE** staff to enter into negotiations and contract with Schooley Mitchell Consultants for the integration of the NPCA's voice, data and merchant services in an effort to find additional sustainable savings for the organization.

PURPOSE:

For the Board to determine next steps on the unsolicited proposal offered by Schooley Mitchell Consultants to audit and review the NPCA's existing voice, data as well as merchant services and platforms to identify potential financial savings to the organization.

DISCUSSION:

On occasion, the NPCA receives unsolicited proposals from parties which may offer improved services, reduced cost, cost avoidance, or provide other benefits. When the proposal is in the best interests of the NPCA, as identified by the responsible parties identified in the Board approved Unsolicited Proposals Policy (section 5.0) and complies with all other criteria provided in this policy, the NPCA may consider the opportunity.

The NPCA currently has several voice and data service providers to address different program and technology needs that have been secured ad hoc prior to the Corporate Services department's establishment through the implementation of the 2014-2017 Strategic Plan. Staff has considered an internal evaluation of the implications of the status quo with these services from a holistic corporate perspective, however, it has not been prioritized to date given existing priorities and resources.

Schooley Mitchell is a firm comprised of communications consultants that offer their clients an opportunity to spend their financial resources more wisely when it comes to their communication services and platforms. Upon request, Corporate Services staff met with Scott Kinsinger from Schooley Mitchell on Dec. 13, 2016 to further explore this option. Schooley Mitchell completes audits and reviews to identify inefficiencies and wastage within their client's existing voice data and merchant service. Through this service they:

- Examine all monthly recurring communication expenditures (i.e. bills) to understand the current situation
- Look at various categories including: Lines, Long Distance, Cellular, Data/Internet, Conferencing, Credit/Debit card services, etc.
- Identify inefficiencies such as billing errors, poor service plan choices, poor pricing, unused or unneeded services etc. (basically anywhere money may be wasted)
- Provide to clients with recommendations of changes that if made will optimize their services, get rid of wastage, and reduce their overall costs
- If the recommendations are accepted by the client, they then implement all recommended changes on behalf of the client
- Continue to monitor expenses and support the client throughout the service agreement period.

Schooley Mitchell has worked with many Conservation Authorities in Ontario including Halton, Hamilton, St. Clair, Long Point, Credit Valley, Maitland Valley, Kawartha, Otonabee, and they are just starting a project with Lower Trent. In addition, they have worked with many branches of the Canadian Mental Health Association, Children's Aid Societies, Hydro Utilities, Municipalities, and many private enterprises as well.

In the future, Schooley Mitchell would be able to assist with the procurement of a new phone system. They would conduct a needs analysis, prepare and issue an RFP to reflect those needs, answer questions from bidders, and assist with creating a comparison matrix of received bids in order to identify the best response.

FINANCIAL IMPLICATIONS:

This review and audit would be risk free as there is no obligation to implement the associated recommendations.

Fees are 100% funded out of the savings found as they are a portion of the savings so there is never a net cost. In about 90% of projects Schooley Mitchell are able to help their clients to reduce their costs by 20% or more due to their expertise in contrast to attempting a similar evaluation effort internally.

Fees are paid on a percentage of the real savings that are derived from the recommendations and are charged quarterly throughout the service agreement period. They offer two different discounted plans for publically funded organizations:

- 3-Year plan with fees being 40% of savings
- 2-Year plan with fees being 50% of savings

During the Service Agreement period Schooley Mitchell continues to monitor and manage the day-to-day services at no extra charge ensuring the client stays fully optimized. For example, if the NPCA needs to add, delete, or change lines or cell users it can have Schooley Mitchell staff do that as it is part of keeping the NPCA optimized. Or should a billing error be found during the service agreement period, their team will work with the carrier to get it rectified and ensure credits are paid. As a result, they essentially become a managed service provider for communications services.

Options:

The NPCA Board can determine to:

- 1.) Direct Staff to issue a Request for Expressions of Interest for competing proposals, or
- 2.) Direct Staff to maintain status quo

RELATED REPORTS AND APPENDICES:

1. Appendix 1: DRAFT Schooley Mitchell Agreement – 3yr, 40%-May, 2016.pdf
2. Appendix 2: DRAFT Schooley Mitchell Agreement – 24 Month-May, 2016.pdf
3. Testimonials and Letters from Hamilton, Halton and St. Clair Conservation Authorities

Prepared by:



Geoffrey Verkade,
Manager, Information Management
& Technology Services

Reviewed by:



David Barrick
Director of Corporate Services

Submitted by:



Peter Graham
Acting CAO/Secretary Treasurer



SERVICE AGREEMENT

Between _____ and _____ (Client)

1536758 Ontario Inc o/a Schooley Mitchell Consultants/GHA
Doing Business as Schooley Mitchell (SM)

AGREEMENT TERMS

1. The Client hereby authorizes SM to review its telecommunications systems and to submit initial and supplemental recommendations for improvements including recommendations for possible savings. This review may include the review of existing systems, services, equipment, suppliers, plans and other telecom items or functions, including credit card, debit card and other electronic payments processing transaction costs. Recommendations may include alternate methods, systems, services, equipment, suppliers or plans or other suggestions for improvement or cost savings.
2. The term of this Service Agreement shall be thirty-six (36) months from the date of signing during which time SM may submit a series of recommendations.
3. All recommendations for improvements to the telecommunications system as well as electronic payments processing services including recommendations for possible savings made by SM are subject to the Client's approval. No action regarding such changes shall be undertaken without the prior consent of the Client. Any recommendations, initial or supplemental, acted upon by the Client, or on behalf of the Client, within thirty-six (36) months of submission by SM shall be deemed to be accepted by the Client.
4. The Client acknowledges that activity and market pressure will be initiated directly with existing vendors and with alternate vendors and may cause those existing and/or alternate vendors to react whether contacted directly by SM, the Client, or other parties. This activity may trigger direct offers from those existing and/or alternate vendors and those offers will be as a result of this engagement, and therefore included in the recommendations described in paragraph 3.
5. The Client acknowledges that savings will be calculated by SM based on the difference between the baseline prices in place as at the date of this agreement, and any reduction in those baseline prices. Baseline prices are defined to be the prices incurred by the Client on the date of this agreement, per Client invoices. Representation of those baseline prices will be provided to SM by the Client by providing appropriate invoices at the outset of this engagement for the purposes of SM calculations and consulting services.
6. The Client hereby authorizes SM to identify and pursue, on the Client's behalf, possible refunds or credits due to billing errors or other causes.
7. The Client will provide SM with equipment records, telecommunications invoices, merchant service provider statements, contracts and other related information, from the date of this agreement, and throughout the payment term of this agreement, as required by SM. The Client will provide written authorization, and/or oral authorization if so required by the Client's vendors, for SM to receive all such records and information directly from vendors, from the date of this agreement, and throughout the payment term of this agreement, as required by SM.
8. All records and information submitted for review by the Client shall be held in the strictest confidence by SM and shall not be used for any other purpose except to complete this consulting assignment.
9. All recommendations, actions, information, and suggestions submitted by SM for the Client's consideration shall be held in the strictest confidence by the Client. The Client warrants that they will not duplicate the work carried out by SM, nor will the Client negotiate alternate pricing for merchant services, during the term of the agreement. Information submitted by SM shall not be used for any other purpose other than to consider the recommendations submitted by SM, and shall not be disclosed to or discussed with any third party, including, without limiting the generality of the foregoing, other business owners, executives, shareholders, vendors, or associates.
10. SM is acting in the capacity of an independent consultant to the client under this Agreement and does not sell, represent, or warrant any services or equipment provided by any suppliers. The Client will indemnify and hold SM, and its related parties, harmless against any cause of action, loss, liability, damage, cost, or expense (other than direct damages due to willful and negligent actions by SM), whether accrued, absolute, contingent or otherwise, including, without limitation, attorney's fees and costs, arising out of or relating to this Agreement.

PAYMENT TERMS

11. The Client agrees to pay SM as its fee for the services rendered under this agreement, forty (40) percent of all savings realized as a result of the acceptance of any initial or supplemental recommendations made by SM during the term of this agreement, including forty (40) percent of all savings realized as a result of reductions in baseline prices during the term of this agreement, for a period of thirty-six (36) months from the date of implementation of the accepted initial or supplemental recommendation, or baseline reduction, after which time the entire savings will accrue to the Client.
12. SM will provide detailed schedules and calculations of the estimated savings to be realized by the Client over the term of the service agreement. Billings will be as follows; 1/12 of the total amount due to SM based on estimated savings, within 30 days of implementation; 11 further instalments of the amount due to SM based on documented actual savings, in three month increments from the date of implementation. Verification of savings will be conducted on a quarterly basis. SM will provide invoices detailing the computation of savings.
13. The Client also agrees to pay SM, forty (40) percent of each refund or credit or other consideration realized based on SM's identification of billing errors or other causes for credits. Payment will be due within thirty (30) days of the receipt of the refund, credit, or consideration by the Client.

OTHER SERVICES

14. This agreement shall be construed and enforced in accordance with the laws in the state/province of residence of the SM Consultant that is a party to this Agreement. In any dispute arising from or related to this Agreement the parties mutually consent to any court located in the county of residence of the SM Consultant.
15. This agreement shall survive the sale, re-organization, acquisition, merger, or other structural or ownership change, of the Client's business, and shall remain in force with any new entity that utilizes the telecom or merchant services reviewed by SM as a result of this agreement.

The Client

(Client Name)

(Address)

(Address)

(Telephone)

Signature of Authorized Client Representative. *I have the authority to bind the corporation (company).*

Print name

Title

Date

Schooley Mitchell

1536758 Ontario Inc. o/a Schooley Mitchell
Consultants/GHA, Doing business as:
Schooley Mitchell (SM)

Signature :*I have the authority to bind the corporation (company).*

Print name

Title

Date



SERVICE AGREEMENT

Between _____ (Client)
and _____

1536758 Ontario Inc o/a Schooley Mitchell Consultants/GHA
Doing Business as Schooley Mitchell (SM)

AGREEMENT TERMS

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2. The term of this Service Agreement shall be twenty-four (24) months from the date of signing during which time SM may submit a series of recommendations.
3. All recommendations for improvements to the telecommunications system as well as electronic payments processing services including recommendations for possible savings made by SM are subject to the Client's approval. No action regarding such changes shall be undertaken without the prior consent of the Client. Any recommendations, initial or supplemental, acted upon by the Client, or on behalf of the Client, within twenty-four (24) months of submission by SM shall be deemed to be accepted by the Client.
4. The Client acknowledges that activity and market pressure will be initiated directly with existing vendors and with alternate vendors and may cause those existing and/or alternate vendors to react whether contacted directly by SM, the Client, or other parties. This activity may trigger direct offers from those existing and/or alternate vendors and those offers will be as a result of this engagement, and therefore included in the recommendations described in paragraph 3.
5. The Client acknowledges that savings will be calculated by SM based on the difference between the baseline prices in place as at the date of this agreement, and any reduction in those baseline prices. Baseline prices are defined to be the prices incurred by the Client on the date of this agreement, per Client invoices. Representation of those baseline prices will be provided to SM by the Client by providing appropriate invoices at the outset of this engagement for the purposes of SM calculations and consulting services.
6. The Client hereby authorizes SM to identify and pursue, on the Client's behalf, possible refunds or credits due to billing errors or other causes.
7. The Client will provide SM with equipment records, telecommunications invoices, merchant service provider statements, contracts and other related information, from the date of this agreement, and throughout the payment term of this agreement, as required by SM. The Client will provide written authorization, and/or oral authorization if so required by the Client's vendors, for SM to receive all such records and information directly from vendors, from the date of this agreement, and throughout the payment term of this agreement, as required by SM.
8. All records and information submitted for review by the Client shall be held in the strictest confidence by SM and shall not be used for any other purpose except to complete this consulting assignment.
9. All recommendations, actions, information, and suggestions submitted by SM for the Client's consideration shall be held in the strictest confidence by the Client. The Client warrants that they will not duplicate the work carried out by SM, nor will the Client negotiate alternate pricing for merchant services, during the term of the agreement. Information submitted by SM shall not be used for any other purpose other than to consider the recommendations submitted by SM, and shall not be disclosed to or discussed with any third party, including, without limiting the generality of the foregoing, other business owners, executives, shareholders, vendors, or associates.
10. SM is acting in the capacity of an independent consultant to the client under this Agreement and does not sell, represent, or warrant any services or equipment provided by any suppliers. The Client will indemnify and hold SM, and its related parties, harmless against any cause of action, loss, liability, damage, cost, or expense (other than direct damages due to willful and negligent actions by SM), whether accrued, absolute, contingent or otherwise, including, without limitation, attorney's fees and costs, arising out of or relating to this Agreement.

PAYMENT TERMS

- 11. The Client agrees to pay SM as its fee for the services rendered under this agreement, fifty (50) percent of all savings realized as a result of the acceptance of any initial or supplemental recommendations made by SM during the term of this agreement, including fifty (50) percent of all savings realized as a result of reductions in baseline prices during the term of this agreement, for a period of twenty-four (24) months from the date of implementation of the accepted initial or supplemental recommendation, or baseline reduction, after which time the entire savings will accrue to the Client.
- 12. SM will provide detailed schedules and calculations of the estimated savings to be realized by the Client over the term of the service agreement. Billings will be as follows; 1/8 of the total amount due to SM based on estimated savings, within 30 days of implementation; 7 further instalments of the amount due to SM based on documented actual savings, in three month increments from the date of implementation. Verification of savings will be conducted on a quarterly basis. SM will provide invoices detailing the computation of savings.
- 13. The Client also agrees to pay SM, fifty (50) percent of each refund or credit or other consideration realized based on SM’s identification of billing errors or other causes for credits. Payment will be due within thirty (30) days of the receipt of the refund, credit, or consideration by the Client.

