

**FULL AUTHORITY MEETING**  
Wednesday September 20, 2017 9:30 am  
Ball's Falls Centre for Conservation – Glen Elgin Room  
3292 Sixth Avenue, Jordan, ON

## **A G E N D A**

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*9:30 am*

*Public Session*

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◆ **DECLARATION OF CONFLICT OF INTEREST**

◆ **ADOPTION OF AGENDA**

◆ **DELEGATIONS**

1. *Ed Smith*

◆ **PRESENTATIONS**

1. Mickey DiFruscio and Family Legacy Pollinator Project

◆ **BUSINESS**

1. **A. Approval of Draft Minutes**

1. *Full Authority Meeting held July 19, 2017*

**B. Approval of Committee Minutes and recommendations contained therein**

1. *Code of Conduct Review Committee Meeting held July 10, 2017*

**Recommendation:**

*That the Full Authority Board approve the revised Regulation 1, 2 and 3 and further approve the new Regulation #4 Code of Conduct*

2. *Audit Committee Meeting held September 5, 2017*

**Recommendation:**

*That the Audit Committee recommend the Full Authority Board appoint KPMG as the external financial auditor for fiscal years 2017 to 2021.*

3. *Budget Steering Committee Meeting held September 13, 2017*

**Recommendation:**

*That the Budget Steering Committee recommend APPROVAL of its 2018 Draft Operating Budget, as presented, to the Board.*

***That the Budget Steering Committee, subject to a legal review, recommend that the Board APPROVE enacting an Administrative Levy of \$300,000 per funding municipality.***

2. Business Arising from Minutes
3. Correspondence
  - ◆ Biennial Tour – NPCA letter to Conservation Ontario & email
  - ◆ Email – Hon. Kathryn McGarry
  - ◆ St. Lawrence Seaway Management Corp.
  - ◆ NOLT-extension request
4. Chairman's Remarks
5. Chief Administrative Officer Comments

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### *Reports for Information*

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6. Financial & Reserves – Month ending August 30, 2017 ----- **Report No. 90-17**
7. St. John's Valley Centre Revenue Opportunities----- **Report No. 91-17**

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### *Reports for Consideration*

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8. C.L.A.C. Terms of Reference----- **Report No. 94-17**
9. Proposed 2019 Wedding Fee Schedule – Ball's Falls CA ----- **Report No. 95-17**
10. Beamer Memorial CA – DRAFT lease agreement----- **Report No. 96-17**
11. 2019 Biennial Tour – Terms of Reference & Committee Selection--- **Report No. 97-17**
12. New / Other Business

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*Closed Session*

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1. Legal Update ----- Verbal – Robert Burns
2. Niagara Region MOU Review Process Update ----- Report No. CR-92-17
3. Sale of 3.3-acre parcel ----- Report No. CR-93-17
4. Property Matter – Fort Erie ----- Report No. CR- 98-17
5. Land Acquisition Report ----- Report No. CR- 99-17
6. Dillon Consulting Restoration Review Report available at the meeting
7. Potential Land Acquisition ----- Verbal

**Public:**

- ◆ Resolutions resulting from Closed Session
  - ◆ **ADJOURNMENT**
-

**Subject:**

Form submission from: Delegation Request

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**From:** Ed Smith [REDACTED]

**Sent:** Friday, September 15, 2017 8:46 PM

**To:** Mark Brickell

**Subject:** Re: Form submission from: Delegation Request

Hello Mark,

I accept you allowing me to make my delegation to the Board and am including my speaking notes. I will freespeak from the following points:

- Comments made by Board member Campion to a citizen earlier this summer in regards to the NPCA and it's direction, also I would like to address comments made by member Kaspersetz. I would like to ask both members to expand on or more fully explain their comments that were reported in the media.
- The situation with FOI's and why the Board may be somewhat frustrated with the seemingly inordinate costs and time being spent on them, to be specific, I wish to inform the Board on this issue, I do not have any questions of them.

These are the subjects I will speak on Mark, I will not have speaking notes, I am extremely familiar with the subject matter, please feel free to seek clarification where needed. From my side of the floor it will be a very short delegation and I don't anticipate questions, therefore it should all be over in a few minutes.

Thanks Mark, have a good weekend.

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**Code of Conduct Review Committee Meeting**  
**Friday July 10, 2017; 1:00 pm**  
**250 Thorold Road; 3<sup>rd</sup> Floor, Welland, ON; NPCA Boardroom**

## **DRAFT MEETING MINUTES**

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**Committee Members in attendance:**

S. Annunziata NPCA Chair  
J. Kaspersetz NPCA Vice-Chair  
B. Baty, Board Member  
S. Beattie, Board Member  
B. Timms, Board Member

**Member Regrets:**

J. Maloney, Board Member

**NPCA Staff:**

M. Brickell, Acting CAO  
D. Barrick; Director, Corporate Services  
L. Conte; Administrative Assistant-Office of CAO & Board

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Chair Annunziata called the meeting to order at 1:00 pm

**Declaration of Conflict of Interest** – None

**Adoption of Agenda**

Moved by S. Beattie and Seconded by J. Kaspersetz that the agenda be adopted as presented.  
**CARRIED**

■ **BUSINESS**

*Members reviewed the changes made on June 9<sup>th</sup> and directed staff as follows:*

**Direction to Staff:**

Create a separate Policy Handbook – named Regulation #4 – Code of Conduct with changes as discussed and update Reg #1, 2 & 3 to reflect the required changes. Draft up the Acknowledgement Form and forward the draft to committee.

■ **ADJOURNMENT**

With no further consideration, the meeting was adjourned at 2:10 pm

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## NPCA BOARD MEMBER ACKNOWLEDGEMENT

This will acknowledge that I, \_\_\_\_\_  
*Board Member Name*

have received, read and understand my obligations as outlined in the Board

Members Policy Handbooks:

Regulation #1 – Governance and Administration Policies

Regulation #2 – Meeting Procedures

Regulation #3 – Hearing Procedures

Regulation #4 - Code of Conduct

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Board Member Signature*

(Kindly submit this signed acknowledgement to NPCA's Executive Assistant)



## **Board Members**

# **Policy Handbook - Regulation # 1 Governance and Administration Policies**



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

Resolution No. FA-102-17  
Date Revised: April 26, 2017

Resolution No. FA-XX-17  
Date Revised: September 20, 2017

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Mark Brickell,  
Chief Administrative Officer

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Sandy Annunziata,  
NPCA Chair

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## 1.0 INTRODUCTION

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

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

This **Board Members Regulation #1 Policy Handbook** has been developed to adhere to the legislation cited above.

This handbook will also function as a reference for appointed **Board Members** in order to effectively and efficiently conduct business relevant to the Niagara Peninsula Conservation Authority.

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



## **2.0 MANDATE, MISSION, VISION AND VALUES**

### **2.1 Mandate**

The objects of an authority are to establish and undertake, in the area over which it has jurisdiction, a program designed to further the conservation, restoration, development and management of natural resources other than gas, oil, coal and minerals.” R.S.O. 1990, c.C.27 s.20

### **2.2 Mission**

To manage our watershed’s natural resources by balancing environmental, community, and economic needs.

### **2.3 Vision**

Balancing conservation and sustainable development for future generations by engaging landowners, stakeholders and communities through collaboration.

### **2.4 Values**

- 2.4.1 A sustainable balance between environmental conservation, economic growth and agricultural prosperity.
- 2.4.2 Clear and respectful communication.
- 2.4.3 Integrity, fairness and sensitivity to all impacted by our actions and decisions.
- 2.4.4 Creativity and innovation in service delivery to clients.
- 2.4.5 Transparency, accountability and quality in our services.
- 2.4.6 Pragmatic solution oriented approaches to decision making.
- 2.4.7 A respectful work environment and professional development.

### 3.0 DEFINITIONS

**“Authority”** means the Niagara Peninsula Conservation Authority.

**“NPCA”** means the “Authority” or the “Niagara Peninsula Conservation Authority”.

**“Staff”** shall mean staff members employed at the Niagara Peninsula Conservation Authority.

**“Board Members”** means the appointed members to the Authority by the participating municipalities within the watershed.

~~**“Member(s)”** shall mean the board members, or Directors, as appointed by the respective councils of the participating municipalities within the watershed.~~

**“Chair”** shall mean the Chairperson as elected by the **Board Members** of the Niagara Peninsula Conservation Authority.

**“Vice-Chair”** shall mean the Vice-Chairperson as elected by the **Board Members** of the Niagara Peninsula Conservation Authority.

**“CAO/Secretary-Treasurer”** means Chief Administrative Officer of the Authority.

**“Officer”** means a member of the Authority and the CAO/Secretary-Treasurer.

**“Call of the Chair”** shall mean the Chairperson of the Niagara Peninsula Conservation Authority will make the decision to have a meeting and will inform the Chief Administrative Officer/Secretary-Treasurer or designate and that person will ensure action if it is necessary.

**“Inaugural Meeting”** shall be an annual meeting to complete past year’s business; for annual elections and appointments; and to start current year’s business.

**“Majority”** shall mean half of the votes plus one.

**“Private Interest”** includes the financial or material interests of a member and the financial or material interests of a member of the member’s immediate family.

**“Fiscal Year”** shall mean the period from January 1 through December 31.

## 4.0 BOARD MEMBERS

- 4.1 Membership of the Niagara Peninsula Conservation Authority includes three (3) participating municipalities: Region of Niagara, City of Hamilton, and Haldimand County.
- 4.2 The Niagara Peninsula Conservation Authority **Board** comprises all members appointed by the participating municipalities.
- 4.3 The following represent the number of representatives that the participating municipalities may appoint:
- |                   |   |
|-------------------|---|
| Region of Niagara | As appointed by the regional municipality, one member from each of their twelve (12) local municipalities for a total of 12 members |
| City of Hamilton  | Two members   |
| Haldimand County  | One member  |
- 4.4 The duration of the appointment aligns with the municipal 4-year term.
- 4.5 The **Board Members** shall approve all policies and procedures of the Niagara Peninsula Conservation Authority, approve the budget with or without revisions, give direction on priority of programs and projects and are generally responsible for other matters as required by the Conservation Authorities Act and Regulations.

## 5.0 MANDATORY RESPONSIBILITIES OF BOARD MEMBERS

### 5.1 Bound by Conservation Authorities Act

The Niagara Peninsula Conservation Board is bound by the *Conservation Authorities Act*, where:

Section 20 of the *Conservation Authorities Act* defines the mandate of a Conservation Authority as follows:

“The objectives of an authority are to establish and undertake, in the area over which it has jurisdiction, a program designed to further the conservation, restoration, development and management of natural resources other than gas, oil, coal or minerals.”

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

- the power to study the watershed and develop an appropriate resource management program;



- acquire and/or dispose of lands;
- collaborate and enter into agreements with landowners, governments and organizations;
- control the flow of surface waters;
- alter the course of any waterway;
- develop their lands for recreational purposes;
- generally, to do all such acts as are necessary for the due carrying out of any project.

## 5.2 Functions of the Board

In addition to the procedures in this policy and subject to the Conservation Authority Act, the Authority shall:

- Approve the auditor's statement for the preceding year – if the statement is not approved, the amended statement shall be reintroduced for approval at the next appropriate meeting;
- Pass a borrowing resolution for a specified amount for the purposes of the Authority and authorizing the appointed signing officers to sign notes as required to implement this borrowing;
- Approve a budget for the Authority for the ensuing year;
- Approve the levies to be paid by Municipalities;
- Supervise the activities of any Standing Committees and to accept or reject any of their recommendations;
- Receive delegations on behalf of the Authority;
- Consider requests for grants or donations from groups outside the Authority;
- Decide and recommend policies not covered in these resolutions;
- Update as required policies of the Authority.

All Board Members are public officials and thus have the responsibility to be guided by and adhere to the rules of conduct (Refer to Regulation #4-Code of Conduct), explicit and implied, for all such holders of public office in the Province of Ontario. In addition, all Board Members must adhere to all applicable acts of incorporation. In the case of the Niagara Peninsula Conservation Authority, Board Members must adhere to the following:

- The *Municipal Conflict of Interest Act*;
- The *Municipal Freedom of Information and Protection of Privacy Act*;
- Ontario Regulation 139/06 Municipal Levies;
- Ontario Regulation 670/00 Conservation Authority Levies;
- Ontario Regulation 155/06 Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses.

### **5.3 Ensuring Fiscal Stability of Niagara Peninsula Conservation Authority**

The **Board Members** must ensure the financial stability of the Niagara Peninsula Conservation Authority. While the CAO/Secretary-Treasurer provides day-to-day leadership in fiscal affairs, the **Board** bears the ultimate responsibility for financial soundness. This includes approving an annual budget, receiving and approving reports on financial performance of the Niagara Peninsula Conservation Authority, and ensuring policies are in place for financial soundness.

### **5.4 Relationship between **Board Members** and CAO/Secretary-Treasurer**

The **Board** relies on the CAO/Secretary-Treasurer to inspire, lead and manage the Niagara Peninsula Conservation Authority. The **Board** will forge a strong partnership with the CAO/Secretary-Treasurer, working cooperatively to achieve the mandate, mission and vision of the Niagara Peninsula Conservation Authority. The **Board** regularly evaluates the CAO/Secretary-Treasurer, measuring his/her performance against the Niagara Peninsula Conservation Authority's strategic plan and financial and human resources goals of the organization.

### **5.5 Relationship between **Board Members** and NPCA Staff**

The **Board Members** must act as a team and represent the interests of the entire watershed. A strong partnership must be forged between the **Board** and the CAO/Secretary-Treasurer. The Board allows the CAO/Secretary-Treasurer to manage the organization and its staff. The following parameters are to be followed throughout the organization and by the public at large:

- If a **Board Member** has questions on a project or report, such questions should be referred through the CAO/Secretary-Treasurer for him/her to invite the appropriate Department lead to explain the project and answer questions.
- If a **Board Member** would like to volunteer to assist in a project, such actions should be taken in consultation with the CAO/Secretary-Treasurer to organize the process.

- If a **Board Member** receives a complaint about a staff person or would like to acknowledge a staff person, such information should go through the CAO/Secretary-Treasurer.
- If a **Board Member** receives a complaint from a staff person, the **Board Member** must advise the staff person to follow the appropriate procedure as outlined in the personnel policy.

With respect to staffing issues, the following outlines the responsibilities of the **Board Members** and the CAO/Secretary-Treasurer:

The **Board** is solely responsible for the following:

- Recruiting the CAO/Secretary-Treasurer;
- Hiring the CAO/Secretary-Treasurer; and
- Dismissing the CAO/Secretary-Treasurer;

The **Board's** Chair and Vice-Chair are responsible for:

- Evaluating the CAO/Secretary-Treasurer; and
- Recommending the annual salary and pay for performance of the CAO/Secretary-Treasurer for consideration to the **Board Members**.

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

- Setting key commitments and deliverables for the CAO/Secretary-Treasurer;
- Setting human resource and personnel policies which will have a dollar impact upon the budget; and
- Setting staff salary schedules and plans as part of the annual budget review process.

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

- Assessing staffing requirements;
- Recruiting, hiring and dismissing staff;
- Providing staff direction;
- Approving staff evaluations;
- Implementing approved salary schedule and salary plan by setting individual staff salaries;
- Designing the organizational structure; and
- Setting human resource and personnel policies, which have no dollar impact on the budget.

## 6.0 DUTIES OF OFFICERS

### 6.1 Chair of the Board

- Oversees Board meetings and ensures Meeting Procedural By-Law is adhered to;
- Serves as ex-officio member of all committees;
- Works in partnership with the CAO/Secretary-Treasurer to ensure Board resolutions are carried out;
- Assists CAO/Secretary-Treasurer in preparing agenda for Board meetings where required;
- Calls special meetings if necessary;
- Periodically consults with Board Members on their roles;
- Acts as a public spokesperson for the Niagara Peninsula Conservation Authority to facilitate the mandate, mission and vision of the organization;
- Represents the Niagara Peninsula Conservation Authority at such functions as warrant the interest of the Authority except where this responsibility is specifically assigned to some other person;
- Inspires other Board Members with his or her own commitment of support, time and enthusiasm;
- Represents the Niagara Peninsula Conservation Authority at Conservation Ontario Council meetings;
- Serves as signing officer for the Niagara Peninsula Conservation Authority;
- Performs other duties when directed to do so by resolution of the Niagara Peninsula Conservation Authority;
- Keeps the Board Members apprised of significant issues in a timely fashion;
- Member of the Source Water Protection Committee.

### 6.2 Vice-Chair of the Board

- Attends all Board meetings;
- Carries out special assignments as requested by the Chair of the Board;
- Understands the responsibilities of the Board Chair and acts as Chair immediately upon the death, incapacity to act, absence or resignation of

the Chair until such time as a new Chair is appointed or until the Chair resumes his/her duties;

- Serves as an alternate signing officer for the Niagara Peninsula Conservation Authority;
- Keeps the **Board Members** apprised of significant issues in a timely fashion;
- Alternate to Chair at Conservation Ontario Council Meetings.

### **6.3 CAO/Secretary-Treasurer**

- Attends all Board meetings;
- Acts as Secretary-Treasurer of the Board in accordance with the Conservation Authorities Act;
- Serves as a signing officer for the Niagara Peninsula Conservation Authority;
- Keeps the Chair and Vice-Chair apprised of significant issues in a timely fashion;
- Develops and implements both short and long-term strategic plans in accordance with business goals and objectives;
- Tends to the day-to-day requirements, details and management of the Niagara Peninsula Conservation Authority;
- Manages staff and programs of the Niagara Peninsula Conservation Authority;
- Makes certain that appropriate actions are taken in a timely fashion;
- Works in close collaboration with the Chair and Vice-Chair;
- Implements all Board resolutions in a timely fashion;
- Ensures Board policies and strategic plan are adhered to;
- Manages the financial activities of the Niagara Peninsula Conservation Authority;
- Makes recommendations to the Board regarding suggested policy changes;

- Acts as public spokesperson for Niagara Peninsula Conservation Authority in the absence of the Chair and Vice-Chair of the Board, or, on behalf of the Chair and Vice-Chair;
- Represents the Niagara Peninsula Conservation Authority at Conservation Ontario, Council, Committee and Task Force meetings;
- Negotiates and enters into contracts with external agencies/partners to carry out the goals of the organization in accordance with approved Policy;
- Develops and maintains effective relationships and ensures good communications with watershed municipalities, federal and provincial government ministries/agencies, other Conservation Authorities, Conservation Ontario and community groups and associations;
- The CAO will develop an education /orientation program designed to inform Board Members of their roles and responsibilities with respect to the Code of Conduct. The CAO will ensure Board Members are made fully aware of the roles and responsibilities with respect to various applicable legislation and regulations as well as that contained in the Code of Conduct (Regulation #4) through an education/orientation program. Each Board Member is required to sign an Acknowledgement Form as part of their orientation program.

## **7.0 ELECTION OF CHAIR AND VICE CHAIR**

### **7.1 Chair for Election of Officers (Board Chair and Vice-Chair)**

An individual other than a Board Member of Niagara Peninsula Conservation Authority will assume the position of Chair for the purpose of Election of Officers. The CAO/Secretary-Treasurer, or designate, assumes this position.

### **7.2 Appointment of Scrutineers**

The appointment of scrutineers is required for the purpose of counting ballots should an election be required. All ballots will be destroyed by the scrutineers afterwards. The appointment of scrutineers requires a mover and seconder by Board Members of the Authority.

### **7.3 Election of Board Chair and Vice-Chair**

The CAO or designate advises that the election will be conducted in accordance with Section 10 of the Conservation Authorities Act as follows:

- Only current Board Members of the Authority may vote;
- Nominations will be called three (3) times and will only require a mover;
- The closing of nominations will require both a mover and a seconder;

- Each **Board Member** nominated will be required to accept the nomination. The **Board Member** must be present to accept the nomination;
- In the event of an election, each nominee will be permitted not more than three (3) minutes to speak for the office, in the order of the alphabetical listing of his or her surnames;
- Upon the acceptance by nominees for the position of office, ballots will be distributed to the **Board Members** for the purpose of election. A Member's choice for a nominee will be written on the ballot and the appointed scrutineers for the counting of the ballots will collect the ballots;

**A majority vote will be required for election.** If there are more than two nominees, and upon the first vote no nominee receives the majority required for election, the name of the person with the least number of votes will be removed from further consideration for the office and new ballots will be distributed. In the case of a vote where no nominee receives the majority required for election and where two or more nominees are tied with the least number of votes, a special vote shall be taken to decide which one of such tied nominees' names shall be dropped from the list of names to be voted on in the next vote.

Should there be a tie vote between two remaining candidates, new ballots will be distributed and a second vote held. Should there still be a tie after the second ballot a third vote shall be held. Should there be a tie after the third vote, the election of the office shall be decided by lot drawn by the CAO.

## **8.0 STANDING COMMITTEES**

### **8.1 Current**

- Audit Committee
- Budget Steering Committee
- Community Liaison Advisory Committee
- ~~Niagara Peninsula Conservation Foundation~~
- Watershed Floodplain Committee

**8.2** The Authority may strike a standing committee to investigate and make recommendations on matters of interest to the Authority.

**8.3** Any standing committee of the Authority will be recognized as a functioning committee until the Authority replaces or dissolves that committee or until December 31 of the year in which the committee is formed.

**8.4** The Authority will strike standing committees at the first business meeting of the year or at other times as may be desired.

**8.5** Notwithstanding the CLAC Terms of Reference, any standing committee of the Authority will be comprised at a minimum of one member, plus the Chair and the Vice-Chair of the Authority. All Members of the Board may attend Standing



Committee meetings and comment and participate, however, only committee members may vote at committee.

- 8.6 Each standing committee will have terms of reference established by the Authority. The terms of reference will serve as a consistent guide to committee members and provide a continuity of understanding by the Authority as to the specific purpose for the standing committee. The terms of reference may be altered by the Authority where the scope of a standing committee's mandate is either altered or changed.
- 8.7 When a new standing committee is proposed, either the Authority **Board Member** proposing the new standing committee will present terms of reference for Authority approval, or the Authority will cause such terms of reference to be prepared. In either case, a new standing committee shall not be struck until the Authority approves terms of reference for the standing committee.
- 8.8 Authority standing committees will be comprised of Authority **Board Members**. Other than the Source Water Protection Authority, the **Board Members** may invite people to participate as a committee member and/or attend committee meetings as a resource.
- 8.9 Only committee members are entitled to vote on matters coming before the committee.
- 8.10 Standing Committees make recommendations only to the **Board**, where in turn, recommendations are considered for approval.