OTHER SERVICES

- 14. This agreement shall be construed and enforced in accordance with the laws in the state/province of residence of the SM Consultant that is a party to this Agreement. In any dispute arising from or related to this Agreement the parties mutually consent to any court located in the county of residence of the SM Consultant.
- 15. This agreement shall survive the sale, re-organization, acquisition, merger, or other structural or ownership change, of the Client’s business, and shall remain in force with any new entity that utilizes the telecom or merchant services reviewed by SM as a result of this agreement.

The Client

(Client Name)

(Address)

(Address)

(Telephone)

Signature of Authorized Client Representative. *I have the authority to bind the corporation (company).*

Print name

Title

Date

Schooley Mitchell

1536758 Ontario Inc. o/a Schooley Mitchell
Consultants/GHA, Doing business as:
Schooley Mitchell (SM)

Signature :*I have the authority to bind the corporation (company).*

Print name

Title

Date



To Whom it may concern:

If you are a consumer of communication services and lack the expertise to effectively negotiate with the major vendors that control the market in Canada then I would highly recommend engaging Schooley Mitchell Consultants.

The proposition they table is of no risk to your organization. Their team members are very good to work with and do their best not to bother your staff while they collect the necessary data they need to do the job. That effort will most likely result in the elimination of unused services you didn't know you still had and a significant reduction in rates as they get your organization moved to the rate structure that best fits your needs, not the vendors. That was our experience.

They have the skills and knowledge to make things happen when dealing with the big telecom organizations and did so for us in voice, data as well as Merchant Services. Our experience with Scott Kinsinger and the whole Schooley Mitchell team has been 100% positive. We could not be happier with the results which far exceeded our expectations.

Regards,

Neil McDougall
Secretary – Treasurer
Hamilton Region Conservation Authority





905.336.1158
 Fax: 905.336.7014
 2596 Britannia Road West
 Burlington, Ontario L7P 0G3
conservationhalton.ca

Protecting the Natural
 Environment from
 Lake to Escarpment

► **Schooley-Mitchell**
Communications Consultant
(519) 594-0005

To whom it may concern

Schooley-Mitchell, along with Scott Kinsinger has been hired by Conservation Halton for various telecom consulting services. These services include project management, a telecom services audit and the delivery of two request for proposals. Not only does Scott bring a wealth of knowledge to his endeavors at Conservation Halton, he also brings along a great winning and friendly attitude to the table that makes working with Scott and Schooley-Mitchell very enjoyable.

During the telecom audit process, Schooley-Mitchell worked tirelessly on our behalf and uncovered many inefficiencies related to unnecessary redundancies in service and inept billing practices by the telecom vendors that we deal with. Consequently, Conservation Halton has realized significant savings in the organization's telecom costs and the telecom audit exercise has proven to be very successful.

Schooley-Mitchell, along with Scott Kinsinger was also hired by Conservation Halton to write request for proposals (RFP's) relating to fiber networking in our Mountsberg Conservation Area and a new enterprise unified communications system for the Conservation Halton Administration office. Because of Scott's extensive experience in the telecommunications industry, he is able to write excellent RFP's that are filled with little tidbits of knowledge that only a seasoned telecommunications professional would know. Scott has been able to share all sorts of tips with Conservation Halton IT staff relating to getting the best out of the telecommunications vendors that we have interacted with. Consequently both of the above projects are successful and their benefits are being fully realized.

For the reasons described above, I strongly recommend Schooley-Mitchell. The Firm's knowledge and experience in the telecommunications industry makes them a smart choice for various endeavors related to project management and telecommunications consulting services.

Yours Truly,

Craig Minnett
 Manager, Information Technology Services

Conservation Halton

2596 Britannia Road West, Burlington, ON L7P 0G3
 905.336.1158 ext. 2269 | Fax 905.336.7014 | cminnett@hrca.on.ca



St. Clair Region Conservation Authority
205 Mill Pond Cres., Strathroy, ON, N7G 3P9
(519) 245-3710 (519) 245-3348 FAX
E-Mail: stclair@scrca.on.ca
Website: www.scrca.on.ca

Member
Municipalities

Township of
Adelaide-Metcalf

Municipality of
Brooke-Alvinston

Municipality of
Chatham-Kent

Township of
Dawn-Euphemia

Township of
Enniskillen

Municipality of
Lambton Shores

Municipality of
Middlesex Centre

Village of
Newbury

Village of
Oil Springs

Town of
Petrolia

Town of
Plympton-Wyoming

Village of
Point Edward

City of
Sarnia

Municipality of
Southwest Middlesex

Township of
St. Clair

Municipality of
Strathroy-Caradoc

Township of
Wanwick

June 20, 2016

Mr. Scott Kinsinger
Schooley Mitchell Consultants
P.O. Box 24021
Guelph, ON N1E 6V7

Dear Scott,

Thank you and the entire team at Schooley Mitchell Consultants for the work your team has done helping us by negotiating our contracts for land lines, cellular services and credit card service charges. The time and costs savings that we have realized has helped us with our budgetary constraints, to continue to meet our goals. Your team are very helpful and efficient at getting things done on our behalf and it has been a great experience working with them.

As a publicly funded organization we have access to special pricing but have not had the time to follow-up to ensure that we were given the best pricing available. Your organization was able to get the pricing put in place and negotiate better pricing for our credit service charges. The services that you and your team have provided saved us money and time.

Thank you,

Tracy Prince,
Director of Finance

Report To: Board of Directors

Subject: Freedom of Information (FOI) Annual Statistics Report & Designation

Report No: 19-17

Date: February 15, 2017

RECOMMENDATION:

That Report No. 19-17 regarding the Freedom of Information annual statistics and designation, be **RECEIVED** for information.

That the NPCA Board **DESIGNATE** Sandy Annunziata, Chair, as 'head' of the NPCA for the purposes of the Municipal Freedom of Information and Protection of Privacy Act. Further, that the NPCA Chair may designate relevant staff 'head' status as it relates to the Corporate handling of Freedom of Information (FOI) requests.

PURPOSE:

To meet the provincially legislated requirements of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). This report aligns with the 2014-2017 Strategic Plan under, 'Transparent Governance & Enhanced Accountability.'

BACKGROUND:

The following is a summary of the requests made in 2016 under the Freedom of Information and Privacy Act to the NPCA as submitted to the Province:

	2016
Number of Requests	17
Dollar Amount Collected for Application Fees	\$85
Dollar Amount Collected for Fees	\$ 1,147
Number of Appeals	5
Number of Appeals where the Service Decision was upheld	1
Number of Appeals Still Outstanding	2
Number of Appeals moved to Adjudication	2
Number of Current Inquiries in Adjudication	3
Number of Inquiries where the Service Decision was Upheld	0
Number of Third Party Notices	6

DISCUSSION:

The MFIPPA legislation states:

Designation of head

3. (2) *The members elected or appointed to the board, commission or other body that is an institution other than a municipality may designate in writing from among themselves an individual or a committee of the body to act as head of the institution for the purposes of this Act. R.S.O. 1990, c. M.56, s. 3 (2); 2002, c. 17, Sched. F, Table.*

If no designation

(3) *If no person is designated as head under this section, the head shall be,*

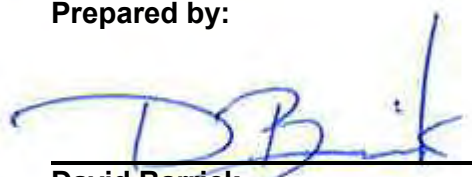
(b) the members elected or appointed to the board, commission or other body in the case of an institution other than a municipality. R.S.O. 1990, c. M.56, s. 3 (3); 2002, c. 17, Sched. F, Table.

Therefore, in lieu of no formal designation of a 'head,' the NPCA Board holds the responsibilities required under the *Act*. The 'head' is responsible for, amongst others, the handling and decision making for each FOI request. In order to both comply with legislation and for greater ease of handling FOI requests, staff is recommending that the NPCA Chair be designated as the 'head,' and that he may further delegate that function to relevant staff when and as necessary.

FINANCIAL IMPLICATIONS:

While there are no immediate financial implications, appeals take significant staff time and resources, which may cause undue delay in servicing other clients. Future financial implications may occur if FOI requests are not handled as prescribed by MFIPPA or are subject to appeals.

Prepared by:



David Barrick
Director of Corporate Services

Submitted by:



Peter Graham
**Acting Chief Administrative Officer/
Secretary Treasurer**

This report was prepared in consultation with Michael Reles, Communications Specialist.

Report To: Board of Directors

Subject: Financial Report – 2016 Completed & Carry-over Capital Projects

Report No: 20-17

Date: February 15, 2017

RECOMMENDATION:

- 1) That Report No. 20-17 and related appendices be **RECEIVED** for information.
- 2) That the NPCA Board of Directors **REAUTHORIZE** the Beamer Platform capital project as updated in this report.

PURPOSE:

To inform the Board of the financial status of its capital projects as of Dec. 31st, 2016 (unaudited). Further, to seek reauthorization on the Beamer Platform capital project as per the Capital Assets Management & Planning Policy (Jan 2016).

This report aligns with the 2014-2017 NPCA Strategic Plan under 'Transparent Governance & Enhanced Accountability,' specifically, 'Budget process structures to reflect current operating and capital projects.'

BACKGROUND:

As part of the 2016 Budget process, the Board approved 58 capital projects totaling \$1,405,876 to be funded as follows:

Regular Levy	437,376
Federal Grant	245,000
Reserve	694,500
OPG	29,000

Additional capital projects were approved by the Board throughout the year totaling \$234,880 to come from reserves.

Approximately 60 capital projects were completed in 2016; which includes projects carried-over from 2015 (Appendix 1). Twenty-three (23) projects are being carried over into 2017 (Appendix 2).

BEAMER PLATFORM REAUTHORIZATION:

In April 2014, two hikers went off trail and got too close to the slippery edge of the escarpment near the Beamer Conservation Area property. The two hikers slipped and fell 35 metres. The pair sustained serious but not life-threatening injuries. The incident highlighted the safety

concerns that are present on the Beamer property. As such, the NPCA Board directed staff to review site safety measures.

During this review, concerns were raised about the general condition of the 2 Beamer Platform Outlooks. Staff replaced a number of boards and reinforced the railings as a temporary measure and recommended a full refurbishment be done in 2015. The NPCA approved this project in the 2015 Capital Budget, with a project budget of \$80,000.

Upon initiating the refurbishment project, an engineer was brought in to review the structure and make recommendations for improving it and meeting AODA standards. NPCA staff also contracted with Golder Associates to undertake a geo-technical assessment of the area surrounding the platforms. Concerns were raised both about the construction of the platforms and the physical location of the platforms relative to the edge of the escarpment.

NPCA staff was able to locate and review the original engineered platform drawings and confirmed that the actual platform had not been built to the specifications of the engineered drawings. The Golder Associates report indicated that when the platforms are re-built, they should be moved back an additional 3 metres from the edge of the escarpment. This change in location will significantly alter the view, however, NPCA staff is working closely with the engineer to mitigate this problem.

In the fall of 2016 the platforms were finally removed to make room for the new construction. Every effort is being made to have at least the east-viewing platform back in place in time for the 2017 Hawk Watch event that takes place in April.

The NPCA's Capital Assets Management & Planning Policy (Jan 2016) states, *"If a capital project is not initiated within 24 months of approval, it will be closed and re-budgeted as required..."* In this case, the discovery of serious health and safety concerns has impacted the timing and scoping of this project. Full refurbishment is no longer an option. The new platforms need to be properly designed, engineered, re-located and built accordingly.

FINANCIAL IMPLICATIONS:

The Regular Levy allocated to capital projects for 2016 in the amount of \$437,376 has been utilized and the remaining projects are being funded from reserves. Therefore, there is no capital surplus or deficit to consider at this time. Any savings from capital projects at this point will result in less money being withdrawn from the General Capital reserve account.

The Board previously approved the use of capital reserves in 2016 for those projects. An updated projection of capital reserve balances for the year ending 2017 is also provided for information (Appendix 3); which includes a projected withdrawal of approximately \$500,000 to complete the carry-over projects.

With respect to the Beamer Platform capital project, approximately \$20,000 has been spent to date on consultants and engineers. Estimates suggest that each of the new platforms will cost approximately \$60,000. As such, staff is recommending that the project be reauthorized and that \$120,000 be utilized from the General Capital Reserve for the completion of these works. To be clear, approximately \$60,000 was remaining available for this project so the reauthorization would include an additional \$60,000 to be authorized from the reserve account. If approved, this would leave a General Capital reserve balance of approx. \$600,000.

RELATED REPORTS AND APPENDICES:

Appendix 1 – Completed Capital Projects as of Dec. 31st, 2016

Appendix 2 – Capital Projects Carried-over/in progress to 2017

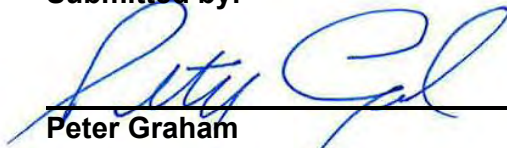
Appendix 3 - Capital Reserve Projection for the year-ended 2016 & 2017 (unaudited)

Prepared by:



David Barrick
Director of Corporate Services

Submitted by:



Peter Graham
CAO / Secretary Treasurer

The report was prepared in consultation with Mark Brickell, Director of Operations & Strategic Initiatives. Appendices were prepared in consultation with John Wallace, Manager of Finance.