## 9.0 HONOURARIUMS, PER DIEMS, EXPENSES AND MILEAGE

- 9.1 The Authority shall establish an honourarium rate from time to time and this rate will apply to the Chair and Vice-Chair. Rates are subsequently approved by the Ontario Municipal Board.
- 9.2 The Authority shall establish a per diem rate from time to time and this rate will apply to the Chair, Vice-Chair and **Board Members** for service to the Authority in attendance at Authority **Board** meetings, Standing Committee meetings, and at such other business functions as may be from time to time requested by the Chair, through the Chief Administrative Officer. Rates are subsequently approved by the Ontario Municipal Board.
- 9.2 A per diem will be paid for each separate meeting attended.
- 9.3 The Chair, Vice-Chair and **Board Members** will be responsible for advising the **Executive Assistant** to the Board of any per diems and mileage incurred for other than **Full Authority Board Meetings** or Source Protection Authority Meetings, within 30 days of the per diem or mileage being incurred.
- 9.4 The Authority will reimburse **Board Members**' travel expenses incurred for the purpose of attending meetings and/or functions on behalf of the Authority. Mileages are based on the **Board Member's** principle residential address in the municipality they represent.



## Board Members

# Policy Handbook - Regulation # 2

## Meeting Procedures



|   |   |
|---|---|
| Resolution No. FA-210-14<br>Dated: November 24, 2014  | Resolution No. FA-99-16<br>Revised June 15, 2016              |
| Resolution No. FA-203-15<br>Revised December 16, 2015 | Resolution No. FA-104-17<br>Revised April 26, 2017            |
| Resolution No. FA-89-16<br>Revised May 18, 2016       | <b>RESOLUTION NO. FA-XX-17</b><br><b>REVISED SEP 20, 2017</b> |

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Mark Brickell,  
 Chief Administrative Officer

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Sandy Annunziata,  
 NPCA Chair

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## 1.0 INTRODUCTION

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

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

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

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

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





## **2.0 QUORUM**

- 2.1** At an NPCA Board meeting, a quorum consists of one-half of the members appointed by the participating municipalities. Given that there are 15 appointed members from the participating municipalities, quorum is eight or more appointed members.
- 2.2** If there is no quorum within one half hour after the time appointed for the meeting, the Chair for the meeting shall declare the meeting adjourned due to a lack of a quorum and the recording secretary shall record the names of the members present and absent.
- 2.3** Where the number of members, who by reason of the provisions of the Municipal Conflict of Interest Act, R.S.O. 1990, c.M.50, are disabled from participating in a meeting, is such that at the meeting the remaining members are not of sufficient number to constitute a quorum, then the remaining number of members shall be deemed to constitute a quorum, provided such number is not less than two.
- 2.4** If during the course of an Authority or Committee meeting a quorum is lost, then the Chair shall declare that the meeting shall stand recessed or adjourned, until the date of the next regular meeting or other meeting called in accordance with the provisions of this Regulation. (See also **Section 7.0** below).

## **3.0 ANNUAL MEETING**

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

## **4.0 DUTIES OF THE CHAIR FOR THE NPCA **BOARD****

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

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

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

## **5.0 CONDUCT OF MEMBERS OF THE PUBLIC, COMMUNITY AGENCIES & THE MEDIA**

**5.1** Except under the parameters of Section #14 “Meetings with Closed Sessions”, all meetings of the NPCA shall be open to the public to ensure accountability and transparency.

**5.2** During a meeting of the NPCA, no member of the public, community agency or media shall address the **Board** unless they have been approved to address the Authority as described in Section #13 “Delegations”.

**5.3** Prior, during or post a meeting of the NPCA, no member of the public, community agency or media shall be abusive, insulting or threatening or make excessive noise or disturb other persons.

**5.4** As determined by the Chair of the NPCA meeting or by the Chief Administrative Officer (or designate), if a member of the public, community agency or media is abusive, insulting or threatening or makes excessive noise or disturbs others, the individual(s) will be requested to leave the conservation area for the day.

**5.5** In the event the individual(s) refuses to leave the conservation area for the day, the Chief Administrative Officer (or his/her delegate) will direct the Superintendent of the conservation area, or an appointed NPCA Officer, to have the individual(s) removed. Should the individual(s) refuse to leave the conservation area as

requested by the Superintendent or appointed NPCA Officer, the municipal police service will be called to assist.

- 5.6 Should the same individual(s) repeat actions that are deemed abusive, insulting or threatening or make excessive noise or disturb other persons, the NPCA Chair may establish a period of time where the individual(s) will be denied access to the conservation area.
- 5.7 For individuals identifying themselves as media representatives, when requested by the NPCA Chair or Chief Administrative Officer, the media person(s) shall produce media credentials that demonstrate they are affiliated with a media association that has formally adopted a “Code of Conduct” or similar policy framework that adheres to the Canadian Association of Journalists’ *Ethics Guidelines* and the associated *Principles for Ethical Journalism*. Further, the media representative(s) should be associated with a media association that has a formal appeal mechanism that is accessible by the NPCA should any reporting be deemed unfair. If the media representative(s) do not produce credentials as described, they will be treated as a member of the public.

## **6.0 FREEDOM OF INFORMATION**

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

## **7.0 NOTICE OF MEETING**

- 7.1 The Chair shall call regular meetings of the Authority. Notice of regular meetings will be sent out from the Authority office at least five calendar days prior to the meeting date.
- 7.2 Notice of any meeting shall indicate the time and place of that meeting and the agenda for the meeting.
- 7.3 All material and correspondence to be dealt with by the Authority at a meeting will be submitted to the Chief Administrative Officer at least fourteen (14) days in advance of the meeting in question.
- 7.4 Written notice of motion may be given by any member of the Authority and shall be forthwith placed on the agenda of the next meeting.

- 7.5** When a quorum is first present after the hour fixed for a meeting, the Chair shall call the meeting to order.
- 7.6** If no quorum is present one-half hour after the time appointed for a meeting, the Chief Administrative Officer shall call the roll and record the names of the members present and the meeting shall stand adjourned until the next meeting.
- 7.7** The business of the Authority shall be taken up in the order in which it stands on the agenda unless otherwise decided by the Authority.
- 7.8** No member shall present any matter to the Authority for its consideration unless the matter appears on the agenda for the meeting of the Authority or leave is granted to present the matter by the affirmative vote of a majority of the members present.
- 7.9** The following matters shall have precedence over the usual order of business:
- a. a point of order
  - b. a matter of privilege
  - c. a matter of clarification
  - d. a motion to suspend a rule of procedure or to request compliance with the rules of procedure
  - e. a motion that the question be put to a vote
  - f. a motion to adjourn
- 7.10** The Chair may, at his/her pleasure, call a special meeting of the Authority on three days' written notice. That notice shall state the business of the special meeting and only that business shall be considered unless permission is granted by two-thirds of the members present.
- 7.11** With the exception of any municipal planning or regulation matter that requires an immediate decision of the **Board**, or priority business of a matter before the courts, all matters will be dealt with "in person" at a Full Authority **Board** meeting. For those planning and regulation matters requiring immediate attention, and/or matters before the courts, the Chair may call a meeting of the **Board** via telephone conference or other conferencing technology. Such a telephone conference meeting must have quorum of the **Board Members** participating and voting will be as outlined in **Section 14.0**.
- 7.12** Any member of the **Board**, with 50% support of the other **Board Members**, may request the Chair to call a meeting of the Board and the Chair will not refuse.
- 7.13** Notwithstanding **Section 7.6** of this Procedure, a meeting which has been interrupted through the loss of a quorum may be reconvened without notice provided that the meeting is reconvened on the same day.

- 7.14** The Chair or the CAO/Secretary-Treasurer may, by notice in writing or email, deliver to the members so as to be received by them at least 12 hours before the hour appointed for the meeting, postpone or cancel any meeting until the next scheduled date for the specific committee affected.
- 7.15** The Chair or the CAO/Secretary-Treasurer may, if it appears that a storm or like occurrence will prevent the **Board Members** from attending a meeting, postpone that meeting by advising as many members as can be reached. Postponement shall not be for any longer than the next regularly scheduled meeting date.

## **8.0 AGENDA FOR MEETINGS**

- 8.1** Authority staff, under the supervision of the CAO shall prepare for the use of members at all regular meetings of the Authority, an agenda which shall include, but not necessarily be limited to, the following headings:
- a. Business – In Camera
  - b. Roll Call
  - c. Approval of Agenda
  - d. Declaration of Pecuniary Interest
  - e. Presentations
  - f. Administrative Business
    - i. Approval of Minutes of Previous Meeting
    - ii. Business Arising from Minutes
    - iii. Correspondence
    - iv. Chair's Comments
    - v. CAO's Comments
  - g. Business – For Information (including):
    - i. Project Status Reports
    - ii. Financial Statements
  - h. Business – For Consideration
    - i. New Business
  - j. Reports and Updates from Board Members
  - k. Adjournment
- 8.2** The agenda for special meetings of the Authority shall be prepared as directed by the Chair.
- 8.3** Meeting management is a fundamental responsibility of the Chair. Part of this responsibility includes agenda management. As such, it shall be the duty of the Chair, with respect to any meetings over which he/she preside, to approve the



agenda prior to circulation to the Board and public as outlined in section 8.1 and within all legislative reporting requirements.

- 8.4** The circulation of reports, letters, memos, etc. outside of the agenda shall be distributed by the Office of the CAO (Executive Assistant, Office of CAO & Board and/or CAO) to all Board Members. Documents should be provided in an electronic format whenever possible.

## **9.0 CONFLICT OF INTEREST**

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

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

- 9.2** Members shall refrain from placing themselves in conflict of interest situations.
- 9.3** A member must resign from the Authority if he or she is or becomes involved in private employment or rendering services considered to be a conflict of interest.
- 9.4** A member who has reasonable grounds to believe that he or she may have a conflict of interest or that there may be an appearance of a conflict of interest, in respect of a matter that is before the committee shall:
- a) Disclose orally the actual, potential or perceived conflict of interest at the beginning of the committee meeting or as soon as possible; and
  - b) Excuse him or herself from the committee meeting while the matter is under consideration. If the member is participating via telephone or other electronic means, the chair shall ensure that the member is not able to listen to or participate in the discussion of the matter.
- 9.5** A member who has disclosed an actual, potential or perceived conflict of interest to the chair or the committee, as the case may be, shall refrain from voting or participating in the consideration of the matter, or from commenting on, discussing

or attempting to exert his or her personal influence on another member with respect to the matter.

- 9.6** The minutes of the meeting shall reflect the disclosure of the actual, potential or perceived conflict of interest and whether the member withdrew from the discussion of the matter.
- 9.7** If it is not entirely clear whether or not an actual, potential or perceived conflict of interest exists, then the member with the potential conflict of interest shall disclose the circumstances to the Chair. The Chair will determine if there is a conflict of interest or if the member's conduct has violated this policy, in a timely fashion, dependent on the complexity of the situations and will communicate his or her decision directly to the member.
- 9.8** A member who has concerns about the conduct of another member regarding compliance with this policy should raise those concerns with the Chair. The Chair will follow essentially the same process for addressing complaints as for dealing with declared conflicts of interest with modifications to suit the difference circumstances.

## **10.0 DISCLOSURE OF PECUNIARY INTEREST**

- 10.1** Where a member, either on his own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Authority or Standing Committee at which the matter is the subject of consideration, the member shall:
- a) prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
  - b) not take part in the discussion of, or vote on any question in respect of the matter; and
  - c) not attempt in any way whether before, during or after the meeting to influence the voting on any such question.
- 10.2** Where a meeting is not open to the public, in addition to complying with the requirements, the Member shall forthwith leave the meeting for the part of the meeting during which the matter is under consideration.
- 10.3** Where the interest of a Member has not been disclosed by reason of their absence from the particular meeting, the Member shall disclose their interest and otherwise comply at the first meeting of the Authority or Standing Committee, as the case may be, attended by them after the particular meeting.

- 10.4** The meeting secretary shall record in reasonable detail the particulars of any disclosure of pecuniary interest made by members of the Authority or Committees, as the case may be, and any such record shall appear in the minutes/notes of that particular meeting of the Authority or of the Committee, as the case may be.

## **11.0 NOTICE OF MOTION**

- 11.1** Except as otherwise provided in this Regulation, a notice of motion to be made at an Authority or Committee meeting shall be given in writing and shall be delivered to the CAO/Secretary-Treasurer not less than seven (7) business days prior to the date and time of the meeting, to be included in the agenda for the Authority or Committee meeting at which the motion is to be introduced.
- 11.2** The CAO/Secretary-Treasurer shall include such notice of motion in full in the agenda for the meeting concerned.
- 11.3** Reports of Committees included in the Authority agenda shall constitute notice of motion with respect to any matter contained in such reports and recommended by any such Committee for adoption by the Authority.
- 11.4** Staff reports in the Authority agenda not having been considered by any Committee for adoption, shall constitute notice of motion for the purposes of any motion brought to the Authority with respect thereto.
- 11.5** Notwithstanding the foregoing, any motion or other business may be introduced for consideration of the Authority provided that it is made clear that to delay such motion or other business for the consideration of an appropriate Standing Committee would not be in the best interest of the Authority and that the introduction of the motion or other business shall be upon an affirmative vote of the majority of the members of the Authority present.
- 11.6** Any motion called from the Chair and for whatever reason deferred in three successive regular meetings of the Authority or Committee which is not proceeded with shall be deemed to be withdrawn.
- 11.7** Reconsideration of a motion previously adopted by the Authority requires a two-thirds majority of the Board, thus 10 or more Members (See Section G of Appendix A).

## **12.0 DELEGATIONS**

- 12.1** Any person or organization desiring an opportunity to address the Authority may make a request in writing to the Chief Administrative Officer/Secretary-Treasurer fourteen (14) days in advance of a scheduled meeting if such request is to be

included in the agenda of that meeting. The request should comprise a brief statement of the issue or matter involved and indicate the name of the proposed speaker(s).

- 12.2** The Chief Administrative Officer/Secretary-Treasurer is empowered to seek clarifications from the person or organization if the submitted statement is ambiguous and/or requires further explanation.
- 12.3** Any person or organization requesting an opportunity to address the Authority but not having made a written request to do so in accordance with Section 12.1 may appear before a meeting of the Authority but will be heard only if approved by a ruling of 2/3 of the Board Members of the meeting.
- 12.4** No delegation, whether or not listed on the agenda, shall be heard without a ruling by the Chair of the meeting giving leave, but such ruling may be immediately appealed by a proper motion, and the ruling of the meeting shall govern.
- 12.5** Notwithstanding Section 12.2, a representative of a participating municipality of the Authority, duly authorized by resolution of such council, shall be heard as of right, and further any member of the Authority shall be heard as of right.
- 12.6** Except by leave of the Chair or appeal by the leave of the meeting, delegations shall be limited to a time of not more than ten (10) minutes.

### **13.0 MEETINGS WITH CLOSED SESSIONS**

- 13.1** A meeting or a part of a meeting may be closed to the public if the subject matter being considered relates to:
  - a) the security of the property of the Authority;
  - b) personnel matters about an identifiable individual including Authority employees;
  - c) a proposed or pending acquisition of land;
  - d) labour relations or employee negotiations;
  - e) litigation or potential litigation including matters before administrative tribunals affecting the Authority;
  - f) the receiving of advice that is subject to solicitor-client privilege.
- 13.2** A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act.

- 13.3** Before holding a meeting or part of a meeting that is to be closed to the public, the members shall state by resolution during the open session of the meeting that there will be a meeting closed to the public and the general nature of the matter to be considered at the closed meeting.
- 13.4** No vote shall be taken and no written record shall be kept in a closed meeting unless it is for a procedural matter, or for giving directions or instructions to officers, employees or agents of the Authority or persons retained under contract with the Authority.
- 13.5** Any materials presented to the **Board Members** during a closed meeting will be returned to the CAO/Secretary-Treasurer prior to departing from the meeting.

#### **14.0 VOTE**

- 14.1** On a tie vote, the motion is lost, and the Chair, may vote to make it a tie unless the vote is by ballot. The Chair cannot, however, vote twice, first to make a tie and then give the casting vote.
- 14.2** A majority vote of the members present at any meeting is required upon all matters coming before the meeting.
- 14.3** Interrelated motions shall be voted on in the following order:
- a) motions to refer the matter, and
  - b) if no motion under clause (a) is carried, the order for voting on the remaining motions shall be:
    - i) amending motion
    - ii) the original motion
- 14.4** Unless a member requests a recorded vote, a vote shall be by a show of hands or such other means as the Chair may call.
- 14.5** Before a vote is taken, any member may require a recorded vote and it shall be taken by alphabetical surname with the Chair voting last. On a recorded vote, each member will answer “yes” or “no” to the question, or will answer “abstain” if the said member does not wish to vote. If any Member abstains from voting, they shall be deemed to have voted in opposition to the question, and where the vote is a recorded vote, their vote shall be recorded accordingly by the secretary.
- 14.6** At the meeting of the Authority at which the non-matching levy is to be approved, the Chair shall at the appointed time during the meeting, call the roll of members present, and having been advised by the Secretary-Treasurer of those present and the respective, eligible weighted votes, conduct the roll call vote to approve of non-

matching levy by a weighted majority of the members present and eligible to vote.  
(see O. Reg. 139/96)

- 14.7** Where a question under consideration contains more than one item, upon the request of any member, a vote upon each item shall be taken separately.
- 14.8** A vote on any planning or regulation matter dealt with through a telephone conference meeting, shall be a recorded vote.
- 14.9** If a vote is required, upon circumstances described in **Section 7.11**, the Chair may direct the CAO to conduct a “telephone or email survey” and record the vote.
- 14.10** Where any member of the Authority or Committee is acting in the place of the Chair or the Committee Chair, as the case may be, such member shall have and may exercise all the rights and powers of the Chair or the Committee Chair of the Standing Committee as the case may be, while so acting.

## **15.0 MINUTES**

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

## **16.0 LIVE STREAMED / RECORDED FULL AUTHORITY MEETINGS**

The NPCA may live stream and/or make video recordings of all or part of its Full Authority meeting(s) available to the public, but is not obliged to do so. Where in the discretion of the NPCA a Full Authority meeting is live-streamed and/or recorded by video, the following principles shall apply:

- 16.1** At the start of the Full Authority meeting, the Chair shall advise all in attendance that the meeting is being recorded and/or live-streamed.
- 16.2** The Chair shall further advise those in attendance that delegates are solely responsible for all statements of fact, opinion, or of mixed fact and opinion, which they express at the Full Authority meeting. This applies whether the delegate's statements are made orally or included in written materials provided by the delegate. No endorsement by the NPCA of a delegate's statements may be implied or inferred from the communication of the statements during the course of the Full Authority meeting, or on account of the NPCA having granted permission to the delegate to make a presentation at the Full Authority meeting.
- 16.3** Wherever possible, the NPCA will advise all delegates in advance of the Full Authority meeting that their presentation may be live-streamed and the recording archived for public viewing.
- 16.4** Subject to the discretion of the Chair, the goal of the NPCA will be to post, within two business days of meeting, the archived live stream video.
- 16.5** A recorded video of a Full Authority meeting is not an official record of that meeting. The official record of the Full Authority meeting shall consist solely of the Minutes approved by the Full Authority Board.

## APPENDIX A COMMON MOTIONS

### A Motion to Adjourn

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

### B Motion to Amend

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

### C Motion to Censure

The Niagara Peninsula Conservation Authority **Board** may call for a motion to censure an individual Member for conduct unbecoming a Board Member in the fulfillment of his/her Niagara Peninsula Conservation Authority duties. This will require a seconder and a 2/3 vote of members present at the **Board Members** meeting to pass. The motion to censure



must be dealt with immediately and once the motion is approved, the appointing municipality will be advised, in writing, by the Chair of the **Board**.

#### **D Motion to Close Debate (Previous Question)**

D.1 A motion to close debate:

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

#### **E Motion to Postpone Definitely**

E.1 A motion to postpone definitely:

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

#### **F Motion to Postpone Indefinitely**

F.1 A motion to postpone indefinitely:

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

#### **G Motion to Reconsider**

G.1 A motion to reconsider, under this Regulation:

- a) is debatable;
- b) is not amendable; and
- c) requires a two-thirds majority vote, regardless of the vote necessary to adopt the motion to be reconsidered.

- G.2 After any question, except one of indefinite postponement has been decided by the Authority, any Member who was present and who voted in the majority may, at a subsequent meeting of the Authority, move for the reconsideration thereof, provided due notice of such intention is given as required by this Regulation, but no discussion of the main question by any person shall be allowed unless the motion to reconsider has first been adopted.
- G.3 After any question, except one of indefinite postponement has been decided by Committee, but before a decision thereon by the Authority, any member who was present at the Committee meeting concerned and who voted in the majority, may, at a subsequent meeting of the Committee, provided the Authority still has made no decision thereon, move for the reconsideration thereof, provided due notice of such intention is given as required by this Regulation, but no discussion of the main question by any person shall be allowed unless the motion to reconsider has first been adopted.
- G.4 No question upon which a notice of reconsideration has been accepted shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered.
- G.5 If a motion to reconsider is decided in the affirmative, reconsideration shall become the next order of business and debate on the question to be reconsidered shall proceed as though it had never previously been considered.

## **H Motion to Refer (to Committee)**

- H.1 A motion to refer:
- a) is debatable;
  - b) is amendable; and
  - c) shall take precedence over all amendments of the main question and any motion to postpone indefinitely, to postpone definitely or to table the question.

## **I Motion to Suspend the Rules (Waive the Rules)**

- I.1 A motion to suspend the rules:
- a) is not debatable;
  - b) is not amendable; and
  - c) requires a 2/3 majority to carry;
  - d) takes precedence over any motion if it is for a purpose connected with that motion and yields to a motion to table.