Completed Capital projects as of Dec. 31st, 2016 (unaudited)

Completed Project fom 2016/2015	Project Description	Approved Budget 2016	Reference	Spend to Dec. 31 2016	Over/(Under) Budget	Comments
Balls Falls	Utility Vehicle with Enclosed Cab and Plow	\$25,000.00	BF-2016-01	\$24,930.17	(\$69.83)	
	Fury Cabin Refurbishment	\$7,000.00	BF-2016-02	\$7,718.50	\$718.50	
	Replace Footbridge Lower Falls	\$5,000.00	BF-2016-03	\$4,517.13	(\$482.87)	
	Enclosed Cargo Trailer	\$15,000.00	BF-2016-04	\$13,354.91	(\$1,645.09)	
	Wi-Fi Enhancements	\$16,979.67	BF-2016-05	\$16,979.67	\$0.00	Separate Board Approval
	Fire Alarm System	\$13,000.00	BF-2016-06	\$13,191.15	\$191.15	
Total Balls Falls		\$81,979.67		\$80,691.53	(\$1,288.14)	
Binbrook	New Fishing Pier	\$49,999.00	BB-2016-02	\$20,461.75	(\$29,537.25)	
	1 Life Guard Station	\$2,500.00	BB-2016-03	\$2,219.41	(\$280.59)	
	Scoping of Proposed Septic System Upgrades	\$5,000.00	BB-2016-04		(\$5,000.00)	Actual Expenditure of \$6,010.20 moved to Operating
	Washroom Improvements	\$25,000.00	BB-2016-05	\$22,323.85	(\$2,676.15)	
	Scoping of Electrical System Upgrades	\$3,000.00	BB-2016-07	\$0.00	(\$3,000.00)	Not done not carried forward
	Trail Network Improvements	\$20,000.00	BB-2016-08	\$19,057.35	(\$942.65)	
	Picnic Tables (Frames)	\$10,000.00	BB-2016-09	\$10,471.70	\$471.70	
	Restroom Roof	\$10,781.93	BB-2016-10	\$10,781.93	\$0.00	Separate Board Approval
	Fishing Docks	\$28,000.00	BB-2015-01	\$39,372.31	\$11,372.31	Carried over from 2015
	Gazebo	\$0.00	BB-2015-02	\$32,780.79	\$32,780.79	Carried over from 2015
Total Binbrook		\$154,280.93		\$157,469.09	\$3,188.16	

Completed Project fom 2016/2015	Project Description	Approved Budget 2016	Reference	Spend to Dec. 31 2016	Over/(Under) Budget	Comments
Central Workshop	Galvanized Trailers (2)	\$6,377.00	CW-2016-01	\$5,298.34	(\$1,078.66)	
	Workshop Renovations	\$25,000.00	CW-2016-02	\$20,855.01	(\$4,144.99)	
	Concrete Floor Storage Building	\$30,000.00	CW-2016-03	\$16,211.14	(\$13,788.86)	
	Snow Blower	\$9,500.00	CW-2016-03	\$8,801.22	(\$698.78)	
	Garage Doors (2)	\$4,500.00	CW-2016-05	\$3,810.91	(\$689.09)	
	Bush Hog Mower	\$7,000.00	CW-2016-06	\$7,123.20	\$123.20	
	Backhoe	\$9,500.00	CW-2016-07	\$10,191.26	\$691.26	
	Parking Lot Expansion Beamer Conservation Area	\$7,500.00	CW-2016-08	\$7,733.76	\$233.76	
	Benches (2)	\$0.00	CW-2016-09	\$3,065.46	\$3,065.46	Moved from Operating
	Portable Movie Screen and Projector System	\$22,748.45	CW-2016-12	\$22,748.45	\$0.00	Separate Board Approval
	Radiant Heaters Central Workshop	\$10,000.00	CW-2015-01	\$1,348.32	(\$8,651.68)	Carried over from 2015
	St John Pond erosion control measures	\$35,000.00	CW-2015-03	\$38,505.99	\$3,505.99	Carried over from 2015
	St Johns Pond fishing Docks	\$28,000.00	CW-2015-04	\$26,318.39	(\$1,681.61)	Carried over from 2015
	Garbage/Recycle Bins	\$10,000.00	CW-2015-05	\$5,967.75	(\$4,032.25)	Carried over from 2015
	Gord Harry Trail Sign	\$5,000.00	CW-2015-06	\$4,884.48	(\$115.52)	Carried over from 2015
Total Central Workshop		\$210,125.45		\$182,863.68	(\$27,261.77)	
Chippawa Creek	Refurbish main washroom	\$48,000.00	CC-2016-01	\$34,029.89	(\$13,970.11)	
	Roof Replacement Beach Washroom	\$5,000.00	CC-2016-05	\$0.00	(\$5,000.00)	
	Fence Costruction around Bio Filter Area	\$30,000.00	CC-2016-06	\$5,048.94	(\$24,951.06)	
	Fishing Pier Replacement (2)	\$55,000.00	CC-2015-01	\$55,251.79	\$251.79	Carried over from 2015
	Beach Washroom Renovations	\$8,093.82	CC-2015-04	\$2,304.86	(\$5,788.96)	Carried over from 2015
	Entry/Exit Roadway Improvements (Gate)	\$3,000.00	CC-2015-06	\$11,545.69	\$8,545.69	Carried over from 2015
Total Chippawa Creek		\$149,093.82		\$108,181.17	(\$40,912.65)	

Completed Project fom 2016/2015	Project Description	Approved Budget 2016	Reference	Spend to Dec. 31 2016	Over/(Under) Budget	Comments
Long Beach	Trailer Storage	\$12,000.00	LB-2016-02	\$12,193.18	\$193.18	
	Scope Boat Launch Upgrade	\$3,000.00	LB-2016-03	\$0.00	(\$3,000.00)	
	Zero Turn Lawnmower with Bagging System	\$25,000.00	LB-2016-04	\$24,194.46	(\$805.54)	
	Siding on Comfort Station	\$3,041.63	LB-2015-02	\$3,745.66	\$704.03	Carried over from 2015
	Valve Box Replacement	\$2,000.00	LB-2015-03	\$1,806.53	(\$193.47)	Carried over from 2015
Total Long Beach		\$45,041.63		\$41,939.83	(\$3,101.80)	
Ecological Projects	Vegetative Buffer Improvements - Lake Niapenco	\$5,000.00	EB-2106-01	\$0.00	(\$5,000.00)	OPG Funded moved to Operating
	Rockway Salt Spring Rehabilitation Study	\$12,000.00	EB-2016-03	\$0.00	(\$12,000.00)	OPG Funded moved to Operating
Total Ecological Projects		\$17,000.00		\$0.00	(\$17,000.00)	
Information Tech/GIS/Corporat e Services	Computer Replacements	\$25,000.00	GIS-2016-01	\$26,342.12	\$1,342.12	
	Polycom Unit for Boardroom	\$2,500.00	GIS-2016-02	\$0.00	(\$2,500.00)	
	Plotter/Scanner	\$15,000.00	GIS-2016-03	\$13,209.21	(\$1,790.79)	
	Scan and Geo reference historical arial imagry software	\$20,000.00	GIS-2016-05	\$17,197.44	(\$2,802.56)	
	Adobe Value Incentive Plan -VIP Corporate Licencing	\$10,000.00	GIS-2016-06	\$0.00	(\$10,000.00)	
	City ViewSoftware	\$0.00	GIS-2016-08	\$52,999.83	\$52,999.83	
	Defibrillators (2)	\$19,537.92	CS-2016-03	\$19,537.92	\$0.00	Separate Board Approval
Total Info Tech/GIS/Corporat e Services		\$92,037.92		\$129,286.52	\$37,248.60	

Completed Project fom 2016/2015	Project Description	Approved Budget 2016	Reference	Spend to Dec. 31 2016	Over/(Under) Budget	Comments
Watershed	Binbrook Dam	\$10,000.00	WS-2016-01	\$0.00	(\$10,000.00)	
	Stream Guage Monitoring Network	\$10,000.00	WS-2016-02	\$6,827.78	(\$3,172.22)	
	Well Decommissioning Reserve	\$15,000.00	WS-2016-03	\$0.00	(\$15,000.00)	
	Water Level Guage - 20 Mile Creek	\$20,000.00	WS-2016-04	\$18,749.58	(\$1,250.42)	
	Cell Modems for Guage Stations	\$15,300.00	WS-2016-05	\$12,400.84	(\$2,899.16)	
	Sensor Enclosure - St John Ctr	\$6,000.00	WS-2016-06	\$5,403.19	(\$596.81)	
	Sensor Enclosure - Effingham	\$6,000.00	WS-2016-07	\$5,403.19	(\$596.81)	
	Ground Water DataLogging Pressure Tranducers	\$14,000.00	WS-2016-08	\$14,921.81	\$921.81	
	Ground Water Sampling Pump	\$6,200.00	WS-2016-09	\$4,711.54	(\$1,488.46)	
	Multimeter	\$10,000.00	WS-2016-10	\$11,209.89	\$1,209.89	
Total Watershed		\$112,500.00		\$79,627.82	(\$32,872.18)	
Grand Total		\$862,059.42		\$780,059.64	-\$81,999.78	

Capital Carryover/in-progress to 2017

Carryover Project fom 2016	Project Description	Approved Budget 2016	Reference	Spend to Dec. 31 2016	Remaining	Notes
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Binbrook	Canada 150 Splashpad	\$500,000.00	BB-2016-01	\$227,262.87	\$272,737.13	50% funded through Federal Grant
	Splash Pad System Building	\$25,000.00	BB-2016-06	\$0.00	\$25,000.00	
	POS System	\$5,000.00	BB-2016-10	\$2,030.29	\$2,969.71	

Central Workshop	Electrical Upgrade at Wainfleet Wetlands to meet Code	\$10,000.00	CW-2016-09	\$0.00	\$10,000.00	
	Galvanized Storage Trailers (2) & Compound		CW-2016-11	\$55,904.58	\$12,595.42	Board Approved \$68,500
	3-4 Portable Water Tanks of various sizes		CW-2016-13	\$0.00	\$35,000.00	Board Approved \$35,000
	ARGO/ATV with off road trailer		CW-2016-14	\$0.00	\$35,000.00	Board Approved \$35,000
	Drone with Video , Thermal Imaging and GPS		CW-2016-15	\$0.00	\$1,400.00	Board Approved \$35,000
	Hand Held Thermal Imaging Camera		CW-2016-16	\$0.00	\$8,000.00	Board Approved \$8,000
	Enclosed Trailer (Storage)		CW-2016-17	\$0.00	\$20,000.00	Board Approved \$20,000
Pending Board Approval for +2 year carryover	Improvements to Beamer Look outs (2)		CW-2015-02	\$8,776.39	\$61,576.61	Pending Board Approval in 2017 Original Budget \$70,353

Chippawa Creek	Replace Submersible Pumps for Water System	\$25,000.00	CC-2016-02	\$15,868.10	\$9,131.90	
	Rehabilitation of walking Traileraround Dils Lake	\$15,000.00	CC-2016-03	\$9,187.51	\$5,812.49	
	Update old Pavilion washrooms	\$7,000.00	CC-2016-04	\$0.00	\$7,000.00	

Carryover Project from 2016	Project Description	Approved Budget 2016	Reference	Spend to Dec. 31 2016	Remaining	Notes
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Long Beach	Fencing and Clearing (Phase two)	\$65,000.00	LB-2016-01	\$49,752.57	\$15,247.43	
	Scope Water Treatment Plant	\$7,000.00	LB-2016-05	\$0.00	\$7,000.00	
	Scope de-commissioning of Lagoon	\$20,000.00	LB-2016-06	\$0.00	\$20,000.00	

GIS	Migrate Switch/Patch Panel into Data Centre	\$15,000.00	GIS-2016-04	\$0.00	\$15,000.00	
	Mapping Grade GPS units	\$25,000.00	GIS 2016-07	\$0.00	\$25,000.00	

Corporate Services	General Office Enhancements	\$55,000.00	CS-2016-01	\$7,542.11	\$47,457.89	
	Card Reader - Swipe Cards	\$15,000.00	CS-2016-02	\$0.00	\$15,000.00	

Totals		\$789,000.00		\$376,324.42	\$650,928.58	\$650k-\$136k (federal funding) <u>\$501,000 will be required from reserve in 2017 to complete projects</u>
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OPG Funded Projects						
	Binbrook Fish Study	\$12,000.00	EB-2016-02	\$0.00	\$12,000.00	Funded through OPG
Watershed	Floodplain Mapping Tool	\$81,244.00	WS-2016-11	\$154,530.38	\$75,000.00	
Total		\$93,244.00		\$154,530.38	\$87,000.00	

Floodplain Mapping project shown as a capital project in progress as per discussions with Auditors.
It appears Binbrook Fish Study is only carry over from 2016.

**NIAGARA PENINSULA CONSERVATION AUTHORITY
STATEMENT OF CONTINUITY FOR CAPITAL RESERVES
PROJECTION FOR THE YEAR ENDED DECEMBER 31, 2016 & 2017 (Unaudited)**

	Balance 31-Dec 2015	Budgeted Inflows	Approved Budgeted Outflows	Projected 31-Dec 2016	2017 Inflow/(Outflow)	2017 Adjusted
	\$	\$	\$	\$		
Unexpended capital reserves						
Equipment	349,835	0	80,000	269,835		269,835
General Capital	1,754,572	104,847	595,377	1,264,042	(606,407)	657,635 *
Flood Protection Services	483,978	0	10,000	473,978		473,978
Niagara Levy Differential	347,000	427,469	0	774,469	431,744	1,206,213
Land acquisition-Hamilton	800,000	100,000	0	900,000	100,000	1,000,000
Land acquisition-Niagara	298,174	500,000	0	798,174	500,000	1,298,174
	3,683,724	1,132,316	605,377	4,210,663	1,031,744	4,636,000
	4,033,559	1,132,316	685,377	4,480,498		4,905,835
Deferred Revenues						
Catholic School Board Funding (St.Johns Conservation Area)				75,000		75,000
Branthaven Funding				50,000	(10,000)	40,000
Ontario Power Generation Funding	1,906,616	0	169,635	1,736,981	(358,000)	1,378,981
	1,906,616	0	169,635	1,861,981	(368,000)	1,493,981

* Outflows for 2017 include: \$104,847 for Beach Access Stairs (Long Beach) & \$61,577 for Beamer Lookout

Report To: Board of Directors

Subject: Annual Policy Resolutions 2017

Report No: 21-17

Date: February 15, 2017

RECOMMENDATION:

THAT, the Health and Safety Policy Statement and Regulation No 30 on Workplace Violence & Harassment Prevention Policy be reaffirmed as required under our legislative obligations, and that that these policy statements will continue to follow this requirement on an annual basis.

The health and safety of our employees is a priority for the Conservation Authority and we endeavor to meet or exceed all the legislative requirements placed on us as an employer.

Corporate Health and Safety Policy Statement

Under Section 25(2) (j) of the Occupational Health and Safety Act, the NPCA is required to conduct an annual review of the Corporate Health and Safety Policy Statement. The intent of the policy statement is to reflect the employer's commitment, support and attitude to the health and safety program for the protection of its workers. The current NPCA Policy Statement was adopted in September 19, 2012.

The Policy Statement must be reviewed and adopted on an annual basis. Attached is the 2017 Health and Safety Policy Statement which meets the requirements of the Act, and no change is recommended at this time. The Statement will be communicated to all NPCA employees.

Regulation No 30 – Workplace Violence & Harassment Prevention Policy

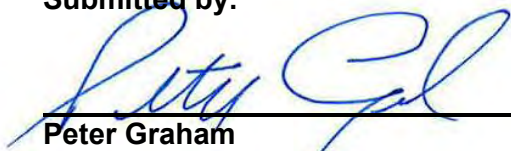
Attached is the 2017 Workplace Violence & Harassment Prevention Policy currently included in the NPCA's Terms of Reference and Personnel Regulations. An amendment has been made to Reg. 30 in accordance with Bill 132.

Related Reports and Appendices:

1. Health and Safety Policy Statement
2. Regulation 30; Workplace Violence & Harassment Prevention Policy

Note: Current signed copies of above policies are posted on each of the Employer's work sites.

Submitted by:



Peter Graham
Acting, Chief Administrative Officer / Secretary Treasurer

Prepared in consultation with Misti Ferrusi, Human Resources Generalist

HEALTH AND SAFETY POLICY STATEMENT

The Niagara Peninsula Conservation Authority is vitally interested in and committed to the health and safety of its employees and the prevention of injury and illness to its employees through the provision and maintenance of healthy and safe workplaces. The Conservation Authority will make every effort to meet its responsibilities for the health and safety of all employees by adhering to the relevant health and safety standards and legislative requirements.

It is a primary duty of all supervisory staff to ensure that all persons under their direction are made aware of and comply with all applicable health and safety policies and procedures. The supervisory staff is responsible for ensuring that all aspects of the workplace including machinery and equipment are safe and any risks, hazards and safety violations brought to their attention are investigated and corrected promptly.

The Conservation Authority will take all reasonable steps to acquaint its employees with their rights and duties in the workplace and the applicable regulations and procedures for protecting their health and safety.

All employees shall protect their own health and safety by complying with prevailing regulations and standards and with safe practices and procedures established by the Conservation Authority. Employees must report any health hazards and unsafe conditions or practices to supervisory staff for corrective action. Where appropriate, the Conservation Authority will support training programs to assist in maintaining safe conditions and work practices and will support employee participation in health and safety activities including health and safety committees.

It is in the best interest of all parties to consider health and safety in every activity and the commitment to health and safety shall be an integral part of the Conservation Authority's activities.

Peter Graham
Acting C.A.O. / Secretary-Treasurer

Dated: February 15, 2017

REGULATION NO. 30**WORKPLACE VIOLENCE & HARASSMENT PREVENTION
POLICY**

The management of the Niagara Peninsula Conservation Authority is committed to the prevention of workplace violence and harassment and is ultimately responsible for worker health and safety. We will take whatever steps are reasonable to protect our workers from workplace violence from all sources.

Violent behavior and/or harassment in the workplace is unacceptable from anyone. This policy applies to workers, visitors, clients, volunteers, co-workers or their domestic or intimate partners. Everyone is expected to uphold this policy and to work together to prevent workplace violence.

Consistent with the Occupational Health and Safety Act and the NPCA Health and Safety Policy, the NPCA will maintain a Workplace Violence Prevention Program and a Workplace Harassment program to implement this policy. It includes measures and procedures to protect workers from workplace violence and/or harassment, a means of summoning immediate assistance and a process for workers to report incidents or raise concerns.

The NPCA as the employer, will ensure that this policy and the supporting program are implemented and maintained and that all workers and supervisors have the appropriate information and instruction to protect them from violence and/or harassment in the workplace.

Supervisors will adhere to this policy and the supporting program. Supervisors are responsible for ensuring that measures and procedures are followed by workers and that workers have the information they need to protect themselves.

Every worker must work in compliance with this policy and the supporting program. All workers are encouraged to raise any concerns about workplace violence and/or harassment and to report any violent or harassing incidents or threats.

Management pledges to investigate and deal with all incidents and complaints of workplace violence and/or harassment in a timely and fair manner, respecting the privacy of all concerned to the extent possible.

Peter Graham
Acting CAO / Secretary Treasurer

Date: February 15, 2017

Report To: Board of Directors

Subject: Community Liaison Advisory Committee (CLAC)–Terms of Reference Review

Report No: 22-17

Date: February 15, 2017

RECOMMENDATION:

1. That Report No. 22-17 be **RECEIVED** for information.
2. That the NPCA Board of Directors **APPROVE** the Draft Amended CLAC Terms of Reference (Appendix 1).

PURPOSE:

The current CLAC Terms of Reference (Appendix 2) calls for an annual review of its Terms of Reference. The purpose of the review is to ensure alignment with the current Terms and to inform the NPCA Board of the recommended changes based on comments/recommendations of current CLAC committee members.

DISCUSSION:

At the December 15th 2016 CLAC meeting the members were asked to review the Terms of Reference (ToR) for the Committee and to provide any feedback, comments, suggested changes to staff for the Board's consideration. The current ToR for CLAC calls for an annual review and states that amendments can be made to meet the on-going needs of the NPCA, by agreement of the majority of Board members.

The following suggestions were given at the December CLAC meeting:

1. That the NPCA expand the membership of the CLAC to include members with technical knowledge related to the work of the NPCA
2. That the ToR be amended to include language that encourages diversity of age and gender on the Committee
3. That there be language to include a rotation of the municipality represented by the “upper-tier municipality” seat because the NPCA’s jurisdiction includes three municipalities
4. That there be language to include a rotation of the city/town represented by the “lower-tier municipality” seat
5. That the term of the Co-Chair continue to be 12 months

6. In August 2015 the CLAC members voted that the DRAFT unapproved minutes could be submitted to the NPCA Board of Directors at their earliest meeting following a CLAC meeting as long as the members were given 2 weeks to review the draft minutes. This should be included in the Terms of Reference.

Based on the above noted suggested revisions, an amended CLAC Terms of Reference was drafted for the Boards consideration (see Appendix 1).

RELATED REPORTS AND APPENDICES:

1. Appendix 1: Draft Amended CLAC Terms of Reference for review and consideration
2. Appendix 2: Current CLAC Terms of Reference

Prepared by:


Kerry Royer
Community Outreach &
Volunteer Coordinator

Reviewed by:


David Barrick
Director, Corporate Services

Submitted by:


Peter Graham
Acting Chief Administrative Officer
Secretary Treasurer

NPCA **Community Liaison Advisory Committee (CLAC) Terms of Reference**

Committee Name:	Community Liaison Advisory Committee (CLAC)
Type:	Advisory
Date of Formation:	February 19, 2014
Staff Support:	Community Outreach & Volunteer Coordinator
Enabling Legislation:	Feb. 19, 2014 – Report # 06-2014 - To: NPCA Board
Amended Version:	February 15, 2017
Total No. of Members:	11 (Includes NPCA Chair)
Meeting Frequency:	Quarterly – as required
No. of Meetings Annually:	4 (+)
Budget:	\$2,500
Reporting Method:	Presented by staff to NPCA Board (written and oral)

1. TITLE:

The name of the Advisory Committee shall be “**The Community Liaison Advisory Committee**” or CLAC.

2. ACCOUNTABILITY AND MANDATE:

To provide collaborative local perspective, guidance and expert advice in the implementation of NPCA policies, plans and/or other issues as the Board may request. Members will serve in a non-governance capacity with a focus on providing advice and recommendations for consideration by NPCA Board.

3. TERMS OF APPOINTMENT:

Upon establishment of the Committee, members will be appointed to serve for a term of TWO (2) years. In order to maintain continuity, members having completed their initial first term will be invited to express their interest in continuing to serve for a second term. From amongst those who have expressed interest, CLAC shall propose four members to continue for an additional two year term and their names will be submitted to the NPCA Board for ratification.

The NPCA Chair shall function as Co-Chair and will serve until the end of his/her term.

4. RESOURCES & BUDGET

The budget will be allocated at \$2,500 to cover meeting expenses. Thereafter, the budget will be re-assessed on an annual basis.

The CLAC is primarily supported by the Community Outreach & Volunteer Coordinator, with the Community Engagement Manager providing general oversight.

5. REPORTING

Meeting Agendas will be prepared by the Community Outreach & Volunteer Coordinator in consultation with the Committee Co-Chairs. Minutes shall be recorded and circulated to members. DRAFT unapproved minutes may be submitted to the NPCA Board at their earliest meeting following CLAC as long as committee members are given 2 weeks to review the draft minutes. CLAC will report, via the CLAC Co-Chairs to the NPCA Board.

6. RESPONSIBILITIES:

- Act as Champions/Ambassadors for the NPCA
- CLAC will provide advice to the NPCA Board for consideration on policies, procedures and strategic direction for the purpose of managing NPCA watershed's natural resources towards achieving balanced environmental, community and economic needs.
- Advise on potential partnership opportunity.
- Provide a conduit to the local community.
- Identify barriers and opportunities in the community.
- Advise on opportunities to communicate information from the NPCA to local communities and partners.
- Advise on other issues as requested by the NPCA Board.

7. MEMBERSHIP:

CLAC shall consist of up to ELEVEN (11) members comprising multi-stakeholder representation including landowners, municipalities, business sectors, agriculture, development and the general public. The NPCA encourages diversity of age and gender on the Committee.

7.1 REPRESENTATIVE SEAT STRUCTURE:

The Advisory Committee shall consist of the following representation:

- THREE (3) members from the public-at-large (with at least one member that has technical knowledge related to the work of the NPCA).
- ONE (1) member representing property owners (e.g. Niagara Landowner's Association)
- ONE (1) member representing a Chamber of Commerce and/or Tourism Industry
- ONE (1) member representing agricultural sector (e.g. Ontario Federation of Agriculture)
- ONE (1) member representing the development sector
- ONE (1) member representing environmental clubs/groups
- ONE (1) member representing local municipalities (municipal staff to be rotated if possible every 2 years amongst local municipalities)
- ONE (1) member representing single/upper-tier municipalities (municipal staff to be rotated if possible every 2 years amongst funding municipalities)
- ONE (1) for the NPCA Board Chair (who also serves as a Co-Chair of CLAC)

7.2 Internal or external persons may be invited to attend the meetings at the request of the Co-Chairs, on behalf of the CLAC, to provide advice and assistance where necessary. These attendees will have no advisory privileges and may be requested to leave the meeting at any time by the Chairperson.

7.3 CLAC members may cease to be a member of the Committee if they:

- Resign from the Committee
- Fail to attend 3 consecutive meetings without providing reasons of significance to the Co-Chairs
- No longer objectively represent their respective sector
- Breach of Confidentiality
- Co-Chairs can recommend to the NPCA Board for a member to be removed if they are no longer meeting their responsibilities.
- Are on a planned rotating cycle (local and single/upper-tier municipal staff representation)

7.4 Decisions of the CLAC are considered as recommendations only and no formal voting process is required.

8. VACANT POSITIONS

Positions vacated by a CLAC member will be filled through a supplemental "Call for Expressions of Interest" to be conducted as required and the appointment will be valid only for the original term of office.

9. PRIVACY

The meetings of the CLAC are public; however, members should be aware that their names will be in the public realm and a list of membership may be provided when requested. Personal member information, other than name and resident municipality, will be kept confidential in accordance with Provincial legislation.

10. LEADERSHIP & ADVISORY COMMITTEE CO-CHAIRS

To provide leadership, the NPCA Board Chair will serve as Co-Chair of the CLAC. In addition a Co-Chair shall be elected by the CLAC to serve for a period of 12 months. Co-Chairs may serve for two (2) consecutive terms (with the exception of the NPCA Board Chair).

The Co-Chair responsibilities include:

- Building consensus
- Providing leadership and ensuring the fair and effective functioning of the Committee
- Scheduling meetings and notifying CLAC members
- Inviting special guests to attend meetings when required
- Guiding the meeting according to the agenda and time available
- Ensuring all discussion items end with a decision, action or definite outcome
- Review and approve the draft minutes before distribution

11. ROLES AND EXPECTATIONS OF MEMBERS

- Review meeting materials in advance of the meetings and arrive prepared to provide a broad perspective on the issues under consideration.
- Submit agenda items to the Co-Chairs and staff a minimum of two (2) weeks prior to the meeting date whenever possible.
- Make every effort to attend regularly scheduled meetings. If not available, notify the Co-Chairs and staff contact on inability to attend at least one day prior to the meeting date.
- Agree to describe, process and resolve issues in a professional and respectful manner.
- Provide constructive input to help identify future projects or strategic priorities for consideration.
- Serve in a regional capacity, representing all of the NPCA watershed in its entirety and to act in the highest and best interest of the NPCA as a whole.