## **J Motion to Table**

- J.1 A motion to table:

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

- J.2 A motion to table a matter with some condition, opinion or qualification added to the motion shall be deemed to be a motion to postpone.
- J.3 The matter tabled shall not be considered again by the Authority until a motion has been made to take up the tabled matter at the same time or subsequent meeting of the Authority.
- J.4 A motion to take up a tabled matter is not subject to debate or amendment.
- J.5 A motion that has been tabled at a previous meeting of the Authority cannot be lifted off the table unless notice thereof is given in accordance with Section 12 of this Regulation.
- J.6 A motion that has been tabled and not taken from the table for six (6) months shall be deemed to be withdrawn and cannot be taken from the table.

#### **K Point of Order**

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

#### **L Point of Personal Privilege**

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



## Board **Members**

# Policy Handbook - Regulation # 3 Hearing Procedures



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

**Resolution No. FA-xx-17**  
**REVISED – September 20, 2017**

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Mark Brickell,  
Chief Administrative Officer

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Sandy Annunziata,  
NPCA Chair

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## 1.0 INTRODUCTION

The purpose of the Hearing Procedures is to guide the Niagara Peninsula Conservation Authority (NPCA) Hearing Board in conducting hearings under Section 28 of the *Conservation Authorities Act*. These procedures reflect the changes to the 1998 Conservation Authorities Act. The Act requires that the applicant be party to a hearing by the local Conservation Authority Board, for an application to be refused or approved with contentious conditions. Further, a permit may be refused if in the opinion of the Authority the proposal adversely affects the control of flooding, pollution or conservation of land, and additional erosion and dynamic beaches. In addition, a Hearing may be convened at the request of a holder of a permission (“permit holder”) when it is the Authority’s intention to cancel a permission. Ontario Regulation 182/06, pursuant to the Conservation Authorities Act, provides for the cancellation of permissions (a permit or other form of written authorization), if the Authority is of the opinion that the conditions of the permit have not been met.

The Hearing Board, which is comprised of the members of the Niagara Peninsula Conservation Authority Board, is empowered by law to make a decision, governed by the Statutory Powers Procedures Act. It is the purpose of the Hearing Board to evaluate the information presented at the hearing by both the Conservation Authority staff and the applicant and to decide whether the application will be approved with or without conditions, or refused.

These procedures are intended to provide a step-by-step process to conducting hearings required under Section 28 (12), (13), (14) of the *Conservation Authorities Act*. The procedures are designed to ensure that hearings are conducted in a manner consistent with the legal requirements of the Statutory Powers Procedures Act without being unduly legalistic or intimidating to the participants.

## 2.0 PRE-HEARING PROCEDURES

### 2.1 Apprehension of Bias

In considering the application, the Hearing Board is acting as a decision-making tribunal. The tribunal is to act fairly. Under general principles of administrative law relating to the duty of fairness, the tribunal is obliged not only to avoid any bias but also to avoid the appearance or apprehension of bias. The following are three examples of steps to be taken to avoid apprehension of bias where it is likely to arise.

- (a) No member of the Authority taking part in the hearing should be involved, either through participation in committee or intervention on behalf of the applicant/permit holder or other interested parties with the matter, prior to the hearing. Otherwise, there is a danger of an apprehension of bias which could jeopardize the hearing.
- (b) If material relating to the merits of an application that is the subject of a hearing is distributed to **Board Members** before the hearing, the material shall be distributed to the applicant/permit holder at the same time. The applicant/permit holder may be afforded an opportunity to distribute similar pre-hearing material.



- (c) In instances where the Authority requires a hearing to help it reach a determination as to whether to give permission with or without conditions or refuse a permit application, a final decision shall not be made until such time as a hearing is held. The applicant/permit holder will be given an opportunity to attend the hearing before a decision is made; however, the applicant/permit holder does not have to be present for a decision to be made.

## **2.2 Application**

The right to a hearing is required where staff is recommending the cancellation of a permission, refusal of an application or where there is some indication that the Authority may not follow staff's recommendation to approve a permit or the applicant objects to the conditions of approval. The applicant is entitled to reasonable notice of the hearing pursuant to the *Statutory Powers Procedures Act*.

## **2.3 Notice of Hearing**

Applicants shall be sent a Notice of Hearing within 30 to 90 days from the date that a requirement for a Hearing is identified as per Section 2.2. It is recommended the applicant be consulted to determine an agreeable date and time based on the Authority's regular meeting schedule. Along with The Notice of Hearing, applicants will be provided with the hearing procedures.

When a permission is being cancelled, there is a need to act quickly to inform the permit holder of the Authority's intention to cancel the permission as the permission would normally involve an aspect of the development or activity which in the opinion of the Authority is unauthorized. Should a permit holder request a hearing when advised of the Authority's intention, the Authority shall give the holder at least 5 days notice of the date of the hearing. Notice of a Hearing date may be given verbally to provide as much lead time to the permit holder as is reasonably possible. Verbal notice shall be followed-up with a written notice.

The Notice of Hearing must contain the following:

- (a) Reference to the applicable legislation under which the hearing is to be held (i.e., the Conservation Authorities Act).
- (b) The time, place and the purpose of the hearing.
- (c) Particulars to identify the applicant/permit holder, property and the nature of the application/permission which are the subject of the hearing.

**Note:** If the applicant is not the landowner but the prospective owner, the applicant must have written authorization from the registered landowner.

- (d) The reasons for the intended permit cancellation, refusal of a permit or conditions of approval shall be specifically stated. This should contain sufficient detail to enable the permit holder to understand the issues so he or she can be adequately prepared for the hearing.

It is sufficient to reference in the Notice of Hearing that the recommendation for cancellation, refusal or conditions of approval is based on the reasons outlined in previous correspondence or a hearing report that will follow.

- (e) A statement notifying the applicant/permit holder that the hearing may proceed in the applicant/permit holder's absence and that the applicant/permit holder will not be entitled to any further notice of the proceedings.

Except in extreme circumstances, it is recommended that the hearing not proceed in the absence of the applicant/permit holder.

- (f) Reminder that the applicant/permit holder is entitled to be represented at the hearing by counsel, if desired.

The Notice of Hearing shall be directed to the applicant and/or permit holder by registered mail. Please refer to Appendix A for an example Notice of Hearing.

#### **2.4 Pre-Submission of Reports**

The Hearing process shall be guided by the principle of full disclosure by the parties (the applicant/permit holder and the Authority staff).

From the date the applicant/permit holder receives the Notice of Hearing outlining the reasons for Authority staff recommendations, the process shall provide sufficient time for the parties to prepare information including such materials as the application proposal; supporting technical documents (plans, drawings, studies etc.) and any summary reports or presentation material that the Hearing Board will consider in arriving at a decision. The parties shall ensure that a complete set of their respective information materials are exchanged a minimum of two weeks prior to the Hearing to provide time for review.

In scheduling the Hearing date with the applicant/permit holder, Authority staff must give consideration to the timelines required to provide for the preparation of Hearing information, exchange and review by the parties as set out above.

#### **2.5 Hearing Information**

Prior to the hearing, the applicant/permit holder shall be advised of the local Conservation Authority's hearing procedures upon request.

### **3.0 HEARING**

The following outlines the process for a Hearing. It should be noted at the beginning of the Hearing if there are any Conflict of Interest concerns or issues. (Reference: Niagara Peninsula Conservation Authority Regulation #2 – Meeting Procedures)

#### **3.1 Public Hearing**

Pursuant to the *Statutory Powers Procedure Act*, hearings are required to be held in public. The exception is in very rare cases where public interest in public hearings is outweighed by the fact that intimate financial, personal or other matters would be disclosed at hearings.

#### **3.2 Hearing Participants**

The *Conservation Authorities Act* does not provide for third party status at the local hearing. While others may be advised of the local hearing, any information that

they provide should be incorporated within the presentation of information by, or on behalf of, the applicant/permit holder or Authority staff.

While the hearings will be held in public and are also open to attendance by the media, the filming of the hearing or the taking of pictures will not be permitted during the hearing by any person or persons unless permitted by the Chair.

### **3.3 Attendance of Hearing Board Members**

In accordance with case law relating to the conduct of hearings, those members of the Authority who will decide whether to grant the application, refuse the application or cancel the permission, must be present during the full course of the hearing. If it is necessary for a member to leave: 1) the hearing must be adjourned and resumed when the member returns, or 2) if the hearing proceeds, even in the event of an adjournment, only those members who were present after the member left can sit to the conclusion of the hearing.

### **3.4 Adjournments**

The Board may adjourn a hearing on its own motion or that of the applicant/permit holder or Authority staff where it is satisfied that an adjournment is necessary for an adequate hearing to be held.

Any adjournments form part of the hearing record.

### **3.5 Orders and Directions**

The Authority is entitled to make orders or directions to maintain order and prevent the abuse of its hearing processes. A hearing procedures example has been included as Appendix B.

### **3.6 Information Presented at Hearings**

- (a) The *Statutory Powers Procedure Act*, requires that a witness be informed of his right to object pursuant to the *Canada Evidence Act*. The *Canada Evidence Act* indicates that a witness shall be excused from answering questions on the basis that the answer may be incriminating. Further, answers provided during the hearing are not admissible against the witness in any criminal trial or proceeding. This information should be provided to the applicant/permit holder as part of the Notice of Hearing.
- (b) The Hearing is a formal procedure. However, the evidence before the Board is not required to be given under oath or affirmation.
- (c) The Board may authorize receiving a copy rather than the original document. However, the Board can request certified copies of the document if required.
- (d) Privileged information, such as solicitor/client correspondence, cannot be heard. Information that is not directly within the knowledge of the speaker (hearsay), if relevant to the issues of the hearing, can be heard.
- (e) The Board may take into account matters of common knowledge such as geographic or historic facts, times measures, weights, etc. or generally recognized scientific or technical facts, information or opinions within its

specialized knowledge without hearing specific information to establish their truth.

### **3.7 Conduct of Hearing**

#### **3.7.1 Record of Attending Hearing Board Members**

A record shall be made of the members of the Hearing Board.

#### **3.7.2 Opening Remarks**

The Chair shall convene the hearing with opening remarks which generally; identify the applicant/permit holder, the nature of the application, and the property location; outline the hearing procedures; and advise on requirements of the Canada Evidence Act. Please reference Appendix C or Appendix D for the Opening Remarks model.

#### **3.7.3 Presentation of Authority Staff Information**

Staff of the Authority presents the reasons supporting the recommendation for the cancellation, refusal or conditions of approval of the application. Any reports, documents or plans that form part of the presentation shall be properly indexed and received.

Staff and/or legal counsel of the Authority should not submit new information at the hearing as the applicant/permit holder will not have had time to review and provide a professional opinion to the Hearing Board.

#### **3.7.4 Presentation of Applicant/Permit Holder Information**

The applicant/permit holder (and/or agent) has the opportunity to present information at the conclusion of the Authority staff presentation. Any reports, documents or plans which form part of the submission should be properly indexed and received. The presentation shall be made by one only of either the applicant/permit holder (and/or agent).

The applicant/permit holder (and/or agent) shall present information as it applies to the permit application or the cancellation of permission in question. For instance, does the requested activity affect the control of flooding, erosion, dynamic beach or conservation of land or pollution? The hearing does not address the merits of the activity or appropriateness of such a use in terms of planning.

- (a) The applicant/permit holder may be represented by an agent (e.g. legal counsel, consultant etc.), if desired.
- (b) The applicant/permit holder may have only one designated agent as a spokesperson to present information to the Board.
- (c) The applicant/permit holder presentation may include technical witnesses, such as an engineer, ecologist, hydrogeologist etc.

The applicant/permit holder (and/or agent) should not submit new information at the hearing as the Staff of the Authority will not have had time to review and provide a professional opinion to the Hearing Board.

### **3.7.5 Questions**

Members of the Hearing Board may direct questions, through the Chair, to each speaker as the information is being heard. The applicant/permit holder (and/or agent) can make any comments or questions on the staff report.

Pursuant to the *Statutory Powers Procedure Act*, the Board can limit questioning where it is satisfied that there has been full and fair disclosure of the facts presented. Note that the courts have been particularly sensitive to the issue of limiting questions and there is a tendency to allow limiting of questions only where it has clearly gone beyond reasonable or proper bounds.

The hearing board must subjectively have reasonable and probable grounds on which to base a decision, information presented must be relevant in the context of the decision to be made. Those grounds must, in addition, be justifiable from an objective point of view, such that a person of ordinary and prudent judgment placed in the position of the hearing board must be able to conclude that there were reasonable and probable grounds for limiting facts or circumstances presented that would not be relevant for a decision to be made.

### **3.7.6 Deliberation**

After all the information is presented, the Board will deliberate and make a decision on the application or the cancellation of a permission in camera.

## **4.0 DECISION**

Upon making its decision, the Board will rise from in camera and report its decision and particulars of the decision.

### **4.1 Adoption**

A resolution advising of the Board's decision and particulars of the decision will be adopted. The Chair will call a vote by a show of hands.

### **4.2 Notice of Decision**

The applicant/permit holder must receive written notice of the decision within 15 days of the decision. The applicant shall be informed of the right to appeal the decision within 30 days upon receipt of the written decision to the Minister of Natural Resources.

There is no provision in the Conservation Authorities Act that provides the permit holder for appeal in situations where a permit is cancelled.

The Board shall itemize and record information of particular significance which led to their decision.

The decision notice should include the following information:

- (a) The identification of the applicant/permit holder, property and the nature of the application that was the subject of the hearing.
- (b) The decision and reasons to cancel, refuse or approve the application. A copy of the Hearing Board resolution should be attached.

The written Notice of Decision will be forwarded to the applicant/permit holder by registered mail. A sample Notice of Decision and cover letter has been included as Appendix D.

## **5.0 RECORD**

The Authority shall compile a record of the hearing. Recording devices may be used for this purpose. In the event of an appeal, a copy of the record should be forwarded to the Minister of Natural Resources/Mining and Lands Commissioner. The record must include the following:

- (a) The application for the permit or the permit in the case of a cancellation of permission.
- (b) The Notice of Hearing.
- (c) Any orders made by the Board (e.g., for adjournments).
- (d) All information received by the Board.
- (e) The minutes of the meeting made at the hearing.
- (f) The decision and reasons for decision of the Board.
- (g) The Notice of Decision sent to the applicant/permit holder.



## APPENDIX A – NOTICE OF HEARING

IN THE MATTER OF  
The Conservation Authorities Act,  
R.S.O. 1990, Chapter 27

AND IN THE MATTER OF an application/cancellation (by)

FOR THE PERMISSION OF THE  
CONSERVATION AUTHORITY  
Pursuant to Regulations made under  
Section 28, Subsection 12 of the said Act

TAKE NOTICE THAT a Hearing before the **Board** of the Niagara Peninsula Conservation Authority will be held under Section 28 (12) of the *Conservation Authorities Act* OR Subsection 8 (2) of O.Reg 182/06 at the offices of the said Authority, 250 Thorold Road, Welland, Ontario L3C 3W2, at the hour of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 201\_, with respect to the application by (NAME) to permit OR with respect to the cancellation of Permit #\_\_\_\_\_, granted to (NAME), that allows the permission of development within an area regulated by the Authority in order to ensure no adverse affect on **(the control of flooding, erosion, dynamic beaches or pollution or conservation of land./alter or interfere with a watercourse, shoreline or wetland)** on Lot \_\_\_\_\_, Plan/Lot \_\_\_\_\_, Concession \_\_\_\_\_, (Street) in the City of \_\_\_\_\_, Regional Municipality of \_\_\_\_\_, \_\_\_\_\_ Watershed.

TAKE NOTICE THAT you are invited to make a delegation and submit supporting written material to the **Board** of The Niagara Peninsula Conservation Authority for the meeting of (meeting number). If you intend to appear, please contact (name). Written material will be required by (date), to enable the Committee members to review the material prior to the meeting.

TAKE NOTICE THAT this hearing is governed by the provisions of the *Statutory Powers Procedure Act*. Under the Act, a witness is automatically afforded a protection that is similar to the protection of the *Ontario Evidence Act*. This means that the evidence that a witness gives may not be used in subsequent civil proceedings or in prosecutions against the witness under a Provincial Statute. It does not relieve the witness of the obligation of this oath since matters of perjury are not affected by the automatic affording of the protection. The significance is that the legislation is Provincial and cannot affect Federal matters. If a witness requires the protection of the Canada Evidence Act that protection must be obtained in the usual manner. The Ontario Statute requires the tribunal to draw this matter to the attention of the witness, as this tribunal has no knowledge of the affect of any evidence that a witness may give.

AND FURTHER TAKE NOTICE that if you do not attend at this Hearing, the **Board** of the Niagara Peninsula Region Conservation Authority may proceed in your absence, and you will not be entitled to any further notice in the proceedings.

DATED the \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_

The **Board Members** of the  
Niagara Peninsula Conservation Authority  
Per: Chief Administrative Officer/Secretary-Treasurer

## APPENDIX B – HEARING PROCEDURES

1. Motion to sit as Hearing Board.
2. Roll Call followed by the Chair's opening remarks.
3. Staff will introduce to the Hearing Board the applicant/permit holder (and/or agent).
4. Staff will indicate the nature and location of the subject application and the conclusions.
5. Staff and/or counsel will present the staff report included in the Authority agenda and the reasons for the recommendation.
6. The applicant/permit holder (and/or agent) will have the opportunity to ask questions of staff based on their presentation.
7. Following the applicant/permit holder (and/or agent), the members of the Board can ask the staff questions.
8. The applicant/permit holder (and/or agent) will make a presentation.
9. The staff and/or counsel will have the opportunity to ask questions of the applicant/permit holder (and/or agent) followed by questions from the Board.
10. The Hearing Board will move into camera
11. The Hearing Board will, once it has reached a decision, move out of camera, to reconvene in public forum.
12. Members of the Hearing Board will move and second a motion.
13. A motion will be carried which will culminate in the decision.
14. The Chair or Acting Chair will advise the applicant/permit holder of the Hearing Board decision.
15. If decision is "to refuse", the Chair or Acting Chair shall notify the applicant in writing of his/her right to appeal the decision to the Minister of Natural Resources within 30 days of receipt of the reasons for the decision.

Note: There is no provision in the *Conservation Authorities Act* that provides for appeal in situations where a permit is cancelled.

16. Motion to move out of Hearing Board.

## APPENDIX C – CHAIR’S REMARKS

### CHAIR'S REMARKS WHEN DEALING WITH HEARINGS WITH RESPECT TO ONTARIO REGULATION 182/06 – APPLICATION FOR A PERMIT

We are now going to conduct a hearing under Section 28 of the *Conservation Authorities Act* in respect of an application by \_\_\_\_\_: , for permission to:\_\_\_\_\_.

The Authority has adopted regulations under Section 28 of the *Conservation Authorities Act* which requires the permission of the Authority for development within an area regulated by the Authority in order to ensure no adverse affect on the control of flooding, erosion, dynamic beaches or pollution or conservation of land or to permit alteration to a shoreline or watercourse or interference with a wetland.

The Staff has reviewed this proposed work and a copy of the staff report has been given to the applicant.

The *Conservation Authorities Act* (Section 28 [12]) provides that:

"Permission required under a regulation made under clause (1) (b) or (c) shall not be refused or granted subject to conditions unless the person requesting permission has been given the opportunity to require a hearing before the authority".

In holding this hearing, the Authority Board/Executive Committee is to determine whether or not a permit is to be issued. In doing so, we can only consider the application in the form that is before us, the staff report, such evidence as may be given and the submissions to be made on behalf of the applicant.

The proceedings will be conducted according to the *Statutory Powers Procedures Act*. Further to this, Section 5 of the *Canada Evidence Act* states:

1. No witness shall be excused from answering any questions on the ground that the answer to the question may tend to criminate him or may tend to establish his liability to a civil proceeding at the instance of the Crown or any person.
2. Where with respect to any question a witness objects to answer on the ground that his answer may tend to criminate him or may tend to establish his liability to a civil proceeding at the instance of the Crown or of any person and if but for this Act or the Act of any provincial legislature, the witness would therefore have been excused from answering the question, then although the witness is by reason of the Act or the provincial Act compelled to answer, the answer so given shall not be used or admissible in evidence against him in any criminal trial or other criminal proceeding against him thereafter taking place other than a prosecution for perjury in giving of that evidence or for the giving of contradictory evidence.

The procedure in general will be informal without the evidence before it being given under oath or affirmation.

The rules of evidence before this Board are informal.

If the applicant has any questions to ask of the **Board**, he/she is free to do so providing all questions are directed to the Chair of the Board.

The Hearing will proceed as follows:

1. Staff and/or counsel of the Niagara Peninsula Conservation Authority will present an overview of the application and the reasons why the application was recommended for denial, if applicable. The applicant will then have the opportunity to ask questions of staff based on their presentation. Following the applicant, the members of the board may ask the staff questions.
2. Next will be the presentation by the applicant (and/or agent) followed by questions by Niagara Peninsula Conservation Authority staff and/or counsel and then questions by members of the **Board**.
3. Lastly, the **Board Members** will deliberate and make a decision on the application. A resolution advising of the **Board's** decision and the particulars of the decision will then be adopted.

## APPENDIX D – CHAIR’S REMARKS

### CHAIR’S REMARKS WHEN DEALING WITH HEARINGS WITH RESPECT TO ONTARIO REGULATION 182/06 – CANCELLATION OF A PERMIT

We are now going to conduct a hearing under Section 8 of Ontario Regulation 182/06 pursuant to the *Conservation Authorities Act* in regards to the cancellation of Permit No. \_\_\_\_\_, issued to \_\_\_\_\_

The Authority has adopted a regulation under Section 28 of the *Conservation Authorities Act* which allows the Authority to cancel permissions if the conditions of the permit have not been met.

The Staff has reviewed this proposed work and a copy of the staff report has been given to the permit holder.

Ontario Regulation 182/06 pursuant to the *Conservation Authorities Act* indicates that:

“The authority may cancel a permission if it is of the opinion that the conditions of the permission have not been met”

In holding this hearing, the Authority Board/Executive Committee is to determine whether or not a permit is to be cancelled. In doing so, we can only consider the evidence as presented to us.