12. ADMINISTRATION

Community Outreach & Volunteer Coordinator will provide Administrative services for the Advisory Committee, including preparation and distribution of Agendas, recording of meeting minutes/notes, reports and general information as required to CLAC. The Community Outreach & Volunteer Coordinator will coordinate reports on CLAC activities for inclusion in NPCA Board meeting agendas.

13. DURATION OF MEETINGS

Meetings will be approx. TWO (2) hours in duration. Exceptions may occur from time to time to deal with significant items.

14. APPLICATION PROCESS – CALLS FOR EXPRESSIONS OF INTEREST

- Potential applicants will be assessed and recommended for appointment based not only on if there is an available seat but also on their ability to meet the roles and expectations of a member (Section 11). Seats may remain vacant until candidates with the requisite background and skills can be identified.
- The Call of Expressions of Interest will be fully transparent and made public and published via NPCA website, social media venues and local print media.
- For committee recruitments, the CLAC will develop a Selection Sub-Committee comprised of no more than four participants to serve as the selection team for the recruitment and recommendation of members.
- The recommended candidates will be presented by the Selection Sub-Committee to the full Advisory Committee for ratification.
- Final recommendation of candidates will be presented to the NPCA Board for appointment.

15. AMENDMENTS

The Terms of Reference shall be reviewed bi-annually from the date of approval and may be amended to meet the ongoing needs of the NPCA, by agreement of the majority of Board members.

NPCA

Community Liaison Advisory Committee (CLAC) Terms of Reference

Committee Name:	Community Liaison Advisory Committee (CLAC)
Type:	Advisory
Date of Formation:	February 19, 2014
Staff Support:	Supervisor of Marketing and Community Relations
Enabling Legislation:	Feb. 19, 2014 – Report # #-2014 - To: NPCA Board
Total No. of Members:	11 (Includes NPCA Chair)
Meeting Frequency:	Quarterly – as required
No. of Meetings Annually:	4 (+)
Budget:	\$2,500
Reporting Method:	Presented by staff to NPCA Board (written and oral)

1. TITLE:

The name of the Advisory Committee shall be “**The Community Liaison Advisory Committee**” or CLAC.

2. ACCOUNTABILITY AND MANDATE:

To provide collaborative local perspective, guidance and expert advice in the implementation of the NPCA’s 2014-2017 Strategic Plan and/or other issues as the Board may request. Members will serve in a non-governance capacity with a focus on providing advice and recommendations for consideration by NPCA Board.

3. TERMS OF APPOINTMENT:

Upon establishment of the Committee, members will be appointed to serve for a term of TWO (2) years. In order to maintain continuity, members having completed their initial first term will be invited to express their interest in continuing to serve for a second term. From amongst those who have expressed interest, CLAC shall propose four members to continue for an additional two year term and their names will be submitted to the NPCA Board for ratification.

The NPCA Chair shall function as Co-Chair and will serve until the end of his/her term.

4. RESOURCES & BUDGET

The initial 2014 budget will be allocated at \$2,500 to cover meeting expenses. Thereafter, the budget will be re-assessed on an annual basis.

The CLAC is primarily supported by a Community Liaison Coordinator, with the Supervisor of Marketing and Community Relations providing general oversight.

5. REPORTING

Meeting Agendas will be prepared by the Community Liaison Coordinator in consultation with the Committee Co-Chairs. Minutes shall be recorded and circulated to members. CLAC will report, via the CLAC Co-Chairs to the NPCA Board.

6. RESPONSIBILITIES:

- Act as Champions/Ambassadors for the NPCA
- CLAC will provide advice to the NPCA Board for consideration on policies, procedures and strategic direction for the purpose of managing NPCA watershed's natural resources towards achieving balanced environmental, community and economic needs.
- Advise on potential partnership opportunity.
- Provide a conduit to the local community.
- Identify barriers and opportunities in the community.
- Advise on opportunities to communicate information from the NPCA to local communities and partners.
- Advise on other issues as requested by the NPCA Board.

7. MEMBERSHIP:

CLAC shall consist of up to ELEVEN (11) members comprising multi-stakeholder representation including landowners, municipalities, business sectors, agriculture, development and the general public.

7.1 REPRESENTATIVE SEAT STRUCTURE:

The Advisory Committee shall consist of the following representation:

- THREE (3) members from the public-at-large
- ONE (1) member representing property owners (i.e. Niagara Landowner's Association)
- ONE (1) member representing a Chamber of Commerce and/or Tourism Industry
- ONE (1) member representing agricultural sector (i.e. Ontario Federation of Agriculture)
- ONE (1) member representing the development sector
- ONE (1) member representing environmental clubs/groups
- ONE (1) member representing local municipalities (municipal staffer)
- ONE (1) member representing single/upper-tier municipalities (municipal staffer)
- ONE (1) for the NPCA Board Chair (who also serves as a Co-Chair of CLAC)

7.2 Internal or external persons may be invited to attend the meetings at the request of the Co-Chairs, on behalf of the CLAC, to provide advice and assistance where necessary. These attendees will have no advisory privileges and may be requested to leave the meeting at any time by the Chairperson.

7.3 CLAC members may cease to be a member of the Committee if they:

- Resign from the Committee
- Fail to attend 3 consecutive meetings without providing reasons of significance to the Co-Chairs
- No longer represent their respective sector
- Breach of Confidentiality

7.4 Decisions of the CLAC are considered as recommendations only and no formal voting process is required.

8. VACANT POSITIONS

Positions vacated by a CLAC member will be filled through a supplemental "Call for Expressions of Interest" to be conducted as required and the appointment will be valid only for the original term of office.

9. PRIVACY

The meetings of the CLAC are public. Members should be aware that their names will be in the public realm and a list of membership may be provided when requested. Personal member information, other than name and resident municipality, will be kept confidential in accordance with Provincial legislation.

10. LEADERSHIP & ADVISORY COMMITTEE CO-CHAIRS

To provide leadership, the NPCA Board Chair will serve as Co-Chair of the CLAC. In addition a Co-Chair shall be elected by the CLAC to serve for a period of 12 months. Co-Chairs may serve for two (2) consecutive terms (with the exception of the NPCA Board Chair).

The Co-Chair responsibilities include:

- Building consensus
- Providing leadership and ensuring the fair and effective functioning of the Committee
- Scheduling meetings and notifying CLAC members
- Inviting special guests to attend meetings when required
- Guiding the meeting according to the agenda and time available
- Ensuring all discussion items end with a decision, action or definite outcome
- Review and approve the draft minutes before distribution

11. ROLES AND EXPECTATIONS OF MEMBERS

- Review meeting materials in advance of the meetings and arrive prepared to provide a broad perspective on the issues under consideration.
- Submit agenda items to the Co-Chairs and staff a minimum of two (2) weeks prior to the meeting date whenever possible.
- Make every effort to attend regularly scheduled meetings. If not available, notify the Co-Chairs and staff contact on inability to attend at least one day prior to the meeting date.
- Agree to describe, process and resolve issues in a professional and respectful manner.
- Provide input to help identify future projects or strategic priorities for consideration.
- Serve in a regional capacity, representing all of the NPCA watershed in its entirety and to act in the highest and best interest of the NPCA as a whole.

12. ADMINISTRATION

Community Liaison Coordinator will provide Administrative services for the Advisory Committee , including preparation and distribution of Agendas, recording of meeting minutes/notes, reports and information as required to CLAC. The Community Liaison Coordinator will coordinate reports on CLAC activities for inclusion in NPCA Board meeting agendas.

13. DURATION OF MEETINGS

Meetings will be approx. TWO (2) hours in duration. Exceptions may occur from time to time to deal with significant items.

14. APPLICATION PROCESS – CALLS FOR EXPRESSIONS OF INTEREST

- Applicants will not be recommended for appointment solely based on the number of submissions taking the available representative seats. Seats may remain vacant until candidates with the requisite background and skills can be identified.
- The Call of Expressions of Interest will be fully transparent and made public and published via NPCA website, social media venues and local print media.
- For the inaugural Committee, the Supervisor of Marketing and Community Relations, in conjunction with the Chief Administrative Officer, will develop a short list of candidates from Expressions of Interest received. The short list, along with a separate list of all applicants, will be presented to the NPCA Board for ratification and appointment.
- For subsequent recruitments, the CLAC will develop a Selection Sub-Committee comprised of no more than four participants to serve as the selection team for the recruitment and recommendation of members.
- The recommended candidates will be presented by the Selection Sub-Committee to the full Advisory Committee for ratification.
- Final recommendation of candidates will be presented to the NPCA Board for appointment.

15. AMENDMENTS

The Terms of Reference shall be reviewed annually from the date of approval and may be amended to meet the ongoing needs of the NPCA, by agreement of the majority of Board members.

Report To: Board of Directors

Subject: Board Member Per Diem & Honorarium- Annual Report

Report No: 23-17

Date: February 15, 2017

RECOMMENDATION:

1. That Report No. 23-17 and related Appendices be **RECEIVED** for information.
2. That the 2017 honorarium and per diem rates **BE BASED** on the Consumer Price Index (CPI) for the watershed region.
3. That the NPCA Board of Directors **APPROVE** the 2017 honorarium and per diems at 1.75% increase over the previous year; and
4. That the 2017 honorarium and per diem rates **BE FORWARDED** to the Ontario Municipal Board (OMB) for approval.

PURPOSE:

To provide public disclosure of 2016 NPCA Board member & Source Water Protection Committee member remuneration. Further, to receive Board authorization in setting honorariums and per diems for Chair, Vice-Chair and Board of Directors as per section 9 of NPCA Regulation #1 "Governance and Administration Policies – Honorariums, Per Diems, Expenses and Mileage."

This report aligns with the 2014-2017 Strategic Plan under, 'Transparent Governance & Enhanced Accountability.'

DISCUSSION:

Under Section 37 of the Conservation Authorities Act, all Board member salaries, expenses or allowances of any kind require the approval of the OMB.

In 2015, the Board requested the OMB to approve subsequent annual increases to its Per Diem & Honorariums to be automatically adjusted based on CPI. This request was denied by the OMB, therefore, necessitating an annual request to mitigate potential larger increase requests between longer intervals of time.

The 2016 CPI rate of increase (1.75%) was submitted to the OMB in January 2016 and February 6, 2017 (Appendix 3), the OMB rendered its decision to approve the request. The approved increase will be paid in 2017 retroactive to January 1, 2016.

2016 honorariums and per diems for the Chair/Vice-Chair/Members, and the proposed 2017 rate, are as follows:

	2016	Proposed 2017	1.75% Differential
Chair	\$6,663.08	\$6779.68	+\$116.60
Vice-Chair	\$1,299.66	\$1322.40	+\$22.74
Members Per Diem	\$73.58	\$74.87	+\$1.29

The current mileage rate is \$.50 per kilometer with no suggested changes.

All Board Members expenses are documented via a monthly tracking sheet coordinated by the Administrative Assistant and approved by the NPCA Chair.

Previously, the NPCA disclosed Board remuneration information directly to funding municipalities. This report signifies a new direction to openly report remuneration for all Board members and Source Water Protection Committee members directly to the public.

FINANCIAL IMPLICATIONS:

Board remuneration is budgeted for on an annual basis and the proposed honorarium/per diem rate can be absorbed in the approved 2017 Operating budget.

RELATED REPORTS AND APPENDICES:

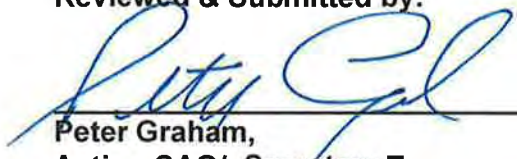
- Appendix 1:* 2016 Board Member Remuneration
- Appendix 2:* 2016 Source Water Protection Committee Member Remuneration
- Appendix 3:* OMB Decision dated Feb. 6, 2017 regarding 2016 NPCA Board Remuneration

Prepared by:



David Barrick
Director of Corporate Services

Reviewed & Submitted by:



Peter Graham,
Acting CAO/ Secretary Treasurer

This report was prepared in consultation with John Wallace, Manager of Finance and Lisa Conte, Administrative Assistant, Office of the CAO & Board of Directors.

**NIAGARA PENINSULA CONSERVATION AUTHORITY
2016 Member Remuneration**

REGION	Member	Meetings & Events Attended	Chair/Vice Chair Honourarium	Retroactive Honourarium	Per Diems	Retroactive Per Diem	Mileage	Expenses	Total	CPP	EHT
Niagara, Fort Erie	Sandy Annunziata	46	1,277.32	18.88	3,326.26	27.82	2,504.50	1,307.44	8,462.22	230.19	90.69
Niagara, Pelham	Brian Baty	20	0.00	0.00	1,446.20	19.26	396.50	0.00	1,861.96	0.00	28.58
City of Hamilton	Stewart Beattie	60	0.00	0.00	4,338.60	54.57	2,801.00	1,299.12	8,493.29	0.00	85.66
Niagara, Welland	Frank Campion	11	0.00	0.00	795.41	11.77	339.00	424.79	1,570.97	39.96	15.74
Niagara, Niagara-on-the-Lake	Patrick Darte	7	0.00	0.00	506.17	13.91	184.80	0.00	704.88	25.75	10.14
Niagara, Thorold	Dominic DiFruscio	28	0.00	0.00	2,024.68	27.82	671.00	0.00	2,723.50	0.00	40.02
Niagara, Niagara Falls	Jim Diodati	16	0.00	0.00	1,156.96	17.12	452.00	0.00	1,626.08	58.12	22.89
Niagara, Lincoln	Bill Hodgson	20	0.00	0.00	1,446.20	18.19	607.00	186.45	2,257.84	72.49	28.55
Niagara, Wainfleet	April Jeffs	15	0.00	0.00	1,084.65	12.84	486.40	0.00	1,583.89	54.33	21.40
Niagara, West Lincoln	Douglas Joyner	21	0.00	0.00	1,518.51	18.19	549.00	0.00	2,085.70	76.08	29.96
City of Hamilton	James Kaspersetz	33	0.00	0.00	2,386.23	21.40	1,016.50	1,321.73	4,745.86	119.17	46.95
Niagara, Port Colborne	Beatrice Kenny	6			433.86		102.00		535.86	0.00	8.46
Niagara, Port Colborne	John Maloney	14	0.00	0.00	1,012.34	24.61	488.00	0.00	1,524.95	0.00	20.22
Niagara, Grimsby	Tony Quirk	44	0.00	0.00	3,181.64	31.03	1,537.00	318.35	5,068.02	159.02	62.65
Haldimand-Norfolk	Rob Shirton	14	0.00	0.00	1,012.34	10.70	420.00	0.00	1,443.04	43.49	17.13
Niagara, St. Catharines	Bruce Timms	74	6,548.48	96.78	5,350.94	70.62	3,592.00	783.87	16,442.69	597.30	235.30
(\$72.31 per meeting)		429	7,825.80	115.66	31,020.99	379.85	16,146.70	5,641.75	61,130.75	1,475.90	764.34

**NIAGARA PENINSULA CONSERVATION AUTHORITY
SOURCE PROTECTION COMMITTEE
2016 Member Remuneration**

Member	Per Diems	Mileage	Total	CPP	EHT
Robert Bator	200.00	40.00	240.00	9.90	3.90
Maria Bellantino-Perco	200.00	6.00	206.00	9.90	3.90
Anthony D'Alimonte	200.00	90.00	290.00	9.90	3.90
Drew Semple	200.00	19.00	219.00	9.90	3.90
Adrin Willems	<u>200.00</u>	<u>21.00</u>	<u>221.00</u>	<u>9.90</u>	<u>3.90</u>
	<u>1,000.00</u>	<u>176.00</u>	<u>1,176.00</u>	<u>49.50</u>	<u>19.50</u>
(\$200.00 per meeting)					

Ontario Municipal Board
Commission des affaires municipales
de l'Ontario



ISSUE DATE: February 6, 2017

CASE NO.: FI160002

PROCEEDING COMMENCED UNDER subsection 37 of the *Conservation Authorities Act*, R.S.O. 1990, c. C.27, as amended

Applicant: Niagara Peninsula Conservation Authority
Subject: Order for an increase in salary, expenses or allowances for members of the authority
OMB Case No.: FI160002
OMB File No.: FI160002
OMB Case Name: Niagara Peninsula Conservation Authority (Re)

BEFORE:

B. W. KRUSHELNICKI) Monday, the 6th
CHAIR)
) day of February, 2017

THE BOARD having received a request from the Niagara Peninsula Conservation Authority to approve an increase of 1.75% to the honourariums and per diems paid to the Chair, Vice-Chair and to members, effective January 1, 2016;

THE BOARD ORDERS an increase to the honourarium paid to the Chair, effective January 1, 2016, from \$6,548.49 per annum to \$6,663.08 per annum, an increase to the honourarium paid to the Vice-Chair, effective January 1, 2016, from \$1,277.31 per annum to \$1,299.66 per annum, and an increase to the per diems paid to members attending meetings, standing committees and honourariums, effective January 1, 2016, from \$72.31 per meeting to \$73.58 per meeting.

A handwritten signature in black ink, appearing to read "Ma Hurwicks". The signature is fluid and cursive, with the first name "Ma" being more prominent.

SECRETARY

If there is an attachment referred to in this document,
please visit www.elto.gov.on.ca to view the attachment in PDF format.

Ontario Municipal Board

A constituent tribunal of Environment and Land Tribunals Ontario
Website: www.elto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

Report To: Board of Directors

Subject: Long Beach Conservation Area – Potable Water Supply

Report No: 24-17

Date: February 15, 2017

RECOMMENDATION:

1. That Report No. 24-17 be received for information.
2. That the NPCA Board of Directors AUTHORIZE staff to purchase a new 2017 International Workstar Automatic DZ Truck, from Archer Trucking (Welland) for hauling potable water to Long Beach Conservation Area during the Operating Season, with the monies coming from the Vehicle and Equipment Reserve accounts.

PURPOSE:

To seek Board approval for the purchase of a new water truck. As per NPCA policy, Board approval is required for all purchases in excess of \$75,000.

DISCUSSION:

At the May 18th, 2016 Board Meeting, staff brought forward Report # 60-16, entitled "Long Beach Conservation Area Water Treatment System". (Appendix 1). The Report documented concerns about the water treatment system at Long Beach Conservation Area, due to mechanical and biological issues which could negatively affect water quality at the campground. At that time, the Board directed staff to lease a water truck and start trucking in water to Long Beach, while assessing the potential benefit of purchasing a water truck.

Staff explored a wide range of new and used truck options with alternative purchasing and finance options. Ultimately, a Request for Quotation was issued to 13 separate large truck dealers, from across Ontario. A summary of the purchase and finance options was presented to the Board at the November 17, 2016 meeting (Appendix 2).

At that time staff recommended the purchase of a new 2017 International Workstar DZ truck, with automatic transmission, at a cost of \$99,543 + HST (\$112,483.59), from Archer Trucking, in Welland (Option 8 in the November Board report). It was recommended that \$80,000 come from the approved 2016 Operating Budget, with the remainder to be taken from the Vehicle and Equipment Reserve accounts.

At the November 17, 2016 Board meeting, Board members requested additional information, summarized as follows:

- 1) What is the possibility of tendering out the supply of water to private water-hauling vendors?
- 2) Would it be possible to drill a well at Long Beach and create a sufficient supply of water?
- 3) Would it be possible to adequately upgrade the existing water treatment system at Long Beach, and at what cost?

With respect to issuing a tender for water-hauling services, NPCA staff contacted eight (8) local water-hauling contractors, two of which were from Haldimand County (Dunnville). Five (5) contractors responded, one of which was from Haldimand County. Their feedback is summarized in the chart below:

Contractor	Price Per Load	Accept Contract?	Price with Contract?
A	\$120	Not Interested	N/A
B	\$120	Not Interested	N/A
C	\$150	Not Interested	N/A
D	\$130	Not Interested	N/A
E	No Quote	N/A	N/A
F	No Response		
G	No Response		
H	No Response		

Based on the above data, local contractors are quoting \$10 to \$20 higher per load (based on 2,600-3,000 US Gallons per load) for 2017 compared to what NPCA paid per load in 2016. Meanwhile, the actual price per load at Regional water filling stations is still the same. Of the contractors who responded, none of them expressed interest in being the exclusive water-hauler for Long Beach.

Can a well be drilled at Long Beach? The short answer is yes. The benefit of doing so when compared to drawing water from the Lake, as has been past practice at Long Beach, is that it eliminates the concern about treating algae.

However, there are a number of challenges that need to be taken into account:

- 1.) **Recharge/ Recovery Rates:** Staff looked at 13 well records, from the Ontario Well Records database (www.Ontario.ca), within a kilometer of the park. These well recovery/ recharge rates ranged from 10 GPM to 33 GPM. Staff calculated the average well recovery/ recharge rate to be 17 GPM. Even with a couple of retention tanks, the park has 19 sinks, 3 urinals, 24 toilets, 11 showers, and 170 campsites that have water hook-ups to camper's trailers. This is just the current capacity. There are plans for more campsites to be developed. Water consumption is typically lower during the week, but on weekends (starting on Friday) and long weekends, the consumption/ usage of water increases 5 or 6 times. It is the view of staff that the ideal Recharge/ Recovery Rate, during the Operating Season, would need to be a minimum of 30 to 40 GPM.

- 2.) **Drought Conditions:** With the hot summer days and months, such as occurred in 2016, water levels in Niagara had diminished and it had been noted that recharge/ recovery time on wells had lagged behind their regular recharge/ recover times.
- 3.) **Water Quality Issues (Wainfleet Area):** Water quality and contamination issues have been noted over the last number of years within the Township of Wainfleet. These issues have led the Township to issue Boil Water Advisories, as required.
- 4.) **Cost:** The existing water treatment is at or nearing the end of its lifecycle. The cost of drilling a new well or wells and building a new water treatment system, is projected to cost between \$100,000 and \$250,000.
- 5.) **Still need to Truck Water:** The further concern with this option is the need to still truck water in, perhaps as much as 70%.

Finally, the option to upgrade the existing water treatment system to the point of self-sufficiency, including the treatment of large volumes of algae, would likely require that we upgrade to a Class 1 Municipal Water Treatment Plant. Preliminary estimates suggest that the cost of building such a plant would start at \$400,000. Certification training, operating and maintenance costs would be significantly higher.

In discussing these issues, it must be kept in mind that a reliable source of safe, potable water is essential to park operations and revenue. Conservation Authorities across Ontario are increasingly relying upon municipal water.

The following table provides a summary of the estimated costs and risks associated with each option:

Option	Costs Initial Investment	Costs Annual Operating and Maintenance	Risks
1. Purchase New Water Truck	\$99,543 + HST	23,000	Minimal
2. Contract with Private Water-Hauler	0	44,000	Minimal
3. Drill 2 Wells + related upgrades	\$100,000-\$150,000	40,000	Inadequate re-charge rate; dry weather, water quality
4. Self-sufficient Water Treatment Plant	\$400,000+	60,000	Long-term financial commitment

Notes:

Option 1: This vehicle is projected to be in service for 15-20 years. The operating and maintenance costs include the cost of water and all vehicle-related costs, including gas and insurance.

Option 2: The cost of water is based on a price of \$110/load (as in 2016). This cost is expected to rise over time.

Option 3: This is a hybrid option. Risks center around the reliability and quality of water. It is projected that up to 70% of water would need to be trucked in, in any given year.

Option 4: Would require a part-time Water Treatment Operator be hired.

FINANCIAL IMPLICATIONS:

The purchase of a new 2017 International Workstar DZ truck, with automatic transmission, will cost \$99,543 + HST (\$112,483.59) as per Option 8 in the November Board report. It was recommended that \$80,000 come from the approved 2016 Operating Budget, with the remainder to be taken from the Vehicle and Equipment Reserve accounts.

RELATED REPORTS AND APPENDICES:

1. Board Report 60-16, Long Beach Conservation Area Water Treatment System
2. Board Report 119-16 Long Beach Conservation Area – Water Truck Purchase

Prepared by:



Mark Brickell
Director of Operations & Strategic Initiatives

Submitted by:



Peter Graham, P.Eng. MBA
Acting CAO / Secretary Treasurer

Report To: Board of Directors

Subject: Long Beach Conservation Area Water Treatment System

Report No: 60-16

Date: May 18, 2016

RECOMMENDATION:

That Report No. 60-16 be received; and,
That the NPCA Board of Directors direct staff to start trucking in potable water to Long Beach Conservation Area in light of the mechanical and biological issues related directly to the safe treatment and distribution of potable water to its campground patrons.

PURPOSE:

NPCA Staff is seeking direction from the NPCA Board of Directors to start trucking in water to Long Beach Conservation Area due to mechanical and biological water treatment and distribution issues with the existing Water Treatment Plant. The existing budget is not sufficient.

BACKGROUND:

The original water treatment and distribution design (by ASI in 2005) was for a Class 1 Water Treatment System, however the regulations have changed and the water treatment plant is now required to run under the new Regulation 319/08, Seasonal Small Drinking Water System.

Long Beach Conservation Area currently treats and distributes its own potable water to the campground up until approximately the first week in August. The annual Algae Bloom hits Lake Erie at that point and staff is required to truck in water for the remainder of the season, approximately 10 weeks. The existing system cannot treat Algae. Algae is very difficult to treat, even at Municipal Systems. The current operating budget for 2016 is \$7500, which has been sufficient in past years to pay for disposable operational items (i.e. UV Bulbs, various filters, etc.) plus to truck water in for the remaining 10 weeks of the season.

Upon commissioning of the water treatment plant this year, staff found that a number of key components/instruments (e.g. Turbidity Meter, Chlorine Probe Sensor, all new UV Bulbs and Sleeves, and several cases of filters.) needed to be replaced, at a cost of \$12,520.

In addition to the upfront costs of upgrading these items, the Public Health Department and Environment Canada are predicting an earlier than normal, Algae Bloom. It is suggested it may hit as early as June. The temperatures in Lake Erie are already above normal and algae are already hitting Lake Erie beaches, including the beach at Long Beach Conservation Area. This means that we will have to start trucking in water 6 to 7 weeks earlier than normal.

DISCUSSION:

In order to provide safe drinking water to Long Beach Conservation Area, the NPCA will be required to:

Option A: Repair/ replace the existing water system, at a cost of \$12,520 and then still pay to truck in water once the Algae Bloom hits, likely in June.

Option B: Truck water in for the entire season and plan for upgrades in the 2017 Capital Budget. A load of water from a 3rd party contractor is approximately \$110 per load of water.

Option C: Purchase or Lease a water truck and truck water into the park for the entire season. A load of water trucked by staff would be approximately \$70 per load.

A load of water costs the NPCA approximately \$110. If the NPCA were to truck its own water in, it would be approximately \$70 a load (includes Thomas Solutions Lease, fuel, and general truck maintenance.)

In June, September, and the first couple of weeks of October, the park averages 1.5 loads of water a day. In July and August, the park uses an average of 3 loads of water a day. A load of water is 2600 US gallons and the park has a 10,000 US gallon holding tank.