The proceedings will be conducted according to the *Statutory Powers Procedures Act*. Further to this, Section 5 of the *Canada Evidence Act* states:

1. No witness shall be excused from answering any questions on the ground that the answer to the question may tend to criminate him or may tend to establish his liability to a civil proceeding at the instance of the Crown or any person.
2. Where with respect to any question a witness objects to answer on the ground that his answer may tend to criminate him or may tend to establish his liability to a civil proceeding at the instance of the Crown or of any person and if but for this Act or the Act of any provincial legislature, the witness would therefore have been excused from answering the question, then although the witness is by reason of the Act or the provincial Act compelled to answer, the answer so given shall not be used or admissible in evidence against him in any criminal trial or other criminal proceeding against him thereafter taking place other than a prosecution for perjury in giving of that evidence or for the giving of contradictory evidence.

The procedure in general will be informal without the evidence before it being given under oath or affirmation.

The rules of evidence before this Board are informal.

If the permit holder (and/or agent) has any questions to ask of the **Board Members**, he/she is free to do so providing all questions are directed to the Chair of the Board.

The Hearing will proceed as follows:

1. Staff and/or counsel of the Niagara Peninsula Conservation Authority will present an overview of the cancellation and the reasons why the permission is being cancelled. The permit holder will then have the opportunity to ask questions of staff based on their presentation. Following the permit holder, the members of the board may ask the staff questions.
2. Next will be the presentation by the permit holder (and/or agent) followed by questions by Niagara Peninsula Conservation Authority staff and/or counsel and then questions by members of the **Board**.
3. Lastly, the **Board Members** will deliberate and make a decision on the cancellation. A resolution advising of the **Board's** decision and the particulars of the decision will then be adopted.



## APPENDIX E – LETTER (Refusal)

(Date)

BY REGISTERED MAIL

(name)

(address)

Dear:

RE:     **NOTICE OF DECISION (Refusal of an Application)**  
          **Hearing Pursuant to Section 28(12) of the Conservation Authorities Act**  
          **Proposed Development**  
          **Lot , Plan ; XX Drive     City of**  
          **(Application #)**

In accordance with the requirements of the *Conservation Authorities Act*, the Niagara Peninsula Conservation Authority provides the following Notice of Decision:

On **(meeting date and number)**, the Hearing Board for the Niagara Peninsula Conservation Authority refused/approved your application/approved your application with conditions. A copy the Board's resolution # has been attached for your records. Please note that this decision is based on the following reasons: **(the proposed development/alteration to a watercourse or shoreline adversely affects the control of flooding, erosion, dynamic beaches or pollution or interference with a wetland or conservation of land)**.

In accordance with Section 28 (15) of the *Conservation Authorities Act*, an applicant who has been refused permission or who objects to conditions imposed on a permission may, within 30 days of receiving the reasons under subsection (14), appeal to the Minister who may refuse the permission; or grant permission, with or without conditions. For your information, should you wish to exercise your right to appeal the decision, a letter by you or your agent/counsel setting out your appeal must be sent within 30 days of receiving this decision addressed to:

The Honourable **(Minister's Name)**  
Minister of Natural Resources  
Queen's Park, Whitney Block  
99 Wellesley Street West, 6th Floor, Room 6630  
Toronto, Ontario M7A 1W3  
TEL:(416) 314-2301 FAX: (416) 314-2216

Should you require any further information, please do not hesitate to contact **(staff contact)** or the undersigned.

Yours truly,

Chief Administrative Officer  
Enclosure

## APPENDIX F – LETTER (Cancellation)

(Date)

BY REGISTERED MAIL

(name)

(address)

Dear:

RE: NOTICE OF DECISION (Cancellation of Permission)  
Hearing Pursuant to Section 8 (1) of O.Reg 182/06 pursuant to the *Conservation Authorities Act*  
Permit No.  
Lot , Plan ; XX Drive City of

In accordance with the requirements of the *Conservation Authorities Act*, the Niagara Peninsula Conservation Authority provides the following Notice of Decision:

On (***meeting date and number***), the Hearing Board for the Niagara Peninsula Conservation Authority refused/approved the cancellation of your permit. A copy the Board's resolution # has been attached for your records. Please note that this decision is based on the following reasons: (***the proposed development/alteration to a watercourse or shoreline adversely affects the control of flooding, erosion, dynamic beaches or pollution or interference with a wetland or conservation of land***).

Further, there is no statutory option for the appeal of a cancelled permission under *Conservation Authorities Act*.

Should you require any further information, please do not hesitate to contact (***staff contact***) or the undersigned.

Yours truly,

Chief Administrative Officer

Enclosure

# **Board Members Policy Handbook - Regulation # 4 Code of Conduct**



**Resolution No. FA-xx-17  
Date: September 20, 2017**

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**Mark Brickell,  
Chief Administrative Officer**

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**Sandy Annunziata,  
NPCA Chair**

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## INTRODUCTION

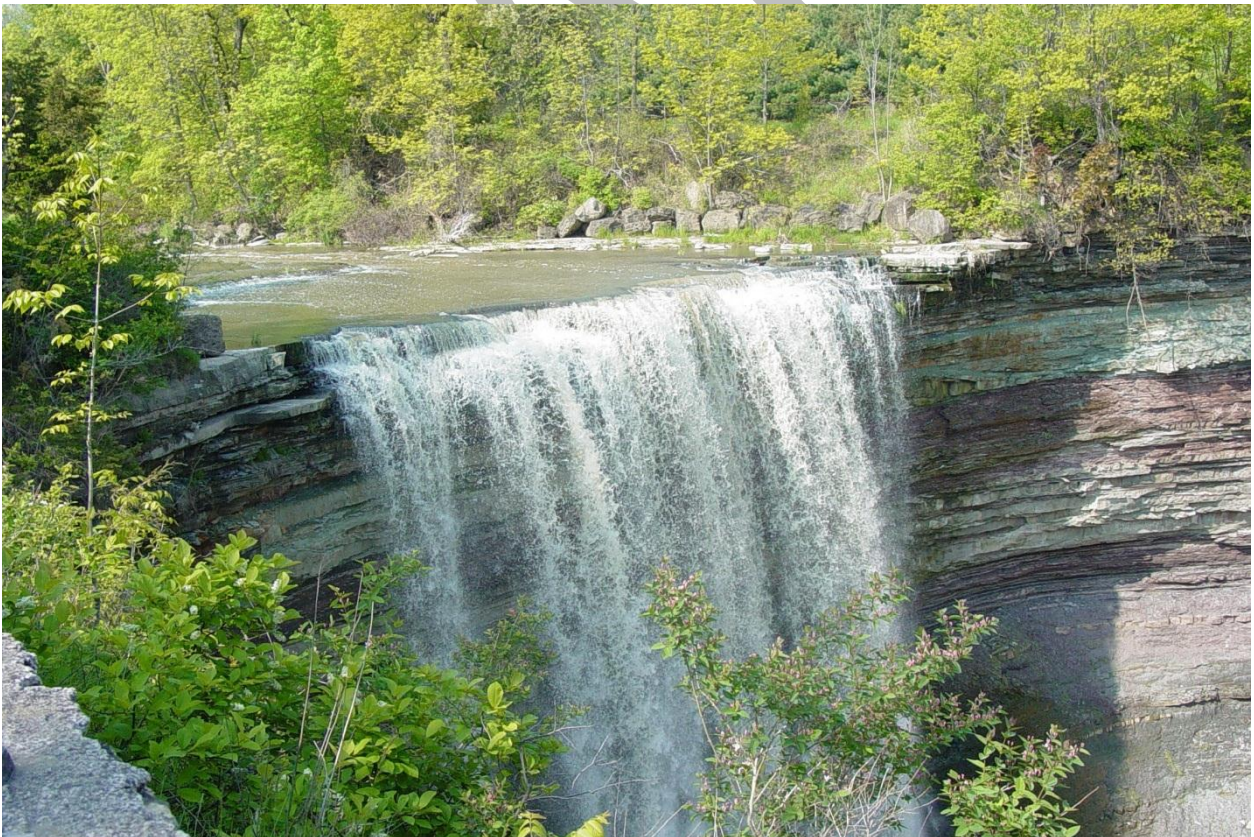
As per Section 30. (1) of the *Conservation Authorities Act*, an Authority shall make regulations, which includes:

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

This ***Board Members Regulation #4 Code of Conduct*** has been developed to adhere to the legislation cited above.

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

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



## **1. PREAMBLE**

- 1.1** The Code of Conduct represents general standards. It augments the laws of Ontario and NPCA Policies which govern the behaviour of Board Members. This code is not intended to replace personal ethics.
- 1.2** Board Members are expected to read, understand the Code of Conduct and their obligations therein.

## **2. GENERAL**

- 2.1** The Board governs lawfully with an emphasis on:
  - a) Outward Vision;
  - b) Encouragement of diversity in viewpoints;
  - c) Strategic leadership more than administrative detail;
  - d) Clear distinction between the Board and CAO/staff roles;
  - e) Collective rather than individual decisions, and
  - f) Proactive rather than reactive.
- 2.2** The Board commits itself to ethical, businesslike, and lawful conduct, including proper use of authority and appropriate decorum when acting as Board Members.
- 2.3** All Board Members shall serve in a conscientious and diligent manner.
- 2.4** It is expected that Board Members adhere to this code of conduct.

## **3. GIFTS AND BENEFITS**

- 3.1** Board Members may only accept gifts and benefits according to prescribed rules outlined in this Code of Conduct. To ensure impartial and transparent decision-making, Board Members may only accept gifts and benefits under certain conditions.
- 3.2** Board Members shall not accept gifts that may be perceived to create any obligation or special consideration. Board Members shall not accept any gift, benefit, service, entertainment or hospitality which could be seen to compromise their decision on a matter or create any obligation or special consideration by an individual, group or organization.



- 3.3** Board Members may only accept gifts that are received as part of normal protocol or social obligation. Board Members may only receive a gift, hospitality or entertainment that is received as an incident of protocol or social obligation that normally accompanies the responsibilities of being a member of the NPCA Board.

For example, if a Board Member is asked to speak at a meeting or function as a representative of NPCA, the Board Member may accept a gift given as a gesture of thanks for their time and effort. In these cases, there would be no perceived obligation or special consideration being placed on the Board Member.

- 3.4** A Board Member who receives a gift while acting as a representative of the NPCA that does not meet the tests in 3.1 and 3.2 must submit the gift to the CAO for further consideration. When a Board Member receives a gift while acting as a representative of the NPCA that does not meet the test in 3.1 or 3.2, the Board Member will forward the gift to the CAO.

The CAO will:

- direct the gift to a local charity;
- log the gifts received;
- send a letter of appreciation to the donor, where appropriate, advising their gift will benefit a local charity.

#### **4. CONFLICT OF INTEREST GUIDELINES**

- 4.1** Board Members must avoid conflict of interest with respect to their fiduciary responsibility.
- 4.2** Board Members must disclose their involvements with other organizations, vendors, or any associations that might be, or might reasonably be seen to be, a conflict.
- 4.3** When the Board is to decide upon an issue about which a Board Member has an unavoidable conflict of interest, that Board Member will withdraw without comment, not only from the vote, but also from the deliberation.
- 4.4** Board Members considering application for staff positions will remove themselves from the Board through a formal leave-of-absence at the time their interest is declared. If an offer of employment is made, the Board Member, must resign from the Board at the time the offer of employment is accepted. The Board Chair will notify the appointing municipality when these situations arise.

## **5. CONFIDENTIALITY**

- 5.1** All information, documentation or deliberations received, during in-camera sessions of the Authority and its committees are confidential.
- 5.2** Board Members shall not disclose or release by any means to any member of the public either in verbal, written or electronic form any confidential information acquired by virtue of their office, except when required by law to do so.
- 5.3** Particular care should be exercised in releasing information such as the following:
- Human Resource matters
  - Information about suppliers provided for evaluation which might be useful to other suppliers
  - Matters relating to the legal affairs of the Authority
  - Sources of complaints where the identity of the complainant is given in confidence
  - Items under negotiation
  - Schedules of prices in contract tenders
  - Information deemed to be “personal information” under the *Municipal Freedom of Information and Protection of Privacy Act*
- The list above is provided for example and is not inclusive.
- 5.4** Breaches of confidentiality will be addressed with appropriate sanctions as per Section 15.

## **6. USE OF AUTHORITY PROPERTY**

- 6.1** No Board Member shall use for personal purposes any Authority property, equipment, supplies, or services of consequence other than for purposes connected with the discharge of Authority duties or associated community activities of which the Authority has been advised.

## **7. WORK OF A POLITICAL NATURE**

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

## **8. ATTENDANCE AT AUTHORITY MEETINGS**

- 8.1** Board Members make board meeting attendance a priority. A Board Member is considered to have resigned if he/she is absent from three (3) consecutive board meetings without a formal leave of absence, or five (5) meetings in a year without

an acceptable explanation as approved by the Chair. The Board Chair will notify the appointing municipality when this situation arises. The appointing municipality may appoint a substitute member during a long-term absence.

## **9. CONDUCT AT AUTHORITY MEETINGS**

- 9.1** During meetings, Board Members shall conduct themselves with decorum. Respect for delegations and for fellow Board Members requires that all Board Members show courtesy and not distract from the business of the Authority.
- 9.2** No Board Member at any meeting of the Authority shall:
- a) Criticize any decision of the Authority or the Committee, as the case may be, except for moving, in accordance with the provision of this by-law, that the questions be reconsidered;
  - b) Speak in a manner that is discriminatory in nature based on an individual's race, ancestry, place of origin, citizenship, creed, gender, sexual orientation, age, colour, marital status, family status or disability;
  - c) Leave their seat or make any noise or disturbance while a vote is being taken or until the result is declared;
  - d) Interrupt a member while speaking, except to raise a point of order or a question of privilege;
  - e) Speak disrespectfully or use offensive words against the Authority, Board Members, staff, or any member of the public;
  - f) Speak beyond the question(s) under debate;
  - g) Resist the rules or disobey the decision of the Board Chair on the questions or order or practices or upon the interpretation of the rules of the Authority.
- 9.3** If any Board Member resists or disobeys, they may be ordered by the Chair to leave their seat for the remainder of the meeting. In the case of an apology being made by the offender, they may, by majority vote of the Authority, be permitted to retake their seat.
- 9.4** No person except Board Members and Staff shall be allowed to come to the Board's table during the meetings of the Board without permission of the Chair or the Board.
- 9.5** Censureship of an individual Board Member for conduct unbecoming a Board Member in the fulfillment of their duties, will be in accordance with a Motion to Censure described in Regulation #2 - Appendix A - Common Motions, Section C.

## **10.0 INFLUENCE ON STAFF**

- 10.1** Board Members shall be respectful of the fact that staff work for the whole corporation and are charged with making recommendations that reflect their professional expertise and corporate perspective, without undue influence from any individual Board Member or faction.
- 10.2** Board Members do not exercise individual authority.
- 10.3** Except for participation in Board deliberation about whether the CAO has achieved reasonable interpretation of Board policy, Board Members will not express publicly, individual judgments of performance of the CAO or any NPCA staff.

## **11.0 BUSINESS RELATIONS**

- 11.1** No Board Member shall act as a paid agent before the Authority or a committee of the Authority.

## **12.0 ENCOURAGEMENT OF RESPECT FOR CORPORATION AND ITS REGULATIONS**

- 12.1** Board Members shall represent the Authority in a respectful way and encourage public respect for the Authority and its Regulations.
- 12.2** Board Members shall show respect for the decision-making process of the Board Members. Information concerning the adoption of policies, procedures and decisions of the NPCA Board shall be conveyed openly and accurately.
- 12.3** Board Members shall accurately communicate the decisions of the Board even if they disagree with the decision. Board Members are expected to provide a fair and balanced account of the issues, the discussion surrounding them, and the reasons certain decisions were made.
- 12.4** Refrain from making statements the Board Member knows to be false or with the intent to mislead the Board or the public.
- 12.5** Refrain from making disrespectful comments about another Board Member or unfounded and speculative accusations about the motives of another Board Member.

## **13.0 HARASSMENT**

- 13.1** The NPCA has a legal responsibility to maintain a work environment free of violence and harassment, consistent with the Ontario *Occupation Health & Safety Act*, and consistent with NPCA's "*Workplace Violence & Harassment Prevention Policy*".
- 13.2** It is the policy of the NPCA that all persons be treated fairly in the workplace in an environment free of discrimination and of personal and sexual harassment. Harassment of another Board Member, staff or any member of the public is misconduct.
- 13.3** Examples of harassment that will not be tolerated by the NPCA include but are not limited to: verbal or physical abuse, threats, derogatory remarks, jokes, innuendo or taunts related to an individual's race, religious beliefs, colour, gender, physical or mental disabilities, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation, whether in person, electronic or media. The NPCA will also not tolerate the display of pornographic, racist or offensive signs or images; practical jokes that result in awkwardness or embarrassment; unwelcome invitations or requests, whether indirect or explicit and any other prohibited grounds under the provisions of the *Ontario Human Rights Code*.

## **14.0 OPERATIONAL CONCERNS OR COMPLAINTS**

- 14.1** If a Board Member has questions or issues surrounding reports, projects, operational concerns or complaints, such questions should be directed through the CAO and/or senior staff.
- 14.2** If a Board Member is approached by the public with inquiries/complaints regarding operational matters, the Board Member is encouraged to contact the CAO who, in turn, can contact the individual for review/resolution.

## **15.0 BREACH OF CONDUCT**

- 15.1** Should a Board Member breach the Code of Conduct, they are responsible to advise the Chair and Vice-Chair, as soon as possible. The Chair will inform the Board of the breach and schedule an in-camera session.
- 15.2** Should a Board Member allege that another Board Member has breached the Code of Conduct, the said breach will be communicated to the Chair or in his/her absence, the Vice-Chair. The Chair will present the issue to the Board Members at an in-camera session.

- 15.3** The Board Member alleged to have breached the Code of Conduct will be given the opportunity to speak to the issue. The Board Member may be asked to leave the meeting so that the Board can deliberate the issue.
- 15.4** Should it be concluded, by a two-thirds majority vote, that a Board Member has breached the Code of Conduct, a letter will be forwarded to the representative's appointing municipal Council, by the NPCA Board Chair or in his/her absence, the Vice-Chair, advising of said breach. The decision for the Board Member to continue representing their municipality will be determined by the appointing municipal Council.
- 15.5** Failure to comply with this Code of Conduct may result in one or more of the following actions as directed by the Board Members by a two-thirds majority vote;
1. Repayment or reimbursement of moneys received, where applicable
  2. Return of property or reimbursement of its value, where applicable
  3. A request for an apology to the Board Members, the Complainant, or both
  4. A verbal reprimand by the Board Members
  5. A written reprimand by the Board Members
  6. A formal censure with copies sent from the Board Members to the Clerk of the Municipality for which the member is the representative
  7. Suspension of the remuneration paid to the Board Member for a period of up to 90 days
  8. A written request to the Council of the Board Member's Municipality to have the Member removed from the NPCA Board. A Board Member can appeal the decision of the Board to the appointing municipality.

## **16.0 INTERPRETATION**

- 16.1** Board Members of the Authority seeking clarification of any part of this should consult with the Board Chair, Vice Chair or the full Board.

## **17.0 COMPLAINT PROCESS**

- 17.1** Any complaint regarding Board Member conduct will be vetted through the NPCA Board Chair; Any complaint regarding the conduct of Board Chair, will be vetted through the Vice-Chair.

**AUDIT COMMITTEE  
DRAFT MEETING MINUTES**

**Tues. Sept. 5, 2017; 4:00 pm**  
**250 Thorold Road W. 3<sup>rd</sup> floor; Welland, ON - Boardroom**

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**Committee Members In attendance:**

Tony Quirk, Board Member - Committee Chair  
Sandy Annunziata, NPCA Chair  
James Kaspersetz, NPCA Vice-Chair  
Brian Baty, Board Member  
Mickey DiFruscio, Board Member

**Regrets**

Stew Beattie, Board Member

**NPCA Staff**

Mark Brickell, CAO/Secretary Treasurer  
David Barrick, Senior Director, Corporate Resources  
John Wallace, Manager, Finance  
Peter Graham, Director, Watershed Management

**Guest Attendance:**

R. Baksh, Dillon Consulting  
A. Joyner, Dillon Consulting

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Committee Chair, Tony Quirk called the meeting to order 4:01 pm.

No conflicts of interest were declared and the agenda was adopted as presented.

**Business:**

◆ Resolution No. AC-03-17

**Moved by: J. Kaspersetz**

**Seconded by: B. Baty**

**THAT the Audit Committee move in-camera for an audit update and the consideration/evaluation of audit proposals.**

**CARRIED**

◆ Resolution No. AC-04-17

**Moved by: B. Baty**

**Seconded by: S. Annunziata**

**THAT the Audit Committee move to open session.**

**CARRIED**



◆ Resolution No. AC-05-17

Moved by: M. DiFruscio

Seconded by: J. Kaspersetz

THAT the Audit Committee recommend the Full Authority Board appoint KPMG as the external financial auditor for fiscal years 2017-2021.

**CARRIED**

◆ Resolution No. AC-06-17

Moved by: S. Annunziata

Seconded by: J. Kaspersetz

THAT the Audit Committee recommend Option 4, as per the in-camera session, and that the recommendation be referred to the Budget Steering Committee for inclusion in the 2018 budget.

**CARRIED**

◆ Other Business:

None

Resolution No. AC-07-17

Moved by: S. Annunziata

Seconded by J. Kaspersetz

THAT the Audit Committee Meeting be adjourned.

**CARRIED**

Meeting adjourned at 5:28 pm

**BUDGET STEERING COMMITTEE  
MEETING MINUTES  
Wednesday Sept. 13, 2017; 1:30 pm  
250 Thorold Road West; 3<sup>rd</sup> floor; Welland, ON  
Boardroom**

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**Committee Members In attendance:**

Tony Quirk, **Committee Chair**  
Sandy Annunziata, NPCA Chair  
James Kaspersetz, NPCA Vice-Chair  
Bruce Timms, Board Member  
Stewart Beattie, Board Member  
Mickey DiFruscio, Board Member

**NPCA Staff**

David Barrick, Senior Director, Corporate Resources  
John Wallace, Manager, Finance  
Mark Brickell, CAO/Secretary Treasurer  
Gregg Furtney, Acting Director, Watershed Management  
Gina Shaule, Administrative Assistant

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Committee Chair, T. Quirk called the meeting to order at 1:29 pm

No Conflicts of Interest were declared by members and agenda was adopted as presented.