All water is currently trucked into Chippawa Creek and increasingly this is becoming the norm at campgrounds across Ontario.

The preferred staff option is Option C. Should Option C be approved, staff would recommend leasing a water truck from Thomas Solutions for the 2016 season, while assessing the potential benefit of purchasing a water truck for Long Beach CA.

FINANCIAL IMPLICATIONS:

With Option A, the NPCA will pay out \$12,520 on the outset and then pay an additional \$27,975 in loads of water. The total would be \$40,495.

With Option B, the NPCA will not pay out the upfront costs, but only pay \$35,475 for having water trucked in.

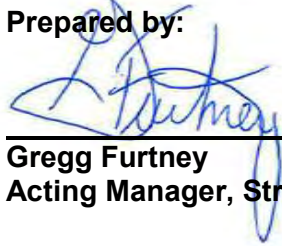
With Option C, the NPCA will not pay out the upfront costs, but only pay \$22,575 for trucking in water itself.

The existing operating budget is \$7500. All options far exceed the current budget, however, current revenue projections will serve to mitigate the financial impact.

RELATED REPORTS AND APPENDICES:

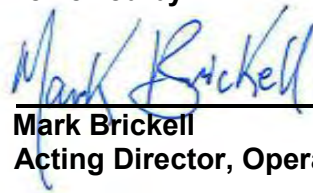
None

Prepared by:



Gregg Furtney
Acting Manager, Strategic Initiatives

Reviewed by:



Mark Brickell
Acting Director, Operations

Submitted by:



Carmen D'Angelo
Chief Administrative Officer/Secretary Treasurer

Report To: Board of Directors

Subject: Long Beach Conservation Area – Water Truck Purchase or Finance

Report No: 119-16

Date: November 16, 2016

RECOMMENDATION:

1. THAT Report No. 119-16 be RECEIVED for information,
2. THAT the NPCA Board of Directors AUTHORIZE staff to purchase a new 2017 International Workstar Automatic DZ Truck, from Archer Trucking (Welland) for hauling potable water to Long Beach Conservation Area during the Operating Season, as per Option 8, with the monies coming from the Vehicle and Equipment Reserve accounts.

PURPOSE:

To seek Board approval for the purchase of a new water truck. Board approval is required for all purchases in excess of \$75,000.

DISCUSSION:

At the May 18th, 2016 Board Meeting, staff brought forward Report # 60-16, entitled “Long Beach Conservation Area Water Treatment System”. (Appendix 1). The Report documented concerns about the water treatment system at Long Beach Conservation Area, due to mechanical and biological issues which could negatively affect water quality at the campground. At that time, the Board directed staff to lease a water truck and start trucking in water to Long Beach, while assessing the potential benefit of purchasing a water truck.

Staff explored options a wide range of new and used truck options with alternative purchasing and finance options.

Ultimately, a Request for Quotation was issued on Friday September 9th, 2016, via email, to 13 separate Large Truck Dealers across Ontario. RFQs were due by 1pm on Friday September 23rd, 2016. Four submissions were received, 1 from Thomas Solutions and 3 from Archer’s Trucking in Welland.

- 1.) Thomas Solutions: 2017 4300 International 4X2, New Truck, leased to own over 10 years with a \$500 buy-out at the end of the term. With no money down, the monthly cost would be \$1,985. This truck is a Multiuse Roll-off Truck and is Automatic. It includes a 18 foot landscape deck, 20 foot Flat Deck, and an 18 foot Deck with HD Elliptical 2,635 US Gallon Tank. The purchase price is \$153,397.64 + HST.

- 2.) Archer's Trucking (Welland): 2015 Used International Workstar - \$89,148.08 + HST
- 3.) Archer's Trucking (Welland): 2017 New International Workstar - \$94,345.00 + HST
- 4.) Archer's Trucking (Welland): 2017 New International Workstar (Automatic) - \$99,543.00 + HST

Financing is available through Navistar Financing, in relation specifically to the Archer's Trucking RFQs. The NPCA could offer a down payment to any of the above RFQs to bring the monthly costs down, from the current 2016 Operations Budget.

Navistar is offering two Finance Options:

- 1.) Down Payment with a 72 month Quasi-Lease at 4.9% financing with a \$1 buy-out, OR
- 2.) Down Payment with a Conditional Sale Contract, 72 months at 4.9% with a \$1 buy-out.

Thomas Solutions offers a 7 or 10 year lease to own contract.

Monthly payments would be based on the amount of a down payment authorized by the Board of Directors in consultation with the Senior Management Team.

There is currently \$80,000 in the 2016 authorized vehicle and equipment reserve budgets. There is an additional \$270,000 in the overall vehicle and equipment reserve. Spending these dollars would require Board approval to access the additional \$32,484 necessary to make this purchase, in full.

FINANCIAL IMPLICATIONS:

- Option 1: Thomas Solutions New Automatic Transmission Multiuse DZ Truck, Lease to Own, no money down. This includes manufacture warranties, but no maintenance package. The lease can be either a Seven (7) or Ten (10) year lease.
- Option 2: Purchase the above truck from Thomas Solutions in full - \$153,397.64 + HST
- Option 3: Archer Trucking, Used 2015 International Workstar, Quasi-Lease, 72 Months, no money down, 4.9% Financing, \$1 backend buyout. OR Conditional Sales Contract, 72 Months, no money down, 4.9% Financing, \$1 backend buyout
- Option 4: Purchase the above truck from Archer Trucking in full - \$89,148.08 + HST
- Option 5: Archer Trucking, New 2017 International Workstar (10 Speed Transmission), Quasi-Lease, 72 Months, no money down, 4.9% Financing, \$1 backend buyout. OR Conditional Sales Contract, 72 Months, no money down, 4.9% Financing, \$1 backend buyout
- Option 6: Purchase the above truck from Archer in full - \$94,345.00 + HST
- Option 7: Archer Trucking, New 2017 International Workstar (Automatic Transmission), Quasi-Lease, 72 Months, no money down, 4.9% Financing, \$1 backend buyout. OR Conditional Sales Contract, 72 Months, no money down, 4.9% Financing, \$1 backend buyout

Option 8: Purchase the above truck from Archer in full - \$99,543.00 + HST (**\$112,483.59**)

** The above pricing is with no money down. In order to calculate what the monthly fees would be, with financing, staff will need to know what Down Payment the Board of Directors and the Senior Management Team is willing to give.

RELATED REPORTS AND APPENDICES:

1. Board Report 60-16, Long Beach Conservation Area Water Treatment System

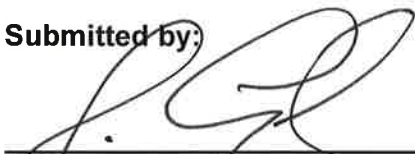
Prepared by:



Mark Brickell

Director of Operations & Strategic Initiatives

Submitted by:



Peter Graham, P.Eng.

Acting CAO / Secretary Treasurer

Report To: Board of Directors

Subject: DRAFT Communications and Media Policy

Report No: 25-17

Date: February 15, 2017

RECOMMENDATION:

1. That Report No. 25-17 be **RECEIVED** for information.
2. That the NPCA Board **APPROVE** the DRAFT Communications and Media Policy (App. 1).

PURPOSE:

For the Board to consider formalizing a Communications Policy. This report aligns with the 2014-2017 Strategic Plan under, 'Effective Communication with Stakeholders & Public.'

BACKGROUND:

The 2014-17 Strategic Plan highlights the importance of ensuring consistency of messaging and priorities through conceptual marketing and communications materials. The Communications and Media Policy was created to ensure that messaging to the public regarding all issues of importance to the NPCA are consistent and align with the Mission, Vision and Values of the Strategic Plan. This DRAFT policy would replace any existing internal protocols.

DISCUSSION:

The NPCA is an open and accountable organization, which values the role of media and public relations in communicating issues to the public. The NPCA is committed to developing and maintaining effective relationships with the media to promote awareness of NPCA programs and services, along with the pivotal role the NPCA plays in the health of the watershed.

The Board may choose to amend this policy, as the policy includes procedures for Board Members regarding commenting on NPCA business matters.

FINANCIAL IMPLICATIONS:

None

RELATED REPORTS AND APPENDICES:

Appendix 1: DRAFT Communications and Media Policy

Prepared by:



Michael Reles
Communications Specialist

Reviewed by:



David Barrick
Director of Corporate Services

Submitted by:



Peter Graham
Acting Chief Administrative Officer
Secretary Treasurer

CORPORATE ADMINISTRATIVE POLICY MANUAL

SECTION	NAME OF POLICY
GENERAL ADMINISTRATION	COMMUNICATIONS & MEDIA POLICY

DEVELOPED BY: Communications Specialist

APPROVED BY: Board of Directors

DATE: February 15, 2017

EFFECTIVE DATE: February 15, 2017

LATEST REVISION: February 6, 2017

INTRODUCTION

As a leader in open governance, transparency, and accountability, the Niagara Peninsula Conservation Authority (NPCA) acknowledges the value that mainstream and social media play to communicate information to the public.

Effective media and public relations are important to the NPCA. We are committed to fostering and maintaining positive working relationships with media bodies within the NPCA area of jurisdiction to promote public awareness and understanding of policies, programs, and initiatives.

PURPOSE

The goal of this policy is to ensure professionalism and consistency in how the NPCA communicates to media and the public. This policy also includes specific procedures for the effective delivery of media relations services.

To provide general principles and protocol when dealing with accredited media on behalf of NPCA, and communicating through social media to the public.

To ensure media inquiries are responded to on time, accurately and by the most appropriate spokesperson.

To ensure public and media relations are conducted in a proactive manner, providing residents and visitors to the watershed with timely, accurate and newsworthy information about programs, services, and issues of public safety.

SCOPE

This Policy applies to all staff of the NPCA, and members of the Board of Directors when communicating with media or in social media on matters related to the NPCA.

POLICY STATEMENT

Building and sustaining strong relationships with the media and public is a top priority for the NPCA. Accredited media is an effective vehicle for communicating information about the organization and its

CORPORATE ADMINISTRATIVE POLICY MANUAL

SECTION	NAME OF POLICY
GENERAL ADMINISTRATION	COMMUNICATIONS & MEDIA POLICY

goals, to the public and to foster positive public perception.

The NPCA acknowledges the importance of engaging the community through various means. Participation in social media provides many benefits such as maintaining open dialogue, sharing of information and an accessible forum for two-way communication. The intention of this Policy is to establish a culture of openness, trust, and integrity in social media. Employees and Board Members shall participate in a responsible and professional manner. Unless specific written approval from the Communications Specialist has been granted, staff may not participate in social media on behalf of the NPCA or utilize their personal accounts to discuss, or respond to NPCA matters.

INTEGRATION

All staff should be aware that some of our functions may have an impact on residents and the community and as such may be newsworthy. Newsworthy items include:

- good news and exciting initiatives
- a public event, product or program announcement, and public events conducted by a third-party at an NPCA property or facility;
- business successes;
- crisis or emergency issues;
- community or public meetings or any community consultation;
- staff presentations and responses to the Board of Directors; and
- visits or meetings with other levels of government.

Definition of Media:

The NPCA defines media as any print, radio, television or online media outlet. This includes national, regional, local, neighbourhood, community and ethnic media outlets. Online media refers to websites that publish news, investigative reports, analysis, commentary, events and/or general information. The NPCA Communications Specialist reserves the right to refuse access to any media outlet that does not have professional accreditation or is a member of a recognized oversight body.

PROCEDURE

- 1) The media spokesperson is an NPCA employee who is the primary contact with the media, who is fully briefed and authorized to speak to the media on behalf of the NPCA.

The Chair shall be the NPCA spokesperson, particularly on issues of a political nature, on major initiatives, or issues that have an NPCA-wide impact. In his/her place, the spokesperson is the Vice-Chair.

The Chief Administrative Officer shall be the spokesperson on major staff or administrative/operational issues or initiatives.

Directors/Supervisors shall be spokespeople on issues or programs for which they are

CORPORATE ADMINISTRATIVE POLICY MANUAL

SECTION	NAME OF POLICY
GENERAL ADMINISTRATION	COMMUNICATIONS & MEDIA POLICY

considered to be the experts, subject to the approval of the Communications Specialist and CAO.

All other staff shall be the spokesperson(s) on issues that they are acknowledged content experts subject to the approval of the Communications Specialist, or CAO. The scope of media involvement is limited to specific areas of expertise only.

Other Board Members shall be spokespersons for the NPCA as assigned by the Chair, or in his/her absence, the Vice-Chair.

The assignment of official spokesperson(s) to comment on behalf of the NPCA shall be made in consultation with the NPCA Communications Specialist in all cases. Furthermore, comments provided by all staff and Board Members must be reasonable, and at all times, refrain from disparaging statements towards Board Members, staff, and the organization.

All requests for comments or opinions by media or the public regarding the legislative mandate of the NPCA shall, without exception, be referred to the Communications Specialist.

- 2) Without exception, media requests for political comments shall be referred to the NPCA Communications Specialist and assigned appropriately.
- 3) Staff shall communicate any situation, occurrence, or knowledge that has come to their attention which could reasonably affect the reputation of the NPCA to the appropriate Supervisor or Director. The Supervisor or Director will notify the Communications Specialist and CAO.
- 4) All NPCA employees and Board Members shall refrain from commenting on any NPCA matter that is in-camera, is the subject of litigation, or that is personal or confidential as defined in the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).
- 5) Communications staff shall be notified immediately of any and all media inquiries.
- 6) NPCA staff are to notify Communications staff for any plans to develop and distribute documents which are intended for the broader public.

Any media product that is written in collaboration with a community partner or government body and that refers to the NPCA, must have NPCA information on it, including logo and contact information.