Resolution No. BSC-04-17

**Moved by: James Kaspersetz**

**Seconded by: Stew Beattie**

**That the Budget Steering Committee Agenda be APPROVED.**

**CARRIED**

Resolution No. BSC-05-17

**Moved by: Bruce Timms**

**Seconded by: Stew Beattie**

**That the Budget Steering Committee RECEIVE the June 12 Budget Steering Committee minutes.**

**CARRIED**

Resolution No. BSC-06-17

**Moved by:** James Kaspersetz

**Seconded by:** Stew Beattie

**That the Budget Steering Committee move IN-CAMERA to consider a recommendation from the Audit Committee from its Sept. 5, 2017 meeting and to receive a presentation on considerations for the DRAFT 2018 Operating Budget.**

**CARRIED**

Resolution No. BSC-07-17

**Moved by:** James Kaspersetz

**Seconded by:** Stew Beattie

**That the Budget Steering Committee move to OPEN SESSION.**

**CARRIED**

Resolution No. BSC-08-17

**Moved by:** James Kaspersetz

**Seconded by:** Stew Beattie

**That the Budget Steering Committee recommend APPROVAL of its 2018 Draft Operating Budget, as presented, to the Board.**

**CARRIED**

Resolution No. BSC-09-17

**Moved by:** Stew Beattie

**Seconded by:** James Kaspersetz

**That the Budget Steering Committee, subject to a legal review, recommend that the Board APPROVE enacting an Administrative Levy of \$300,000 per funding municipality.**

**CARRIED**

Resolution No. BSC-10-17

**Moved by:** Bruce Timms

**Seconded by:** James Kaspersetz

**That the Budget Steering Committee move IN-CAMERA to receive an update regarding identifiable individuals.**

**CARRIED**

Resolution No. BSC-11-17

**Moved by: James Kaspersetz**

**Seconded by: Bruce Timms**

**That the Budget Steering Committee move to OPEN SESSION.**

**CARRIED**

**Other Business**

None

**ADJOURNMENT**

With no further business, the Budget meeting adjourned at 3:06 pm with the following resolution:

Resolution No. BSC-12-17

**Moved by: James Kaspersetz**

**Seconded by: Bruce Timms**

**That the Budget Steering Committee meeting be adjourned.**

**CARRIED**

## 2017 Funding Allocation

Allocated to Operating Budget

|                             |           |
|-----------------------------|-----------|
| Regular Levy                | 5,638,972 |
| Special Levy                | 1,749,385 |
| Federal Grant               | 190,000   |
| Provincial Grant            | 485,996   |
| Park Operations/Strat Init. | 1,579,779 |
| Admin Fees                  | 360,325   |
| Foundation                  | 28,035    |
| Other                       | 110,900   |
| Opg Funds                   |           |

|                                |                   |
|--------------------------------|-------------------|
| Operating Budget Funding Total | <u>10,143,392</u> |
|--------------------------------|-------------------|

## Expenditure

|            |           |
|------------|-----------|
| Corporate  | 4,028,507 |
| Watershed  | 3,013,598 |
| Operations | 3,101,287 |

|                             |                   |
|-----------------------------|-------------------|
| Operating Expenditure Total | <u>10,143,392</u> |
|-----------------------------|-------------------|

|                   |          |
|-------------------|----------|
| Surplus/(Deficit) | <u>0</u> |
|-------------------|----------|

Allocated to Capital Budget

|               |         |
|---------------|---------|
| Regular Levy  |         |
| Special Levy  | 470,871 |
| Federal Grant |         |
| Reserves      |         |
| Opg Funds     | 271,000 |

|                      |                |
|----------------------|----------------|
| Capital Budget Total | <u>741,871</u> |
|----------------------|----------------|

## Allocated Directly to Reserves

|                                     |         |
|-------------------------------------|---------|
| Regular Levy (Niagara Differential) | 431,744 |
| Special Levy (Land Acquisition)     | 600,000 |

|               |                  |
|---------------|------------------|
| Reserve Total | <u>1,031,744</u> |
|---------------|------------------|

|             |                   |
|-------------|-------------------|
| Grand Total | <u>11,917,007</u> |
|-------------|-------------------|

## 2018 Funding Allocation

Allocated to Operating Budget

|                               |           |
|-------------------------------|-----------|
| Regular Levy                  | 5,805,740 |
| Special Levy                  | 847,435   |
| Federal Grant                 | 155,000   |
| Provincial Grant              | 473,996   |
| Park Operations/Strat Init.   | 1,660,350 |
| Admin Fees                    | 367,500   |
| Fees for Services (Municipal) | 185,000   |
| Other                         | 136,000   |
| Opg Funds                     | 0         |

|                                |                  |
|--------------------------------|------------------|
| Operating Budget Funding Total | <u>9,631,021</u> |
|--------------------------------|------------------|

## Expenditure

|                       |           |
|-----------------------|-----------|
| Board/ Administration | 1,605,035 |
| Watershed             | 2,578,492 |
| Corporate Resources   | 5,447,494 |

|                             |                  |
|-----------------------------|------------------|
| Operating Expenditure Total | <u>9,631,021</u> |
|-----------------------------|------------------|

|                   |          |
|-------------------|----------|
| Surplus/(Deficit) | <u>0</u> |
|-------------------|----------|

Allocated to Capital Budget

|               |         |                     |
|---------------|---------|---------------------|
| Regular Levy  |         |                     |
| Special Levy  | 804,731 | (1,621,851-824,120) |
| Federal Grant |         |                     |
| Reserves      |         |                     |
| Opg Funds     | 0       |                     |

|                      |                |
|----------------------|----------------|
| Capital Budget Total | <u>804,731</u> |
|----------------------|----------------|

## Allocated Directly to Reserves

|                                     |         |
|-------------------------------------|---------|
| Regular Levy (Niagara Differential) | 440,378 |
| Special Levy (Land Acquisition)     | 600,000 |

|               |                  |
|---------------|------------------|
| Reserve Total | <u>1,040,378</u> |
|---------------|------------------|

|             |                   |
|-------------|-------------------|
| Grand Total | <u>11,476,130</u> |
|-------------|-------------------|

| 2017                        |                  | 2018 (After 2018 Apportionment) |                  | Inc/(Dec) | Inc/(Dec) % |
|-----------------------------|------------------|---------------------------------|------------------|-----------|-------------|
| <b>Region of Niagara</b>    |                  | <b>Region of Niagara</b>        |                  |           |             |
| Regular Levy                | 4,739,948        | Regular Levy                    | 4,848,695        | 108,747   | 2.3%        |
| Special Levy                | 2,699,359        | Special Levy                    | 2,128,851        | (570,508) | -21.1%      |
| Total Region of Niagara     | 7,439,307        | Total Region of Niagara         | 6,977,546        | -461,761  | -6.2%       |
| <b>City of Hamilton</b>     |                  | <b>City of Hamilton</b>         |                  |           |             |
| Regular Levy                | 1,214,568        | Regular Levy                    | 1,282,780        | 68,212    | 5.6%        |
| Special Levy                | 120,897          | Special Levy                    | 123,315          | 2,418     | 2.0%        |
| Total City of Hamilton      | 1,335,465        | Total City of Hamilton          | 1,406,095        | 70,630    | 5.3%        |
| <b>Haldimand County</b>     |                  | <b>Haldimand County</b>         |                  |           |             |
| Regular Levy                | 116,200          | Regular Levy                    | 114,643          | (1,557)   | -1.3%       |
| <b>Total Municipalities</b> |                  | <b>Total Municipalities</b>     |                  |           |             |
| Regular Levy                | 6,070,716        | Regular Levy                    | 6,246,118        | 175,402   | 2.9%        |
| Special Levy                | 2,820,256        | Special Levy                    | 2,252,166        | -568,090  | -20.1%      |
| <b>Total Municipal Levy</b> | <u>8,890,972</u> | <b>Total Municipal Levy</b>     | <u>8,498,284</u> | -392,688  | -4.4%       |

2% = \$177,820

\*185,000 to be invoiced to Region for Water Monitoring  
(increase of \$15,320 from 2017)

2% = \$177,820 (\$175,402 Regular Levy , \$2,418 Special Levy Hamilton)



**2017 Operating Budget &  
2018 Draft Operating Budget**

**CAO/Administration**

|                                | <b>2017<br/>Budget</b> | <b>2018 Draft<br/>Budget</b> | <b>Increase or<br/>Decrease</b> |
|--------------------------------|------------------------|------------------------------|---------------------------------|
| <b>SALARIES &amp; BENEFITS</b> | 603 399                | 1 016 535                    | 413 136                         |
| <b>OTHER EMPLOYEE RELATED</b>  | 127 620                | 214 250                      | 86 630                          |
| <b>BOARD AND VOLUNTEER</b>     | 73 700                 | 93 250                       | 19 550                          |
| <b>PROFESSIONAL FEES</b>       | 12 000                 | 36 000                       | 24 000                          |
| <b>OCCUPANCY COSTS</b>         | 414 100                | 0                            | ( 414 100)                      |
| <b>VEHICLES AND EQUIPMENT</b>  | 43 000                 | 42 000                       | ( 1 000)                        |
| <b>EXPENSES</b>                | 24 700                 | 39 000                       | 14 300                          |
| <b>MATERIALS AND SUPPLIES</b>  | 35 500                 | 34 000                       | ( 1 500)                        |
| <b>MARKETING AND PROMOTION</b> | 114 000                | 130 000                      | 16 000                          |
| <b>TOTAL EXP</b>               | 1 448 019              | 1 605 035                    | 157 016                         |

**2017 OPERATING BUDGET &  
2018 DRAFT OPERATING BUDGET**

**Watershed**

|                        | Budget    | 2018 Draft Budget | Increase or Decrease |
|------------------------|-----------|-------------------|----------------------|
| SALARIES & BENEFITS    | 2 272 170 | 1 854 095         | ( 418 075)           |
| OTHER EMPLOYEE RELATED | 46 825    | 39 995            | ( 6 830)             |
| BOARD AND VOLUNTEER    |           |                   |                      |
| PROFESSIONAL FEES      | 221 653   | 238 565           | 16 912               |
| VEHICLES AND EQUIPMENT | 6 800     | 2 500             | ( 4 300)             |
| CONTRACTOR SERVICES    | 241 750   | 321 900           | 80 150               |
| EXPENSES               | 24 700    | 67 042            | 42 342               |
| MATERIALS AND SUPPLIES | 199 700   | 54 395            | ( 145 305)           |
| Total Exp              | 3 013 598 | 2 578 492         | ( 435 106)           |

**2017 Operating Budget &  
2018 Draft Operating Budget**

**Corporate Resources**

|                                | <b>2017<br/>Budget</b> | <b>2018 Draft<br/>Budget</b> | <b>Increase or<br/>Decrease</b> |
|--------------------------------|------------------------|------------------------------|---------------------------------|
| <b>SALARIES &amp; BENEFITS</b> | <b>3 062 608</b>       | <b>2 623 874</b>             | <b>( 438 734)</b>               |
| <b>OTHER EMPLOYEE RELATED</b>  | <b>59 250</b>          | <b>59 000</b>                | <b>( 250)</b>                   |
| <b>PROFESSIONAL FEES</b>       | <b>358 100</b>         | <b>520 000</b>               | <b>161 900</b>                  |
| <b>VEHICLES AND EQUIPMENT</b>  | <b>204 200</b>         | <b>180 000</b>               | <b>( 24 200)</b>                |
| <b>PARK MAINTENANCE</b>        | <b>347 950</b>         | <b>385 600</b>               | <b>37 650</b>                   |
| <b>DEBT SERVICING</b>          | <b>1 092 262</b>       | <b>824 120</b>               | <b>( 268 142)</b>               |
| <b>EXPENSES</b>                | <b>426 805</b>         | <b>291 900</b>               | <b>( 134 905)</b>               |
| <b>MATERIALS AND SUPPLIES</b>  | <b>55 600</b>          | <b>56 000</b>                | <b>400</b>                      |
| <b>TOTAL EXP</b>               | <b>5 681 775</b>       | <b>5 447 494</b>             | <b>( 234 281)</b>               |

**NIAGARA PENINSULA CONSERVATION AUTHORITY**  
**STATEMENT OF CONTINUITY FOR CAPITAL & OPERATING RESERVES**  
**FORECAST FOR 2017 & 2018**

|   | Balance (Audited)<br>31-Dec<br><u>2016</u> | Authorized<br>Appropriations<br><u>2017</u> | Forecasted Balance<br>31-Dec<br><u>2017</u> | 2018<br>Budget | Forecasted Balance<br>31-Dec<br><u>2018</u> |
|---|--|---|---|----------------|---|
|   | \$   | \$  | \$  | \$             | \$  |
| <b>Unexpended Capital Reserves</b>              |  |   |   |                |   |
| <b>Equipment</b>                                | 383,390                                    | (102,582)                                   | 280,808                                     | 0              | 280,808                                     |
| <b>General Capital</b>                          | 1,283,542                                  | (612,560)                                   | 670,982                                     | 0              | 670,982                                     |
| <b>Flood Protection Services</b>                | 404,350                                    | (40,000)                                    | 364,350                                     | 0              | 364,350                                     |
| <b>Niagara Levy Differential</b>                | 774,469                                    | 431,744                                     | 1,206,213                                   | 440,378        | 1,646,591                                   |
| <b>Land acquisition-Hamilton</b>                | 900,000                                    | 100,000                                     | 1,000,000                                   | 100,000        | 1,100,000                                   |
| <b>Land acquisition-Niagara</b>                 | 798,174                                    | 500,000                                     | 1,298,174                                   | 500,000        | 1,798,174                                   |
|   | 4,160,535                                  | 379,184                                     | 4,539,719                                   | 1,040,378      | 5,580,097                                   |
|   | 4,543,925                                  | 276,601.79                                  | 4,820,527                                   | 1,040,378      | 5,860,905                                   |
| <b>Operating Reserves</b>                       |  |   |   |                |   |
| <b>General Operating Reserve</b>                | 559,492                                    | 0   | 559,492                                     | 0              | 559,492                                     |
| <b>Tree Bylaw Agreement</b>                     | 82,371                                     | 0   | 82,371                                      | 0              | 82,371                                      |
|   | 641,863                                    | 0   | 641,863                                     | 0              | 641,863                                     |
|   | 641,863                                    | 0   | 641,863                                     | 0              | 641,863                                     |
| <b>Grand Total Reserves</b>                     | 5,185,788                                  | 276,602                                     | 5,462,390                                   | 1,040,378      | 6,502,768                                   |
| <b>Deferred Revenue - Ontario Power Generat</b> | 1,736,981                                  | (383,000.00)                                | 1,353,981                                   | 0              | 1,353,981                                   |



NIAGARA PENINSULA  
**CONSERVATION**  
AUTHORITY

# 2018 DRAFT Operating Budget

Presentation To  
Full Authority Board  
Sept. 20, 2017



# 2017 Budget Summary

|                  | 2017 Levy increase % | 2017 Municipal Budget Guidance |
|------------------|----------------------|--------------------------------|
| Niagara Region   | 0.94%                | 1%                             |
| City of Hamilton | 1.40%                | 1.80%                          |
| Haldimand County | 0.40%                | none provided                  |

- ✓ Total combined Levy guidance increase of 1% (\$88,029): achieved
- ✓ Operating budget be based on actual costs: completed
- ✓ No net reduction to the operating reserves: achieved
- ✓ Sustain cost savings realized to date: achieved
- ✓ Continue to pursue additional revenue generating opportunities: achieved





# 2018 Budget Pressures

- ❑ Implementation of approved and upcoming Masterplans  
(Binbrook/Cave Springs/Lake Erie Shoreline Properties, etc.)
- ❑ Planned to fund future projects such as:
  - ❑ L.B. Lagoon, C.C. Electrical upgrades
  - ❑ Emerald Ash Borer removal and tree replacement
  - ❑ Water Quality Monitoring and restoration
  - ❑ Floodplain mapping updates
- ❑ Additional public consultation:
  - ❑ Floodplain mapping
  - ❑ NPCA Policy Document Review



# 2018 Budget Pressures (con't)

- ❑ Anticipated bargaining costs (current agreement ends in 2018)
- ❑ Increased Training requirements
- ❑ Strategic Planning Support
- ❑ HQ lease increase (Alternative HQ feasibility)



# Full Time Salary and Benefits

- ❑ Projected 2018 Salary and Benefit Expenditure \$5,061,204
- ❑ Legislated minimum wage increase effective Jan.1, 2018 to \$14/hour equates to approx. \$35,000 increase to student wages
- ❑ Projected 2018 Expenditure includes:
  - ❑ Step increases
  - ❑ 2.25% as per collective agreement with union
  - ❑ 3% increase in group benefits at present by Sun Life (carrier for Conservation Authorities).
  - ❑ Other benefit costs adjusted to reflect known changes such as: WSIB premium increased to \$3.05 from \$2.88 per \$100 of earnings , EI premium decrease to \$836 from \$955 per employee , CPP increase from \$2,545 to \$2564 per employee



# Budget Committee Direction

June 12, 2017

- That discussions be held with the Region regarding the invoicing of programs/services vs special levy of programs/services the NPCA currently provides to the Region.
- Total combined Levy increase of 2% (\$177,820)
  - Equates to approx. 1.6% total budget increase as guidance

## 2018 Niagara Region Special Levy



NIAGARA PENINSULA  
**CONSERVATION**  
AUTHORITY

| Niagara Special Levy Breakdown                      |  | 2018<br>Special<br>Levy |
|---|--|-------------------------|
| <b>Programs/Services approved by NPCA Board</b>     |  | Levied                  |
| Land Aquisition                                     |  | 500,000                 |
| Debt Charges  |  | 1,628,851               |
| <b>Total Special Levy (Niagara)</b>                 |  | <b><u>2,128,851</u></b> |
|   |  |                         |
|   |  |                         |
| <b>Programs/Services approved by Niagara Region</b> |  | Invoiced                |
| Water Quality Monitoring                            |  | 185,000                 |
| <b>Total Invoiced to Niagara Region</b>             |  | <b><u>185,000</u></b>   |
|   |  |                         |



## 2018 Operating Budget adjustments

- Board Budget Guidance of 2% Total levy from 2017 = \$177,820 added
- Clarification of Niagara Special Levy vs. invoiced services
- Merged former Operations Department with Financial Services and Information Technology Divisions to form new Corporate Resources Department
- Merged Human Resources, Communications, Community Engagement and Administrative Assistant services with Office of the CAO and Board now referred to as 'CAO and BOARD'
- Regular Full time Salaries and Benefits include 2.25% increase to base salary as per the collective agreement





## Funding Allocations to the 2018 Operating Budget

|                                |                  |
|--------------------------------|------------------|
| Regular Levy                   | 5,805,740        |
| Special Levy                   | 847,435          |
| Federal Grant                  | 155,000          |
| Provincial Grant               | 473,996          |
| Park Operations/Strat Init.    | 1,660,350        |
| Admin Fees                     | 367,500          |
| Fees for Services (Municipal)  | 185,000          |
| Other                          | 136,000          |
| Opg Funds                      | 0                |
|                                |                  |
| Operating Budget Funding Total | <u>9,631,021</u> |



NIAGARA PENINSULA  
CONSERVATION  
AUTHORITY

## 2018 Operating Expenditures

|                             |                  |
|-----------------------------|------------------|
| Board/ Administration       | 1,605,035        |
| Watershed                   | 2,578,492        |
| Corporate Resources         | 5,447,494        |
| Operating Expenditure Total | <u>9,631,021</u> |
| Surplus/(Deficit)           | <u>0</u>         |



NIAGARA PENINSULA  
CONSERVATION  
AUTHORITY

# 2018 Capital & Reserve Contribution

|                                       |                  |
|---------------------------------------|------------------|
| Capital Budget Total                  | <u>804,731</u>   |
| <u>Allocated Directly to Reserves</u> |                  |
| Regular Levy (Niagara Differential)   | 440,378          |
| Special Levy (Land Acquisition)       | 600,000          |
| Reserve Total                         | <u>1,040,378</u> |

\* 2018 Capital projects to be discussed at Oct. 11, 2017 Budget Committee meeting

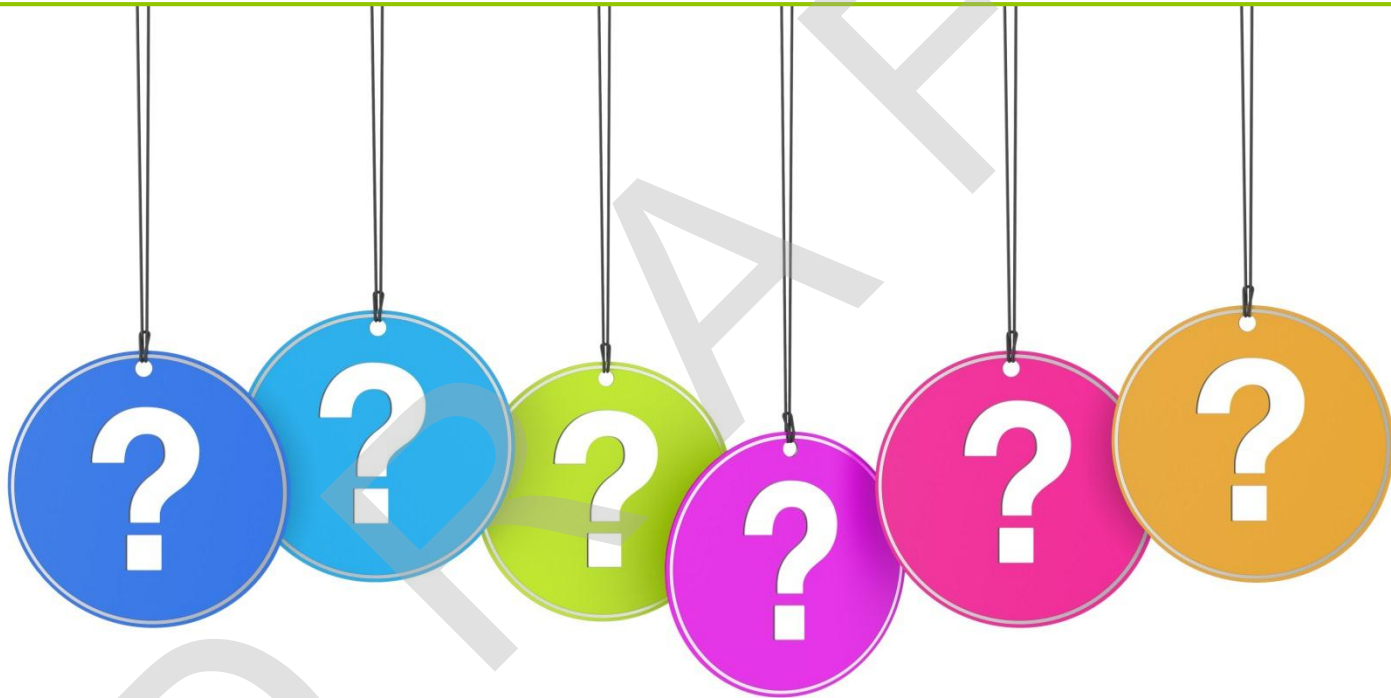


# Summary

- ✓ Discussions be held with the Niagara Region regarding the invoicing of programs/services vs special levy of programs/services the NPCA currently provides to the Region: achieved
- ✓ Total combined Levy guidance increase of 2% (or \$177,820 based on 2017 total levy): achieved
- ✓ Operating budget be based on actual costs: completed
- ✓ No net reduction to the operating reserves: achieved
- ✓ Sustain cost savings realized to date: achieved
- ✓ Continue to pursue additional revenue generating opportunities: ongoing



NIAGARA PENINSULA  
**CONSERVATION**  
AUTHORITY



## Mark Brickell

---

**From:** MIN Feedback (MNRF) <minister.mnrf@ontario.ca>  
**Sent:** Friday, September 01, 2017 3:17 PM  
**To:** sandy.annunziata@niagararegion.ca  
**Cc:** lcone@npca.ca; Mark Brickell  
**Subject:** Message from the Honourable Kathryn McGarry, Minister of Natural Resources and Forestry

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Ministry of Natural  
Resources and Forestry**

Office of the Minister

Room 6630, Whitney Block  
99 Wellesley Street West  
Toronto ON M7A 1W3  
Tel: 416-314-2301  
Fax: 416-314-2216

**Ministère des Richesses  
naturelles et des Forêts**

Bureau de la ministre

Édifice Whitney, bureau 6630  
99, rue Wellesley Ouest  
Toronto (Ontario) M7A 1W3  
Tél.: 416-314-2301  
Téléc.: 416-314-2216



MNR6446MC-2017-1407

August 31, 2017

Mr. Sandy Annunziata  
Chair  
Niagara Peninsula Conservation Authority  
[sandy.annunziata@niagararegion.ca](mailto:sandy.annunziata@niagararegion.ca)

Dear Mr. Annunziata:

Thank you for providing comments on the *Building Better Communities and Conserving Watersheds Act, 2017*, which proposes amendments to the *Conservation Authorities Act*. I appreciate receiving your positive feedback and I am pleased to hear your support for changes to modernizing the *Conservation Authorities Act* policy framework.

Throughout the review of the act, the Ministry of Natural Resources and Forestry has valued the input received from individuals and organizations across the province about their experience with conservation authorities.

I would like to personally thank the Niagara Peninsula Conservation Authority (NPCA) for your participation throughout the review and for helping to identify opportunities to improve the existing legislative framework.

I note the recommendations by the NPCA and have forwarded your comments to ministry staff who led the review. All of the feedback collected will be analyzed and considered to inform the legislative process and the development of additional proposed changes as outlined in the document *Conserving Our Future: A Modernized Conservation Authorities Act*. This document is available at [www.ontario.ca/ebr](http://www.ontario.ca/ebr) by searching for posting #012-7583.

There will be further opportunities for consultation as any future regulatory and policy changes are proposed, to ensure any associated implications are fully understood. However, if you have any additional comments, please send them to [mnrwaterpolicy@ontario.ca](mailto:mnrwaterpolicy@ontario.ca).

We look forward to building upon the partnerships created over the last few years by continuing to work with the public, stakeholders and Indigenous communities to modernize the act and the role of conservation authorities in the conservation, restoration, development and management of Ontario's natural resources.

Again, thank you for your involvement in my ministry's review of the *Conservation Authorities Act*.

Best,

Kathryn McGarry  
Minister of Natural Resources and Forestry

c: Mark Brickell, Acting Chief Administrative Officer, NPCA



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**The St. Lawrence  
Seaway Management  
Corporation**

**Corporation de Gestion  
de la Voie Maritime  
du Saint-Laurent**

202 Pitt Street, Cornwall (Ontario) K6J 3P7

September 12th, 2017

*Via Electronic Transmission*

**Mr. Sandy Annunziata**

Chair, NPCA

Niagara Peninsula Source Protection Authority

250, Thorold Road West, 3<sup>rd</sup> Floor

Welland, Ontario, L3C 3W2

**Re: Niagara Peninsula Source Protection Plan - Your Letter dated August 9, 2017**

---

Dear Mr. Annunziata:

As a follow-up to your letter dated August 9, 2017, surface water protection is one of many elements accounted for by the St. Lawrence Seaway Management Corporation (SLSMC), as part of its ongoing commitment to prevent environmental impacts to waterways and lands. As a steward of the St. Lawrence Seaway, the SLSMC recognizes the task of managing the waterway must take into account the interests of a wide range of stakeholders, including business and industry, local communities and recreational users.

As a member of the Niagara Peninsula area, the SLSMC reviews and up-grades on a regular basis its emergency response plan and risk management measures, for the benefit of all stakeholders, in order to preserve the quality of the surface waters flowing within the Welland Canal. One such example is SLSMC's on-going commitment to training local spill responder suppliers for the Welland Canal, through the Eastern Canadian Response Corporation (ECRC), a Transport Canada certified organization which assists marine-related organizations. Voluntary improvements of on-land practices along the Welland Canal, are also reducing the risks associated with surface water quality.

I trust you find the foregoing in order, however, should you require any additional information, please contact the undersigned.

Yours truly,

Jean Aubry-Morin

Vice president, External Relations

[jaubrymorin@seaway.ca](mailto:jaubrymorin@seaway.ca)

c.c.: Ms. A. Girhardi, SLSMC  
Mr. S. Murray, SLSMC  
Mr. M. Brickell, NPCA  
Ms. M. Bellantino-Perco



**OFFICE OF THE LORD MAYOR**

Town of Niagara-on-the-Lake

1593 Four Mile Creek Road, PO Box 100, Virgil, ON L0S 1T0

905-468-3266 • pdarte@notl.org

[www.notl.org](http://www.notl.org)

Sent via email only

September 12, 2017

Mark Brickell  
Chief Administrative Officer & Secretary Treasurer  
Niagara Peninsula Conservation Authority  
250 Thorold Road West; 3rd Floor  
Welland, ON L3C 3W2

RE: Extension Request for Response Deadline to Proposed Regional Natural Heritage System

To Mr. Brickell;

The Town of Niagara-on-the-Lake respectfully requests that the Niagara Peninsula Conservation Authority extends the deadline for responses to the Proposed Regional Natural Heritage System (NHS) for the Growth Plan for the Greater Golden Horseshoe. As this document was released during peak farming season, our agricultural community has not had sufficient time to review the document and prepare comments.

We request that the deadline for comments be extended by a minimum of one (1) month from Wednesday, October 4<sup>th</sup>, 2017 to Wednesday, November 1<sup>st</sup>, 2017.

In addition, please provide the Town with contact information for a staff member that can respond to any questions the public may have regarding this document.

Sincerely,

Pat Darte  
Lord Mayor

CC: NPCA Board of Directors

---

**Report To: Board of Directors**

**Subject: Financial and Reserve Report – Month Ending August 31, 2017**

**Report No: 90-17**

**Date: September 20, 2017**

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**RECOMMENDATION:**

That Financial and Reserve Report No. 90-17 month ending August 31, 2017 be **RECEIVED** for information.

**DISCUSSION:**

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

The report confirms the general financial oversight and compliance with Public Sector Accounting Board standards.

**FINANCIAL IMPLICATIONS:**

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

**RELATED REPORTS AND APPENDICES:**

**Appendix 1 – Budget Status Report: for month ending August 2017 (consolidated)**

**Appendix 2 - Statement of Reserves for month ending August 2017**

**Prepared by:**

**Submitted by:**

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**David Barrick**  
Director of Corporate Services

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**Mark Brickell**  
CAO/Secretary Treasurer

***This report was prepared in consultation with John Wallace, Manager of Finance.***

**NIAGARA PENINSULA CONSERVATION AUTHORITY**  
**CONSOLIDATED NON CAPITAL**  
**JANUARY 1, 2017 -AUGUST 31, 2017**

| <b><u>REVENUES</u></b>    | <b><u>YTD ACTUAL</u></b> | <b><u>ANNUAL<br/>BUDGET</u></b> | <b><u>% OF<br/>BUDGET</u></b> |
|---------------------------|--------------------------|---------------------------------|-------------------------------|
| MNR TRANSFER PAYMENTS     | 174,496.00               | 174,496.00                      | 100.0%                        |
| PROVINCIAL GRANTS - MOE   | 63,038                   | 99,500                          | 63.4%                         |
| PROVINCIAL GRANTS - OTHER | 164,472.85               | 212,000.00                      | 77.6%                         |
| FEDERAL GRANTS            | 48,508                   | 190,000                         | 25.5%                         |
| MUNICIPAL LEVY - GENERAL  | 4,229,321                | 5,638,972                       | 75.0%                         |
| LEVY - SPECIAL - NIAGARA  | 1,297,115                | 1,729,488                       | 75.0%                         |
| LEVY - SPECIAL - HAMILTON | 14,923                   | 19,897                          | 75.0%                         |
| ADMINISTRATION FEES       | 344,030                  | 360,325                         | 95.5%                         |
| USER FEES /OTHER REVENUES | 1,420,634                | 1,612,279                       | 88.1%                         |
| RESERVE FUNDS             | -                        | -                               | 0.0%                          |
| LAND OWNER CONTRIBUTION   | 8,128                    | -                               | 100.0%                        |
| MISCELLANEOUS             | 41,358                   | 106,435                         | 38.9%                         |
|                           | <b><u>7,806,024</u></b>  | <b><u>10,143,392</u></b>        | <b><u>77.0%</u></b>           |

**EXPENDITURES**

|                                |                         |                          |                     |
|--------------------------------|-------------------------|--------------------------|---------------------|
| CAO/BOARD & CORPORATE SERVICES | 2,752,345               | 4,028,507                | 68.3%               |
| WATERSHED                      | 1,697,511               | 3,013,598                | 56.3%               |
| OPERATIONS                     | 2,111,544               | 3,101,287                | 68.1%               |
|                                | <b><u>6,561,400</u></b> | <b><u>10,143,392</u></b> | <b><u>64.7%</u></b> |

**NIAGARA PENINSULA CONSERVATION AUTHORITY  
CAO/BOARD AND CORPORATE SERVICES  
JANUARY 1, 2017 -AUGUST 31, 2017**

| <b><u>REVENUES</u></b>    | <b><u>YTD ACTUAL</u></b> | <b><u>ANNUAL<br/>BUDGET</u></b> | <b><u>% OF BUDGET</u></b> |
|---------------------------|--------------------------|---------------------------------|---------------------------|
| MNR TRANSFER PAYMENTS     | 75,796                   | 75,796                          | 100.0%                    |
| PROVINCIAL GRANTS - OTHER | 66,699                   | 110,000                         | 60.6%                     |
| MUNICIPAL LEVY - GENERAL  | 1,980,584                | 2,640,783                       | 75.0%                     |
| LEVY - SPECIAL - NIAGARA  | 835,419                  | 1,113,893                       | 75.0%                     |
| INTEREST INCOME           | 17,609                   | 60,000                          | 29.3%                     |
| MISCELLANEOUS             | 6,455                    | -                               | 100.0%                    |
| RESERVE FUNDS             |                          | -                               | -                         |
| CONSERVATION FOUNDATION   |                          | 28,035                          | 0.0%                      |
|                           | <b>2,982,562</b>         | <b>4,028,507</b>                | <b>74.0%</b>              |

**EXPENDITURES**

|                                  |                  |                  |              |
|----------------------------------|------------------|------------------|--------------|
| <b>CAO &amp; BOARD EXPENSES</b>  | <b>136,884</b>   | <b>365,723</b>   | <b>37.4%</b> |
| <b><u>CORPORATE SERVICES</u></b> |                  |                  |              |
| CORPORATE MANAGEMENT             | 1,349,695        | 1,783,738        | 75.7%        |
| OFFICE SERVICES                  | 370,129          | 487,600          | 75.9%        |
| FINANCIAL SERVICES               | 176,544          | 270,246          | 65.3%        |
| HUMAN RESOURCES                  | 90,952           | 114,120          | 79.7%        |
| INFORMATION TECHNOLOGY           | 353,941          | 526,504          | 67.2%        |
| CORPORATE COMMUNICATIONS         | 274,200          | 480,576          | 57.1%        |
|                                  | <b>2,615,461</b> | <b>3,662,784</b> | <b>71.4%</b> |



**NIAGARA PENINSULA CONSERVATION AUTHORITY  
WATERSHED  
JANUARY 1, 2017 - AUGUST 31, 2017**

| <b><u>REVENUES</u></b>      | <b><u>YTD ACTUAL</u></b> | <b><u>ANNUAL<br/>BUDGET</u></b> | <b><u>% OF<br/>BUDGET</u></b> |
|-----------------------------|--------------------------|---------------------------------|-------------------------------|
| MNR TRANSFER PAYMENTS       | 98,700                   | 98,700                          | 100.0%                        |
| PROVINCIAL GRANTS - MOE     | 63,038                   | 99,500                          | 63.4%                         |
| PROVINCIAL GRANTS - OTHER   | 97,774                   | 102,000                         | 95.9%                         |
| FEDERAL GRANTS              | 48,508                   | 190,000                         | 25.5%                         |
| MUNICIPAL LEVY - GENERAL    | 1,231,971                | 1,642,501                       | 75.0%                         |
| LEVY - SPECIAL - NIAGARA    | 361,706                  | 482,275                         | 75.0%                         |
| LEVY - SPECIAL - HAMILTON   | 14,923                   | 19,897                          | 75.0%                         |
| ADMINISTRATION FEES         | 344,030                  | 360,325                         | 95.5%                         |
| RESERVE FUNDS               | -                        | -                               | 0.0%                          |
| LAND OWNER CONTRIBUTION     | 8,128                    | -                               | 100.0%                        |
| MISCELLANEOUS               | 17,294                   | 18,400                          | 94.0%                         |
|                             | <b><u>2,286,073</u></b>  | <b><u>3,013,598</u></b>         | <b><u>75.9%</u></b>           |
| <b><u>EXPENDITURES</u></b>  |                          |                                 |                               |
| WATERSHED MANAGEMENT        | 298,566                  | 434,861                         | 68.7%                         |
| PLAN REVIEW AND REGULATIONS | 722,534                  | 1,143,552                       | 63.2%                         |
| WATERSHED PROJECTS          | 676,411                  | 1,435,185                       | 47.1%                         |
|                             | <b><u>1,697,511</u></b>  | <b><u>3,013,598</u></b>         | <b><u>56.3%</u></b>           |

**NIAGARA PENINSULA CONSERVATION AUTHORITY  
OPERATIONS  
JANUARY 1, 2017 -AUGUST 31, 2017**

| <b><u>REVENUES</u></b>         | <b><u>YTD ACTUAL</u></b> | <b><u>ANNUAL<br/>BUDGET</u></b> | <b><u>% OF<br/>BUDGET</u></b> |
|--------------------------------|--------------------------|---------------------------------|-------------------------------|
| MUNICIPAL LEVY - GENERAL       | 1,016,766                | 1,355,688                       | 75.0%                         |
| LEVY - SPECIAL - NIAGARA       | 99,990                   | 133,320                         | 75.0%                         |
| USER FEES/OTHER REVENUES       | 1,420,634                | 1,612,279                       | 88.1%                         |
| RESERVE FUNDS                  | -                        | -                               | 0.0%                          |
|                                | <b><u>2,537,390</u></b>  | <b><u>3,101,287</u></b>         | <b><u>81.8%</u></b>           |
| <br><b><u>EXPENDITURES</u></b> |                          |                                 |                               |
| OPERATIONS MANAGEMENT          | 415,428                  | 570,177                         | 72.9%                         |
| STRATEGIC INITIATIVES          | 389,446                  | 724,103                         | 53.8%                         |
| LAND PROGRAMMING               | 1,197,946                | 1,648,507                       | 72.7%                         |
| VEHICLES AND EQUIPMENT         | 108,724                  | 158,500                         | 68.6%                         |
|                                | <b><u>2,111,544</u></b>  | <b><u>3,101,287</u></b>         | <b><u>68.1%</u></b>           |

**NIAGARA PENINSULA CONSERVATION AUTHORITY**  
**CONSOLIDATED CAPITAL**  
**JANUARY 1, 2017 - AUGUST 31 , 2017**

| <b><u>REVENUES</u></b>    | <b><u>YTD ACTUAL</u></b> | <b><u>YTD BUDGET</u></b> | <b><u>% OF<br/>BUDGET</u></b> |
|---------------------------|--------------------------|--------------------------|-------------------------------|
| FEDERAL GRANTS            | -                        | -                        | 0.0%                          |
| MUNICIPAL LEVY - GENERAL  | 323,807                  | 431,744                  | 75.0%                         |
| LEVY - SPECIAL - NIAGARA  | 728,153                  | 970,871                  | 75.0%                         |
| LEVY - SPECIAL - HAMILTON | 75,000                   | 100,000                  | 75.0%                         |
| RESERVE FUNDS             | -                        | -                        | 0.0%                          |
| MISCELLANEOUS/OTHER       | 4,600                    | 271,000                  | 100.0%                        |
|                           | <b>1,131,560</b>         | <b>1,773,615</b>         | <b>63.8%</b>                  |

**EXPENDITURES**

|                                   |                |                  |              |
|-----------------------------------|----------------|------------------|--------------|
| CORPORATE SERVICES                | 55,086         | 129,871          | 42.4%        |
| WATERSHED                         | 81,729         | 46,000           | 177.7%       |
| LAND DEVELOPMENT                  | 446,362        | 1,166,000        | 38.3%        |
| NIAGARA DIFFERENTIAL<br>(RESERVE) | -              | 431,744          | 0.0%         |
|                                   | <b>583,176</b> | <b>1,773,615</b> | <b>32.9%</b> |

**NIAGARA PENINSULA CONSERVATION AUTHORITY  
CORPORATE SERVICES - CAPITAL  
JANUARY 1, 2017 - AUGUST 31, 2017**

| <b><u>REVENUES</u></b>   | <b><u>YTD ACTUAL</u></b> | <b><u>YTD BUDGET</u></b> | <b><u>% OF BUDGET</u></b> |
|--------------------------|--------------------------|--------------------------|---------------------------|
| LEVY - SPECIAL - NIAGARA | 22,403                   | 29,871                   | 75.0%                     |
| MISCELLANEOUS/OTHER      | -                        | 100,000                  | 0.0%                      |
|                          | <b>22,403</b>            | <b>129,871</b>           | <b>17.3%</b>              |

| <b><u>EXPENDITURES</u></b> |               |                |              |
|----------------------------|---------------|----------------|--------------|
| GIS/CORPORATE SERVICE      | 55,086        | 129,871        | 42.4%        |
|                            | <b>55,086</b> | <b>129,871</b> | <b>42.4%</b> |

**NIAGARA PENINSULA CONSERVATION AUTHORITY  
WATERSHED CAPITAL  
JANUARY 1, 2017 - AUGUST 31, 2017**

| <b><u>REVENUES</u></b>   | <b><u>YTD ACTUAL</u></b> | <b><u>YTD BUDGET</u></b> | <b><u>% OF BUDGET</u></b> |
|--------------------------|--------------------------|--------------------------|---------------------------|
| LEVY - SPECIAL - NIAGARA | 34,500                   | 46,000                   | 75.0%                     |
| MISCELLANEOUS/OTHER      | 4,600                    |                          |                           |
|                          | <b>39,100</b>            | <b>46,000</b>            | <b>85.0%</b>              |

| <b><u>EXPENDITURES</u></b>        |               |               |               |
|-----------------------------------|---------------|---------------|---------------|
| FLOODPLAIN MAPPING                | 80,148        | -             | 100.0%        |
| STREAM GUAGE & MONITORING NETWORK | 1,580         | 46,000        | 3.4%          |
|                                   | <b>81,729</b> | <b>46,000</b> | <b>177.7%</b> |

**NIAGARA PENINSULA CONSERVATION AUTHORITY  
CONSERVATION LAND DEVELOPMENT - CAPITAL  
JANUARY 1, 2017 - AUGUST 31, 2017**

| <b><u>REVENUES</u></b>    | <b><u>YTD ACTUAL</u></b> | <b><u>YTD BUDGET</u></b> | <b><u>% OF<br/>BUDGET</u></b> |
|---------------------------|--------------------------|--------------------------|-------------------------------|
| FEDERAL GRANTS            | -                        | -                        | 100.0%                        |
| MUNICIPAL LEVY - GENERAL  | -                        | -                        | 0.0%                          |
| LEVY - SPECIAL - NIAGARA  | 671,250                  | 895,000                  | 75.0%                         |
| LEVY - SPECIAL - HAMILTON | 75,000                   | 100,000                  | 75.0%                         |
| RESERVE FUNDS             | -                        | -                        | 0.0%                          |
| MISCELLANEOUS/OTHER       | -                        | 171,000                  | 100.0%                        |
|                           | <b>746,250</b>           | <b>1,166,000</b>         | <b>64.0%</b>                  |

|                               |                |                  |              |
|-------------------------------|----------------|------------------|--------------|
| <b><u>EXPENDITURES</u></b>    |                |                  |              |
| LAND ACQUISITION (RESERVE)    | -              | 600,000          | 0.0%         |
| BALL'S FALLS                  | 25,182         | 120,000          | 21.0%        |
| BINBROOK                      | 138,025        | -                | 100.0%       |
| CHIPPAWA CREEK                | 1,068          | -                | 0.0%         |
| LONG BEACH                    | 93,419         | 245,000          | 38.1%        |
| ECOLOGICAL PROJECTS           | -              | 21,000           | 100.0%       |
| GAINSBOROUGH CENTRAL WORKSHOP | 188,667        | 180,000          | 104.8%       |
|                               | <b>446,362</b> | <b>1,166,000</b> | <b>38.3%</b> |

**NIAGARA PENINSULA CONSERVATION AUTHORITY  
STATEMENT OF CONTINUITY FOR CAPITAL & OPERATING RESERVES  
FORECAST FOR 2017**

|  | Balance (Audited)<br>31-Dec<br><u>2016</u> | Authorized<br>Appropriations<br><u>2017</u> | Forecasted Balance<br>31-Dec<br><u>2017</u> |
|--|--|---|---|
|  | \$   | \$  | \$  |
| <b>Unexpended Capital Reserves</b>                         |  |   |   |
| <b>Equipment</b>   | 383,390                                    | (102,582)                                   | 280,808                                     |
| <b>General Capital</b>                                     | 1,283,542                                  | (612,560)                                   | 670,982                                     |
| <b>Flood Protection Services</b>                           | 404,350                                    | (40,000)                                    | 364,350                                     |
| <b>Niagara Levy Differential</b>                           | 774,469                                    | 431,744                                     | 1,206,213                                   |
| <b>Land acquisition-Hamilton</b>                           | 900,000                                    | 100,000                                     | 1,000,000                                   |
| <b>Land acquisition-Niagara</b>                            | 798,174                                    | 500,000                                     | 1,298,174                                   |
|  | 4,160,535                                  | 379,184                                     | 4,539,719                                   |
|  | 4,543,925                                  | 276,601.79                                  | 4,820,527                                   |
| <b>Operating Reserves</b>                                  |  |   |   |
| <b>General Operating Reserve</b>                           | 559,492                                    | 0   | 559,492                                     |
| <b>Tree Bylaw Agreement</b>                                | 82,371                                     | 0   | 82,371                                      |
|  | 641,863                                    | 0   | 641,863                                     |
|  | 641,863                                    | 0   | 641,863.00                                  |
| <b>Grand Total Reserves</b>                                | 5,185,788                                  | 276,602                                     | 5,462,390                                   |
| <b>Deferred Revenue - Ontario Power Generation Funding</b> | 1,736,981                                  | (383,000.00)                                | 1,353,981                                   |



**Report To:** Board of Directors

**Subject:** Board Information Request-  
St. John's Valley Center Revenue Opportunities

**Report No:** 91-17

**Date:** September 20, 2017

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**RECOMMENDATION:**

That Report No. 91-17 regarding revenue opportunities for St. John's Valley Centre, be **RECEIVED** for information.