On occasion, community partners do not have the resources or capacity to issue a media product. The distribution and assistance in development of the media product are at the discretion of the Communications Specialist.

CORPORATE ADMINISTRATIVE POLICY MANUAL

SECTION	NAME OF POLICY
GENERAL ADMINISTRATION	COMMUNICATIONS & MEDIA POLICY

- 7) After-hours media calls are to be directed to the appropriate NPCA Communications staff. For after-hours contact information, visit: <https://npca.ca/after-hours-contacts>
- 8) Whenever a member of staff initiates a media release, for whatever purpose, a copy must be sent - before it is released - to the Department Head, and the NPCA Communications Specialist. It will be reviewed and then distributed by the NPCA Communications Specialist. Communications staff shall forward media releases, public meeting notices, all releases and advisories to the following:
 - All members of the NPCA Board of Directors
 - All NPCA staff members
 - News releases posted to the NPCA website by a communications staff member

PERSONAL USE OF SOCIAL MEDIA

The NPCA recognizes that employees and Board Members participate in social media in their personal lives. If either were to discuss matters related to the NPCA, employees and Board Members will clearly note they are representing their personal views and not the views of the NPCA. To be clear, disparaging statements towards Board Members, staff, and the organization are considered a breach of policy.

BREACH OF POLICY

A breach of this policy by an employee is a serious matter and may result in disciplinary action up to and including termination of employment.

The determination of a breach of this policy by a Board Member will be made by the Chair (or Vice-Chair in absence) of the Board of Directors. In this case, the Chair will choose a course of action consistent with, but not limited to, a vote of the Board of Directors to censure, suspend, or direct the Communications Specialist to issue an apology/retraction on the member's behalf.

Report To: Board of Directors

Subject: CAO Recruitment

Report No: 26-17

Date: February 15, 2017

RECOMMENDATION:

1. That Report No. 26-17 be **RECEIVED** for information.
2. That the NPCA Board **APPROVE** the Job Description and Posting for the role of CAO (Appendix 1 & 2).
3. That the NPCA Board **APPROVE** the Sourcing Plan for the recruitment of the CAO role as outlined in this report.

PURPOSE:

To provide the Board with an update on the CAO recruitment and to seek approval on next steps.

BACKGROUND:

On January 18, 2017, the Board approved Report 13-17 adopting the Terms of Reference for the CAO Selection Committee as well approving membership for the CAO Selection Committee.

The CAO Selection Committee met January 25, 2017 to review the Job Description, Job Posting and Sourcing Strategy for CAO selection.

DISCUSSION:

The CAO Selection Committee puts forth the attached documents; Appendix 1 (CAO Job Description) and Appendix 2 (CAO Job Posting) for approval.

Considering cost, exposure and relevant/related sources to minimum qualifications, the sourcing plan recommendation is:

SOURCE	COST
Conservation Ontario	\$0.00
Municipal World	\$399.00
Association of Municipalities Ontario (AMO)	\$360.00
Indeed	\$0.00
Civic Jobs	\$150.00
Work Cabin	\$65.00
NPCA Website	\$0.00
NPCA Social Media sites	\$0.00
NPCA Internal Email Distribution	\$0.00
TOTAL COST	\$974.00

Timeline

ACTIVITY	DATE
Board to Ratify Job Description and Posting	February 15, 2017
Position Posted Internally & Externally	February 16, 2017 – March 16, 2017 (4 wks)
Verbal Status Update provided in-camera at Board Meeting	March 29, 2017
Initial Resume Pre-Screening by HR based on Minimum Qualifications	
Scoring Matrix to CAO Selection Committee	March 31, 2017
CAO Selection Committee to Review Resumes & Short List Candidates	April 5, 2017
Interviews to be conducted by CAO Selection Committee	April 2017
Committee to present 3 candidates to the NPCA full board for approval of a preferred candidate	May 2017

** Timeline is subject to change based on circumstances that may arise*

FINANCIAL IMPLICATIONS:

Total Cost of approximately \$1000 for distribution of the job posting to be accounted for within approved 2017 operating budget, specifically under Recruitment expenses.

RELATED REPORTS AND APPENDICES:

1. Appendix 1: CAO Job Description
2. Appendix 2: CAO Job Posting

Prepared by:



Misti Ferrusi, CHRL
Human Resources Generalist

Reviewed & Submitted by:



David Barrick
Director, Corporate Services

Niagara Peninsula Conservation Authority

Chief Administrative Officer/Secretary-Treasurer

Job Description

Job Level.....Grade 11

DivisionOffice of the CAO

Reports ToNPCA Board of Directors

Job Summary

The Chief Administrative Officer (CAO) provides overall effective leadership to a high performing, multi-disciplinary team as well as support and advice to the Board of Directors. The CAO is responsible for the performance of the organization, the success of its operations and the achievement of the NPCA's strategic mission and vision. The role oversees operations through the Senior Management Team, providing them leadership, direction and cohesiveness to ensure that the NPCA achieves its watershed management goals and objectives.

Key Responsibilities

The table below details the key responsibilities of the job and the approximate percentage of time spent on each responsibility on an annual basis. These responsibilities represent the major areas of work performed.

	Key Responsibility	% of Time
1	<u>Advisor to the NPCA Board of Directors</u> <ul style="list-style-type: none"> • Provide guidance, advice, recommendations and reports to the Board of Directors to ensure Board decisions are based on accurate and timely information. • Translate NPCA Board direction into responsive and effective policies and procedures for approval by the Board, and in turn, oversee the general management in the implementation of the approved policies and procedures. • Support advisory boards as determined by the NPCA Board. • Responsible for final approval of all reports submitted to the NPCA Board. • Establish and sustain key long-term relationships with the Board of Directors, government agencies and stakeholders. • Be familiar with all aspects of the NPCA operations including watershed management, environmental programs and Conservation Authority properties. 	30/ 100%
2	<u>Corporate Leader</u> <ul style="list-style-type: none"> • Create an organizational culture of collaboration, communication, accountability and transparency to internal and external stakeholders. • Work in collaboration with staff, stakeholders and elected officials in the planning and execution of a strategic vision. • Function co-operatively with all levels of government, non-government organizations, community groups, and individuals to promote and effect positive change to support healthy watersheds, where human activity 	35/ 100%

	<p>respects the need to conserve, restore, develop and manage the natural environment for current and future generations.</p> <ul style="list-style-type: none"> • Evaluate, coach, mentor, recognize and manage all direct reports. • Perform the duties of the Secretary-Treasurer as stated in the Conservation Authorities Act R.S.O. 1980 and be responsible for annual operation and capital budget. • Participate on NPCA and provincial committees as required. 	
3	<p><u>General Manager</u></p> <ul style="list-style-type: none"> • Approve all recruitment, offers of employment, termination of NPCA staff in accordance with the Authority's Policies and Procedures or as delegated by the Board. • Lead the NPCA staff in alignment with the NPCA Strategic Mission and Vision. • Provide leadership to all NPCA staff and ensure annual performance objectives are established and performance appraisals are completed. • Encourage and support inter-departmental cooperation and collaboration. • Support succession planning and professional development across the NPCA. • Facilitate and champion change through the motivation of all employees and successful management of the operating and capital budgets. • Responsible for the overall performance of the organization, the success of its operations and achievement of its strategic goals within a multi-stakeholder environment 	35/ 100%
Perform other duties and responsibilities as assigned or required		

Qualifications

The table below details the minimum and preferred levels of education, experience, qualifications, certifications or designations required to complete the job.

	Minimum Required	Preferred
Education	<ul style="list-style-type: none"> Degree from a recognized University in Business or Public Administration or related field 	<ul style="list-style-type: none"> Master's degree from a recognized University in Business or Public Administration or related field
Experience	<ul style="list-style-type: none"> Experience in managing a senior portfolio with at least 5 years of experience. Experience in managing a departmental budget and providing inputs to corporate operational and capital budgets. Knowledge and understanding of related legislation, including Conversation Authorities Act (and associated Regulations and/or Standards) as revised, Municipal Act and associated regulations and standards. Experience in staff leadership, community engagement and stakeholder liaison. Experience in developing and presenting reports to elected and appointed officials. Experience in overseeing, managing and developing program teams. Experience in project management. Experience dealing with conflict resolution (internal and external) as well as strong political acumen 	<ul style="list-style-type: none"> Experience in managing a senior portfolio with at least 7 years of experience. Knowledge of local government operations, including ABCs (agencies, boards and commissions) Private sector experience Experience working in a unionized and/or municipal environment Demonstrated business development skills and revenue generation experience Experience developing/implementing a strategic plan under the direction of a board or authority
Certifications or Designations	<ul style="list-style-type: none"> Valid G class Driver's License 	
Additional Qualifications	<ul style="list-style-type: none"> Excellent interpersonal skills, with the ability to develop trusting and authoritative relationships Excellent verbal and written communication skills, with the ability to use tact and discretion Strong organizational and leadership skills Attention to detail Excellent problem solving, negotiation skills and conflict resolution abilities Excellent organizational and time management skills, with the ability to prioritize workloads Ability to handle sensitive information and maintain a high degree of confidentiality Proficient computer knowledge including use of Microsoft Office 	

Supervision

The table below details the number of direct reports supervised by the job, their titles, and the total number of indirect reports reporting into the job.

# of Reports	• Direct: 4	Indirect: 48
Titles of Direct Reports	<ul style="list-style-type: none"> • Director, Corporate Services • Director, Operations & Strategic Initiatives • Director, Watershed Management • Administrative Assistant, Office of CAO and Board 	

Hours of Work and Location

- Shall require flexibility of work hours as well as overtime which may include evening and weekend work
- NCPA Office
- Travel within the NCPA watershed as necessary

Working Conditions

- Majority of the time – standard office environment
- Ability to work outdoors in a variety of weather conditions, over rough terrain, as required

Approvals

By approving this job description, those signing are agreeing that the above describes the appropriate qualifications and principal functions and responsibilities for the position.

	Name	Signature	Date
NPCA Board of Directors Chair	Sandy Annunziato		

IMPORTANT NOTE

The Niagara Peninsula Conservation Authority reserves the right to change, amend or disuse this job description at any time. This document is intended to provide an overview of the required responsibilities and qualifications.



Chief Administrative Officer / Secretary Treasurer

The Niagara Peninsula Conservation Authority (NPCA) was established in 1959 under the Conservation Authorities Act, and serves approximately half a million people in the Niagara Peninsula Watershed, encompassing the entire Niagara Region and portions of the City of Hamilton and Haldimand County. The NPCA strives to manage the impact of human activities, urban growth and rural activities on the watershed, which includes some of the most sensitive and unique natural areas in Niagara. These lands are held in public trust, allowing the people of Niagara to enjoy its distinctive natural heritage at 39 Conservation Areas, each offering diverse recreational and educational opportunities and a place to experience nature's beauty.

The position of Chief Administrative Officer (CAO) creates an extraordinary career opportunity for an experienced executive who has had the responsibility for providing effective leadership to a high performing, multi-disciplinary team. The Niagara Peninsula Conservation Authority (NPCA) requires a dynamic and progressive CAO to provide support and advice to the Board of Directors, the Senior Management Team and Staff to ensure that the NPCA achieves its watershed management goals and objectives to protect, restore, and manage the natural resources of the Niagara Peninsula Watershed.

The successful candidate will be responsible for the overall performance of the organization, the success of its operations and the development and achievement of its strategic goals. The CAO's principal mission is to establish and sustain key long-term relationships with the Board of Directors, government agencies and various stakeholders to positively impact the creation and management of watershed and environmental programs. Key to this role will be the ability to facilitate and champion change along with the capacity to manage and motivate NPCA staff within a unionized environment as well as manage an \$11 million budget.

The CAO will be a transformational leader becoming the visible and vocal champion of the Niagara Peninsula Watershed. The ideal candidate will bring strong interpersonal skills, a genuine belief in the value of public participation and a proven ability to manage multiple priorities and interests amongst a diverse stakeholder group. A strategic planner and a skilled project and people manager, the successful candidate will have a demonstrated ability to work with staff, stakeholders and elected officials in the planning and execution of a strategic vision. The CAO will be a decision maker, experienced in conflict resolution and with a strong political acumen, who will work co-operatively with all levels of government, non-government organizations, community groups and individuals to promote and effect positive change.

Through the Senior Management Team, the CAO oversees the day-to-day operations providing the team guidance and direction in delivering the strategic vision. The CAO coordinates staff's recommendations to the Board of Directors and fosters an overall cohesiveness across the Authority's watershed.

The CAO will be judicious and tactful and adept at managing varied and sometimes competing demands. The CAO is also responsible for all the duties of the Secretary-Treasurer as stated in the Conservation Authorities Act R.S.O. 1980.

Position Details

Annual salary range is from \$116,453-\$145,568 (2016 rate) with benefits

This position requires attending NPCA Board functions and Public meetings/events with occasional evenings and weekend work.

The NPCA offices are located at 250 Thorold Road West, Welland, Ontario. Travel within the NPCA watershed is required.

A detailed job description is available by request at recruitment@npca.ca

Qualified candidates are invited to submit a detailed resume and cover letter in confidence no later than **Thursday, March 16th, by 4:00 PM**

Please apply on-line at: www.npca.ca/careers

NO PHONE CALLS PLEASE

We thank all applicants for their interest, however, only those selected for an interview will be contacted. Personal information contained in your resume is being collected under authority of the Municipal Freedom of Information and Protection of Privacy Act and will be used for employment assessment purposes. We are an equal opportunity Employer which values diversity in the workplace.

We can provide accommodation for a disability in all employment activities, in accordance with the Ontario Human Rights Code and the [Accessibility for Ontarians with Disabilities Act](#). If you require an accommodation, please contact recruitment@npca.ca.