**PURPOSE:**

To provide the Board with information it requested at its July 19, 2017 Board meeting, 'that staff investigate revenue opportunities for St. John's Centre.' This report aligns with the 2014-2017 NPCA Strategic Plan under 'Effective Communication with Stakeholders & Public.'

**BACKGROUND:**

The NPCA owns two properties, side by side, at 3024 and 3054 Orchard Hill Road, Thorold, Ontario. In June 2016, the NPCA signed a Memorandum of Understanding (MOU) with the Niagara District Catholic School Board (NDCSB) for the lease of the St. John's Valley Center property. The MOU stated that the NPCA is amenable to the intended educational usage as well as the idea of allowing the NDCSB to sublet and partner with other community and educational partners. Community and educational partners that have been identified are the Niagara Native Center, Brock University and Niagara College.

In June 2017, the Board directed staff to enter into a five-year lease agreement with the NDCSB to operate programming at St. John's Valley Center property. In the MOU, the NPCA and its partners have access to the lands and premises after 5:00pm. The NPCA and its partners have access to the land and premises on weekends for special events or education related activities up to 10 times per year between May and October and an additional 10 times per year between November and April.

**DISCUSSION:**

**Weddings**

There are 10 times per year between May and October that the NPCA is granted access to use St. John's Valley Center for weddings as per the MOU. With the NDCSB occupying the house the only space for a wedding would be a grassy area just over the pedestrian bridge. This grassy space surrounded by forest makes for a gorgeous tented wedding venue. The NPCA could either

rent the space and have the clients rent their own tent or the NPCA could locate their tent on the premises for an allotted time and rent the space and tent as a package.

The other option is to partner with a catering company who has the equipment for outdoor tented weddings. The NPCA had previous discussions with Event Cube who is a start up company looking to provide outdoor weddings at a number of NPCA properties including St. John's Valley Center.

Wedding Ceremony and Vow renewals can also be considered a revenue opportunity at St. John's Valley Center. The same open grassy area that could be used a wedding venue, would also make for a gorgeous outdoor ceremony or vow renewal space.

### Corporate Events

There are opportunities to have corporate events at St. John's Valley Center. Events such as fundraisers, awards nights or galas could be implemented in a similar way as an outdoor wedding. The Mill on site also has potential of holding more intimate corporate events such as meetings and corporate workshops in its basement. The Mill also has a couple rooms on the main floor that could be used for break out sessions.

### Photography Permits

Permits for photography can be another revenue generation source. Currently, the NPCA sells photography permits at Ball's Falls. The NPCA could extend the current service and offer photography permits at St. John's Valley Center. St. John's Valley Center would be considered a popular place for wedding photos, engagement photos, family photo's and nature photography.

### Lambing Program

There is an opportunity to partner with the NDCSB to rejuvenate the Lambing program. A Lambing program at St. John's Valley Centre was operated up to 2014. The program saw over 5000 students participate over a 6-week period in early spring. The facility still has the stables that can host the lambs and sheep.

## **S.W.O.T. ANALYSIS:**

### Strengths

Located on majestic lands, St. John's Valley Center offers picturesque views in a forest like setting. Very similar to Ball's Fall's, St John's Valley Center has a competitive advantage where brides are able to have their ceremony, pictures, and reception all at the same location.

### Weaknesses

The main weaknesses at St John's Valley Center is the NPCA's limited use as per the MOU. The NPCA can only access the property a total of 20 times in any one calendar year (10 times between May and October and 10 times between November and April) This makes it very difficult to have a steady revenue base, and problematic to market. The property also lacks infrastructure and parking. Currently, there is a small grassed area that can accommodate a maximum of 25 vehicles. There is not enough parking to accommodate guests for large weddings or corporate events. The outdoor event space is not handicap or senior friendly. There is no hydro or water located at the event space, therefore clients would be responsible for setting up generators and portable washrooms.

### Opportunities

The property at St. John's Valley Center is an extraordinary area. The property has a majestic feel that any customer or special event coordinator would be fortunate to book. Although the

NPCA has limited access to the property throughout the year, there still opportunity to generate more income by selling photography permits, renting event space, or hosting an event on the property.

### Threats

There is high competition in the marketplace for corporate events, renting event space, and weddings. St. John's Valley Center lacks many amenities which customers have become accustomed to in the marketplace. There are no current controls in place to monitor photography permits and payments on site. The revitalization of the lambing program would require additional capital spending, and dedicated staff and maintenance. Regulations concerning handicap accessibility and health and safety would need to be resolved prior to any events. The NPCA may need to consider additional staffing and maintenance when booking these additional revenue streams.

### **FINANCIAL IMPLICATIONS:**

The NPCA will continue to support and educate students, honouring the wishes of the Father Jackman Foundation (which donated the land), through the NDCSB outdoor studies and learning programs located at St. John's Valley Center. As outlined in previous reports and in the 2017 Budget presentation, this partnership alone has moved St. John's Valley Centre from an approximate \$200,000 annual cost for the NPCA to a source of revenue.

Subject to overcoming the weaknesses and threats of the property, St John's Valley Center can still host events when the right opportunities come forward. Staff continue to promote this NPCA asset and will present any future opportunities for St. John's Valley Center.

### **RELATED REPORTS AND APPENDICES:**

None

**Prepared by:**

**Reviewed by:**

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**Adam Christie**  
**Manager, Strategic Initiatives**

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**David Barrick**  
**Senior Director, Corporate Resources**

**Submitted by:**

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**Mark Brickell**  
**CAO/Secretary-Treasurer**

**Report To: Board of Directors**

**Subject: Community Liaison Advisory Committee (CLAC)**

**Report No: 94-17**

**Date: September 20, 2017**

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**RECOMMENDATION:**

1. That Report No. 94-17 be RECEIVED for information.
2. That the NPCA Board of Directors APPROVE the Draft Terms of Reference and the name change of the Community Liaison Advisory Committee (Appendix 1).
3. That the NPCA Board of Directors appoint the following individuals to the Community Liaison Advisory Committee:
  - Jeff Jordan                      Public-at-Large
  - Jonathan Whyte              Development Renewal
  - Maurice Edwards            Landowners Renewal
  - Dennis Dick                  Conservation New member

*Note: Pending the approval of the revised CLAC Terms of Reference, the following seats will be declared vacant and staff will begin a process to fill the vacancies.*

- |                                       |        |
|---------------------------------------|--------|
| • Public-at-Large                     | Vacant |
| • Agriculture/value-added agriculture | Vacant |
| • User/volunteer -NEW Sector          | Vacant |
| • Urban/rural planning – NEW Sector   | Vacant |

**PURPOSE:**

To change the name of the current NPCA Community Liaison Advisory Committee and to make amendments to the Terms of Reference.

To present to the NPCA Board of Directors, for its consideration, the appointment of new member Dennis Dick for the Conservation sector, and to renew the terms of Jeff Jordan, representing the Public-at-Large, Jonathan Whyte, representing the Development sector and Maurice Edwards, representing landowners.

## **BACKGROUND:**

A number of Community Liaison Advisory Committee members were nearing the end of their term in the summer of 2017. Letters were mailed out to respective stakeholders and community groups to determine if they wished to submit a member for consideration by the Community Liaison Advisory Committee. A Sub-Committee was established consisting of Board Chair, Sandy Annunziata, and current committee members in good standing, Doug Giles and Harry Korosis. After reviewing the submissions, the proposed candidates were found to be the best fit for fulfilling the responsibilities laid out in the Terms of Reference for the Community Liaison Advisory Committee.

## **DISCUSSION:**

The current Community Liaison Advisory Committee Terms of Reference (Appendix 2) was reviewed following the Chair's outreach meetings over the last 6 months. The proposed changes have been initiated through these meetings, numerous conversations with stakeholders and a need to update the Terms of Reference. The Draft NPCA Advisory Panel Terms of Reference are attached (Appendix 1) as are the current Terms of Reference.

It is recommended that The Community Liaison Advisory Committee name should be changed to NPCA Advisory Panel. This report outlines some proposed changes to the Terms of Reference. The main changes are:

- That the current member seat for a single/upper-tier municipal representative be updated to reflect a representative from the urban & rural planning sector (requires Registered Professional Planner designation)
- That the current member seat for a local municipal representative be updated to reflect a representative from the user/volunteer sector (e.g. hunters, hikers, anglers, volunteers, campers, etc.).
- That the members seat representing environmental sector be updated to reflect a representative from the conservation sector
- That there be language under member responsibilities to reflect that members represent their sector at the table and advise on issues within the sector they represent
- Language for surrogate members, to be approved by the Board, in the event of an extended absence
- Clearly defined process for appointment/application of members

**RELATED REPORTS AND APPENDICES:**

1. Appendix 1: Draft Terms of Reference for the NPCA Advisory Panel
2. Appendix 2: Current CLAC Terms of Reference

**Prepared by: Kerry Royer;**  
**Community Outreach & Volunteer Coordinator**

**Reviewed by:**   
\_\_\_\_\_  
**Renée Bisson;**  
**Manager, Community Engagement**

**Submitted by:**

\_\_\_\_\_  
**Mark Brickell**  
**Chief Administrative Officer**  
**Secretary Treasurer**



## NPCA

### NPCA Advisory Panel Terms of Reference

|                           |   |
|---------------------------|---|
| Panel Name:               | NPCA Advisory Panel                                       |
| 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:          | July 20, 2017 (to be approved at September Board meeting) |
| 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 Panel shall be “**The NPCA Advisory Panel**”, or until such time a more reflective name representative of the Authority is chosen at the discretion of the NPCA Board.

#### 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 and VACANCIES:

Upon establishment of the Panel, members will be appointed to serve for a term of TWO (2) years beginning in January of that year. When members have completed their TWO (2) year term, a letter will be sent to relevant stakeholder groups, where applicable, to call for a list of appointees for consideration by the NPCA Board. Positions vacated may also be filled through a “Call for Expression of Interest” to be conducted as required. In the event of a vacancy during a regular term, the vacancy may be filled for the remainder of that term.



The power to appoint or rescind shall be reserved solely for the full Board Authority.

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 Advisory Panel 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 Panel 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 an ADVISORY PANEL meeting as long as Panel members are given 2 weeks to review the draft minutes. Actionable items to be carried forward by the NPCA Chair in a timely fashion.

#### **6. RESPONSIBILITIES:**

- Act as Champions/Ambassadors for the NPCA
- Advise on potential partnership opportunity
- Provide a conduit to the local community within their sector
- Identify barriers and opportunities in the community within their sector
- Advise on opportunities to communicate information from the NPCA to their sector partners
- Advise on other issues from within their sector

#### **7. MEMBERSHIP:**

The NPCA ADVISORY PANEL shall consist of up to ELEVEN (11) members comprising multi-stakeholder representation including landowners, planners, business sector, agriculture, conservation, Métis representative, development sector and the general public. The NPCA encourages diversity of age and gender on the Panel.

### **7.1 REPRESENTATIVE SEAT STRUCTURE:**

The Advisory Panel shall consist of the following representation:

- TWO (2) 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 Métis Niagara
- 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/value-added agricultural sector
- ONE (1) member representing the development sector
- ONE (1) member representing watershed conservation
- ONE (1) member representing urban and rural planning (must have Registered Professional Planner designation)
- ONE (1) member representing volunteers/users (e.g. hikers, hunters, campers, etc.)
- ONE (1) for the NPCA Board Chair (who also serves as a Co-Chair of the ADVISORY PANEL)

**7.2** Internal or external persons may be invited to attend the meetings at the request of the Co-Chairs, on behalf of the ADVISORY PANEL, 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. NPCA Board members are encouraged to attend Advisory Panel meetings but will carry no voting power.

**7.3** ADVISORY PANEL members may cease to be a member of the Panel if they:

- Resign from the Panel
- Fail to attend 2 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.

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

### **7.5 Extended Absence**

In the event that a member of the Advisory Panel advises the Co-Chairs of an extended absence in writing, a surrogate may be pre-approved at the discretion of the Chair and Full Board Authority.

## **8. PRIVACY**

The meetings of the ADVISORY PANEL 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.

## **9. LEADERSHIP & ADVISORY PANEL CO-CHAIRS**

To provide leadership, the NPCA Board Chair will serve as Co-Chair of the ADVISORY PANEL. In addition, a member Co-Chair shall be elected by the ADVISORY PANEL 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 Panel
- Scheduling meetings and notifying ADVISORY PANEL 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

NPCA Chair responsibilities include:

- Approving Agenda items and correspondence
- Approving delegations for Advisory Panel meetings

## **10. 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 for approval.
- 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, respective of their sector representation.
- Members are encouraged to go back to their respective sectors with information received at Advisory Panel meetings to notify of opportunities to give feedback

## **11. ADMINISTRATION**

Community Outreach & Volunteer Coordinator will provide Administrative services for the Advisory Panel, including preparation and distribution of Agendas, recording of

meeting minutes/notes, reports and general information as required to ADVISORY PANEL. The Community Outreach & Volunteer Coordinator will coordinate reports on ADVISORY PANEL activities for inclusion in NPCA Board meeting agendas.

## **12. DURATION OF MEETINGS**

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

## **13. 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 Panel recruitments, the ADVISORY PANEL will develop a Selection Sub-Committee comprised of the NPCA Board Chair, the member Co-Chair and one Advisory Panel member in good standing. In the absence of a Co-Chair in good standing, the NPCA Chair shall approve a 3<sup>rd</sup> member to sit on the sub-Committee from the members in good standing on the Advisory Panel.
- Final recommendation of candidates will be presented to the NPCA Board for appointment.

## **14. 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:** DRAFT Lease Agreement Beamer Memorial CA - Royal Canadian Legion Branch 127

**Report No:** 96-17

**Date:** September 20, 2017

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**RECOMMENDATION:**

That the NPCA Board **AUTHORIZE** staff to enter into a (5) five-year Lease Agreement with the Royal Canadian Legion – Branch 127 for continued use of Beamer Memorial Conservation Area as a site for use by the 1<sup>st</sup> North Grimsby Scout Group.

**PURPOSE:**

The lease agreement between the NPCA and the Royal Canadian Legion – Branch 127 expired on January 31<sup>st</sup>, 2006. The Royal Canadian Legion – Branch 127, a supporter of and an official community advocate/ sponsor of the 1<sup>st</sup> North Grimsby Scout Group, wishes to enter into another five (5) year lease agreement with the NPCA for use of 1 acre of Beamer Memorial Conservation Area as an ongoing venue for the 1<sup>st</sup> North Grimsby Scout Group to hold its annual meetings and other Scout related activities.

**DISCUSSION:**

The 1<sup>st</sup> North Grimsby Scout Group currently serves approximately 50 youth, ages 5 to 13. Its Community Sponsor is the Royal Canadian Legion – Branch 127. It was founded in and chartered March 31<sup>st</sup>, 1957.

The 1<sup>st</sup> North Grimsby Scout Group officially resided at the site, now Beamer Memorial Conservation Area, in 1960/61, well prior to the transfer of said lands from the Township to the NPCA in 1974. It has continued its activities on the property for approximately 38 years.

A volunteer member liaison, Mr. John Gadzo, between the Royal Canadian Legion – Branch 127 and the 1<sup>st</sup> North Grimsby Scout Group, recently inquired with NPCA staff about the status of the current agreement between the NPCA and the Royal Canadian Legion. Staff found that the agreement had expired on January 31<sup>st</sup>, 2006. Both the Royal Canadian Legion – Branch 127 and the 1<sup>st</sup> North Grimsby Scout Group wishes to continue the existing relationship with the NPCA and wish to continue to use the 1 acre parcel that they have been using for the past 38 years.

The 1 acre parcel of land is on the southernmost tip of Beamer Memorial Conservation Area, right along Ridge Road, east side of Forty Mile Creek. It has a gravel parking area and Club House. The Club House belongs to the 1<sup>st</sup> North Grimsby Scout Group. It was placed there in 1960/61 and the NPCA has no rights to it. The 1<sup>st</sup> North Grimsby Scout Group maintains the area and parking area. Electricity for the Club House comes from overhead wires and heat comes from a

propane tank onsite. There is no running water, but the clubhouse does use and maintain a composting toilet. Apparently the 1<sup>st</sup> North Grimsby Scout Group has plans to renovate the building within the next couple of years.

Currently, the property and clubhouse is being used for weekly meetings, campfires, and related outdoor camping, predominately between September and June each year.

**FINANCIAL IMPLICATIONS:**

Maintenance and Insurance are provided by the Royal Canadian Legion – Branch 127 and the 1<sup>st</sup> North Grimsby Scout Group.

**RELATED REPORTS AND APPENDICES:**

1. Appendix 1- 2017 DRAFT Lease Agreement
2. Appendix 2- Report 63-00 and 2000 Lease Agreement

**Prepared by:**

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**Gregg Furtney**  
**Manager,**  
**Conservation Areas and Capital Assets**

**Reviewed by:**

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**David Barrick**  
**Senior Director,**  
**Corporate Resources**

**Submitted by:**

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**Mark Brickell**  
**CAO/Secretary Treasurer**

**THIS LEASE** made the \_\_\_\_\_ day of \_\_\_\_\_, 2017 in  
pursuance of the Short Form of Leases Act.

**BETWEEN:**

**NIAGARA PENINSULA CONSERVATION AUTHORITY**

Hereinafter called "NPCA"

**OF THE FIRST PART**

and-

**THE ROYAL CANADIAN LEGION- BRANCH 127**

Hereinafter called "Legion"

**OF THE SECOND PART**

**IN CONSIDERATION** of the rents reserved and the covenants contained herein,  
the NPCA hereby leases to the Legion 1 acre of the Beamer Memorial Conservation Area,  
located in the Town of Grimsby in the Regional Municipality of Niagara, as outlined in red on  
Appendix "A", for a term of Five (5) years commencing the **1st** day of \_\_\_\_\_, **2017** and  
(unless otherwise terminated in accordance with the terms of this Lease) to terminated on the  
**31st** day of \_\_\_\_\_, **2022**

**PAYING THEREFORE** during the full of the term to NPCA the sum of TWO  
(\$2.00) DOLLARS in advance by the Legion.

**A. LEGION COVENANT**

1. The Legion covenants with the Niagara Peninsula Conservation Authority as follows:
  - (a) to pay rental and all or any taxes, rates, assessments of utility charges servicing the lands;

- (b) to maintain all fences;
- (c) not to cut down timber or trees of any kind whatsoever except those which NPCA has specifically designated to be appropriate for removal and upon the cutting of such trees to remove all stumps and debris and to plant sod or replant a tree, as may be required by NPCA;
- (d) not to use the lands for purposes other than 1st North Grimsby Scout meetings and programs;
- (e) not to construct or place any buildings on the lands without the written consent of NPCA and to remove THIRTY (30) days prior to the termination of the Lease, all such buildings if required by NPCA and to restore the lands to a state comparable to that upon the commencement of the Lease;
- (f) to permit NPCA, its servants and agents to enter upon the lands at all reasonable times during the term of the Lease to view the state and condition of the lands and any buildings on the lands;
- (g) to repair and to carry out such building and grounds maintenance according to any notice in writing received from NPCA;
- (h) not to dump or place any fill of any kind on the lands not to change, divert or interfere with the existing channels of any rivers, creeks, streams or water courses running through the lands without first having received the written consent of NPCA;
- (i) to protect and preserve all trees on the lands from waste, injury or destruction;
- U) (i) to indemnify NPCA against all fines, suits, claims, demands and actions of any kind to which NPCA may become liable by reason of any breach, violation or non-performance by the Legion of a covenant, term or provision of this Lease or by reason of any injury



occasioned to or suffered by any person or any property because of any wrongful act, neglect or default by the Legion or of any of their employees, assignees, sub-tenants, licencees or independent contractors engaged by the Legion or any of their assignees, sub-tenants or licencees; and

- (ii) not to do or permit to be done any act or thing which would render void any policy of insurance on the lands or which may cause any increased premium to be payable in respect of such policy;
- (k) to obtain and maintain Public Liability Insurance on the lands in an amount not less than TWO MILLION (\$2,000,000.00) DOLLARS with the NPCA named as an insured third party and to provide a copy of the insurance certificate to the NPCA.
- (l) not to erect any sign on the lands without first receiving written approval of NPCA as to the size, content and design of the sign;
- (m) not to assign the lease or sublet the lands without the prior written consent of the NPCA
- (n) install a gate at the entrance to the parking lot to prevent unauthorized access to the site.

#### **B. NPCA COVENANT**

- 1. Niagara Peninsula Conservation Authority covenants with the Legion as follows:
  - (a) for quiet enjoyment.

#### **C. MUTUAL COVENANT**

It is expressly intended and agreed between NPCA and the Legion as follows:

- 1. The Legion may on NINETY (90) days notice in writing delivered to NPCA terminate this Lease.
- 2. The NPCA shall not in any event whatsoever be liable or responsible in any way for the death of or any personal injury that may be suffered or sustained by any person who may be on the lands or in any building or for any loss or damage or injury to any property including cars and their contents belonging to any person on the lands or for any damage caused by anything either denied or admitted by NPCA its agents or employees or independent contractors of NPCA.

The NPCA may, with 30 days written notice, terminate the lease for any breach or non-performance of any covenant of the Legion.

3. Any notice or other communication required to be given under this Lease shall be in writing and shall be given by delivering the same personally or by prepaid registered post to the respective recipient at the following addresses: -

To: Niagara Peninsula Conservation Authority  
250 Thorold Road West, 3rd Floor  
Weiland, Ontario L3C 3W2

To: The Royal Canadian Legion – Branch 127  
233 Elizabeth Street  
Grimsby, Ontario L3M 3K5

If notice is given by prepaid registered post, the date of the service shall be deemed to have been given on the first business day following the date of the post mark.

**IN WITNESS WHEREOF** the parties hereto have hereunto affixed their corporate seals as attested to by the proper offices in that behalf.

**NIAGARA PENINSULA CONSERVATION AUTHORITY**

**Per:**

**Date:**

**Chief Administrative Officer/Secretary-Treasurer**

**THE ROYAL CANADIAN Legion -BRANCH 127**

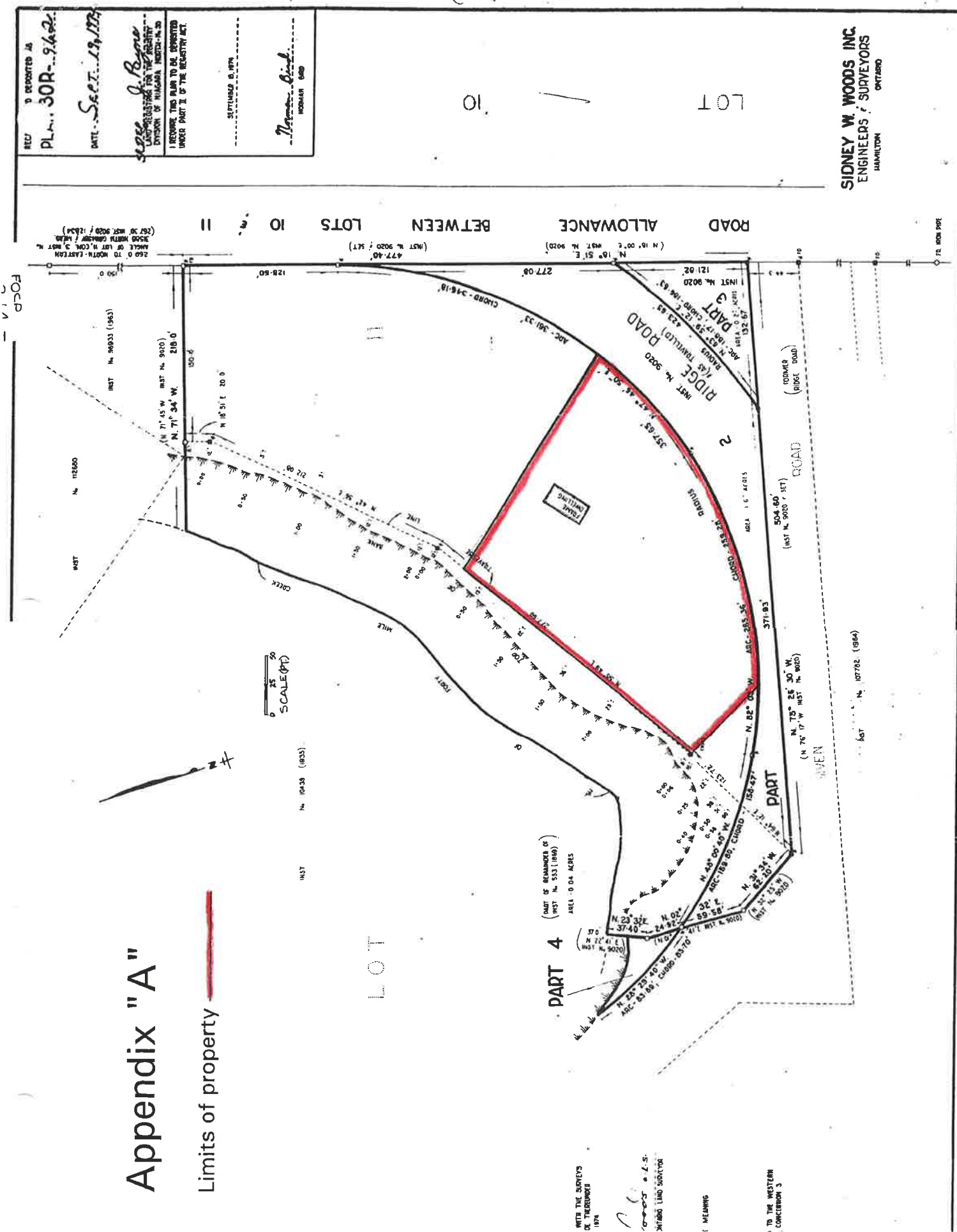
**Per:**

**Date:**

**Title**

# Appendix "A"

## Limits of property





250 Thorold Road West, 3rd Floor Tel (905) 788-3135  
Welland, Ontario L3C 3W2 Fax (905) 788-1121  
E-mail: npca@conservation-niagara.on.ca

November 22, 2000

Our File No. FOCP .1.3.1.44. 528-5711

Scouts Canada  
Battlefields Region  
375 James St. S  
Hamilton, Ontario L8P 3B9

Attention: George A. Guest, Executive Director

Dear Mr. Guest:

Subject: First Grimsby North Scouts - Lease of Property at Beamer Memorial

Following our meeting on November 8th, Conservation Authority staff prepared a report and developed a draft lease agreement for the lands at Beamer Memorial Conservation Area. These documents have been attached to this letter for your review and consideration.

The lease addresses most of the issues discussed at our meeting, including the continued maintenance of the lands and installation of a gate at the parking lot entrance. You will note that the lease is for one acre of land and does not refer to the structure. Based on a review of our files it appears that the Conservation Authority did not accept ownership of the "Scout Hut" when the lands were transferred from the Township in 1974. As such, it is our opinion that the structure is the property of First Grimsby North Scouts and their sponsor, the Royal Canadian Legion - Branch 127.

The staff report and lease agreement were approved by our Full Authority membership at their November 15th meeting. It is our hope that the agreement will be completed and signed by mid-December. In order to meet this deadline we ask that you review the agreement and respond with any comments no later than December 11th, 2000.

If you require any additional information, please do not hesitate to contact me at 905-788-3135, extension 248.

Sincerely,

  
Darcy Baker  
Director, Land Management

DBB/

cc: Wendy McGregor - 1st Grimsby North Scouts  
Mike Marlow - Royal Canadian Legion - Branch 127





250 Thorold Road West, 3rd Floor  
Welland, Ontario L3C 3W2

Tel (905) 788-3135  
Fax (905) 788-1121

E-mail: npca@conservation-niagara.on.ca

**TO: The Chairman and Members of the Authority**

**DATE: November 9, 2000**

**SUBJECT: BOY SCOUT LEASE – BEAMER MEMORIAL C.A. – Report No. 63-00**

The Boy Scouts of Canada have used land at the Beamer Memorial Conservation Area under agreement assumed by the Conservation Authority for the past 21 years. The license agreement has now expired and the Scouts have expressed an interest in renewing the agreement for the continued use of the site. Members will recall that some of the adjacent landowners have expressed concerns with the safety and upkeep of the site. Many of the problems were associated with unauthorized access to the property, outside of the hours when the Scouts were using the area.

Authority staff have now met with representatives from the District and Provincial Boy Scout organization as well as Branch 127 of the Royal Canadian Legion, which sponsors the building at this location, to discuss the current status of the property and determine if the area is suitable as a meeting place. All parties involved believe that modifications to the site and improved management will eliminate the concerns being expressed by the neighbouring landowners.

Authority staff recommend that a five (5) year lease be entered into with the Boy Scouts of Canada and the Royal Canadian Legion - Branch 127 for the existing building and 1 acre of land. Attached for your consideration is a draft copy of the proposed lease agreement.

**RECOMMENDATION:**

**That Report No.63-00 regarding the Boy Scout Lease – Beamer Memorial C.A. be received;  
and**

**That proposed 5 year lease agreement be approved.**

Prepared by: Darcy Baker, Director of Land Management

Respectfully Submitted By:

  
\_\_\_\_\_  
Andrew L. Burt, General Manager/ Secretary-Treasurer

**THIS LEASE** made the \_\_\_\_\_ day of \_\_\_\_\_, 2000 in pursuance of  
the Short Form of Leases Act.

**B E T W E E N:**

**NIAGARA PENINSULA CONSERVATION AUTHORITY**

Hereinafter called "NPCA"

**OF THE FIRST PART**

- and -

**SCOUTS CANADA**

Hereinafter called "Scouts"

**OF THE SECOND PART**

- and -

**THE ROYAL CANADIAN LEGION- BRANCH 127**

Hereinafter called "Legion"

**OF THE THIRD PART**

**IN CONSIDERATION** of the rents reserved and the covenants contained herein,  
the NPCA hereby leases to the Scouts 1 acre of the Beamer Memorial Conservation Area,  
located in the Town of Grimsby in the Regional Municipality of Niagara, as outlined in red on  
Appendix "A", for a term of Five (5) years commencing the \_\_\_\_\_ day of \_\_\_\_\_ and  
(unless otherwise terminated in accordance with the terms of this Lease) to terminated on the  
day of \_\_\_\_\_, \_\_\_\_\_.

**PAYING THEREFORE** during the full of the term to NPCA the sum of TWO  
(\$2.00) DOLLARS in advance by the Scouts.

**A. SCOUTS AND LEGION COVENANT**

1. The Scouts and Legion covenant with the Niagara Peninsula Conservation Authority as follows:
  - (a) to pay rental and all or any taxes, rates, assessments of utility charges servicing the lands;
  - (b) to maintain all fences;
  - (c) not to cut down timber or trees of any kind whatsoever except those which NPCA has specifically designated to be appropriate for removal and upon the cutting of such trees to remove all stumps and debris and to plant sod or replant a tree, as may be required by NPCA;
  - (d) not to use the lands for purposes other than Scouts meetings and programs;
  - (e) not to construct or place any buildings on the lands without the written consent of NPCA and to remove THIRTY (30) days prior to the termination of the Lease, all such buildings if required by NPCA and to restore the lands to a state comparable to that upon the commencement of the Lease;
  - (f) to permit NPCA, its servants and agents to enter upon the lands at all reasonable times during the term of the Lease to view the state and condition of the lands and any buildings on the lands;
  - (g) to repair and to carry out such building and grounds maintenance according to any notice in writing received from NPCA;
  - (h) not to dump or place any fill of any kind on the lands not to change, divert or interfere with the existing channels of any rivers, creeks, streams or water courses running through the lands without first having received the written consent of NPCA;
  - (i) to protect and preserve all trees on the lands from waste, injury or destruction;
  - (j) (i) to indemnify NPCA against all fines, suits, claims, demands and actions of any kind to which NPCA may become liable by reason of any breach, violation or non-performance by the Scouts or the Legion of a covenant, term or provision of this Lease or by reason of any injury



occasioned to or suffered by any person or any property because of any wrongful act, neglect or default by the Scouts or Legion or of any of their employees, assignees, sub-tenants, licencees or independent contractors engaged by the Scouts or Legion or any of their assignees, sub-tenants or licencees; and

- (ii) not to do or permit to be done any act or thing which would render void any policy of insurance on the lands or which may cause any increased premium to be payable in respect of such policy;
- (k) to obtain and maintain Public Liability Insurance on the lands in an amount not less than TWO MILLION (\$2,000,000.00) DOLLARS with the NPCA named as an insured third party and to provide a copy of the insurance certificate to the NPCA.
- (l) not to erect any sign on the lands without first receiving written approval of NPCA as to the size, content and design of the sign;
- (m) not to assign the lease or sublet the lands without the prior written consent of the NPCA
- (n) install a gate at the entrance to the parking lot to prevent unauthorized access to the site.

#### **B. NPCA COVENANT**

1. Niagara Peninsula Conservation Authority covenants with the Scouts and Legion as follows:
  - (a) for quiet enjoyment.

#### **C. MUTUAL COVENANT**

It is expressly intended and agreed between NPCA and the Scouts and the Legion as follows:

1. The Scouts may on NINETY (90) days notice in writing delivered to NPCA terminate this Lease.
2. The NPCA shall not in any event whatsoever be liable or responsible in any way for the death of or any personal injury that may be suffered or sustained by any person who may be on the lands or in any building or for any loss or damage or injury to any property including cars and their contents belonging to any person on the lands or for any damage caused by anything either denied or admitted by NPCA its agents or employees or independent contractors of NPCA.

The NPCA may, with 30 days written notice, terminate the lease for any breach or non-performance of any covenant of the Scouts or the Legion.



3. Any notice or other communication required to be given under this Lease shall be in writing and shall be given by delivering the same personally or by prepaid registered post to the respective recipient at the following addresses: -

To: Niagara Peninsula Conservation Authority  
250 Thorold Road West, 3<sup>rd</sup> Floor  
Welland, Ontario L3C 3W2

To: Scouts Canada  
Battlefields Region  
375 James Street South  
Hamilton, ON L8P 3B9

To: The Royal Canadian Legion – Branch 127  
233 Elizabeth Street  
Grimsby, Ontario L3M 3K5

If notice is given by prepaid registered post, the date of the service shall be deemed to have been given on the first business day following the date of the post mark.

**IN WITNESS WHEREOF** the parties hereto have hereunto affixed their corporate seals as attested to by the proper offices in that behalf.

**NIAGARA PENINSULA CONSERVATION AUTHORITY**

Per: \_\_\_\_\_  
Chairman

Per: \_\_\_\_\_  
General Manager/Secretary-Treasurer

**SCOUTS CANADA**

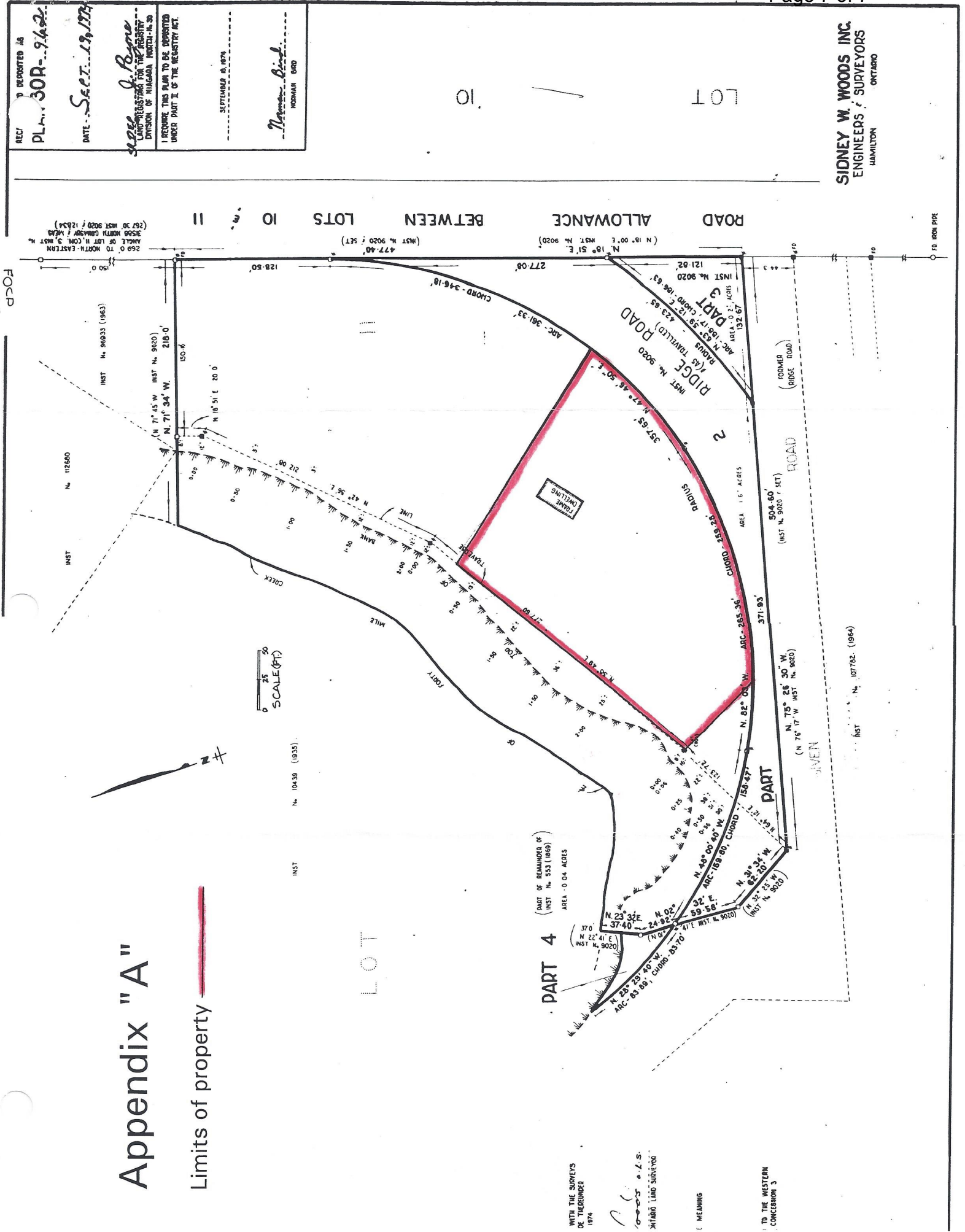
Per: \_\_\_\_\_

**THE ROYAL CANADIAN LEGION – BRANCH 127**

Per: \_\_\_\_\_

# Appendix "A"

Limits of property





## 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:          | May 24, 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. When members have completed their TWO (2) year term, a letter will be sent to relevant stakeholder groups, where applicable, to call for a list of appointees for consideration by the NPCA Board.

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:

- TWO (2) 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 Métis Niagara
- 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.

**Report To:** Board of Directors

**Subject:** DRAFT 2019 Wedding Fee Schedule - Ball's Falls CA

**Report No:** 95-17

**Date:** September 20, 2017

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**RECOMMENDATION:**

That the NPCA Board **APPROVE** the proposed 2019 Ball's Falls Wedding and Corporate Fee Structure for 2019 as outlined in Appendix 1 of Report No. 95-17.

**PURPOSE:**

For the NPCA Board to consider the proposed 2019 Fee Structure for Ball's Falls Conservation Area with respect to Wedding and Corporate Rentals.

This report aligns with the 2014-2017 NPCA Strategic Plan under 'Effective Communication with Stakeholders & Public.'

**BACKGROUND:**

Strategic Initiatives staff met to analyze and recommend fee changes to the NPCA Board of Directors. A report and summary of the proposed Fee structure for 2019 at Ball's Falls Conservation Area was brought to the July 19, 2017 meeting of the Full Authority Board. At that meeting, the Board approved the 2019 proposed rates for 14 couples on the waitlist only and further directed staff, *'to provide a more detailed report on the wedding rates for Ball's Falls.'* An additional detailed report is provided as Appendix 2.

**DISCUSSION:**

Ball's Falls Conservation Area reception facility rates can be considered slightly above average; however, the quality of the extra amenities can be considered to be greater than those within the direct comparables outlined in Appendix 2. Everything from modern tables and chairs, accessible utilities, convenient washrooms, plenty of parking, beautiful ceremony space, and acres of privacy are important factors which differentiate Ball's Falls from other facilities.

Ball's Falls pricing strategy has proven sales history, demonstrating successful rentals rates. In 2017, 165 wedding receptions were booked every Friday-Saturday from April to October (60 receptions were booked in the barn and 30 receptions in the Glen Eglin). 2018 has a combined 103 receptions already booked (Barn – 46, Glen Elgin 17). The ceremony rental rates offered at Ball's Falls are average amongst the market, but are aligned with the amenities being offered. Ball's Falls could consider increasing their ceremony rental rates if extra services were offered as an option. Overall, staff view the proposed 2019 rental prices (Appendix 1) at Ball's Falls as reasonable within the current marketplace.



**FINANCIAL IMPLICATIONS:**

Staff recommend approval of the proposed rates to get fees posted for 2019 and therefore, can begin booking rentals for 2019.

**RELATED REPORTS AND APPENDICES:**

1. Appendix 1- Proposed 2019 Fee Schedule for Ball's Falls Conservation Area
2. Appendix 2- Detailed Report on Wedding Rates for Ball's Falls

**Prepared by:**

**Reviewed by:**

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**Adam Christie**  
**Manager, Strategic Initiatives**

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**David Barrick**  
**Senior Director, Corporate Resources**

**Submitted by:**

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**Mark Brickell**  
**CAO/Secretary Treasurer**

## **Board Request: Detailed Report on Wedding Rates for Ball's Falls**



### **WEDDINGS NIAGARA**

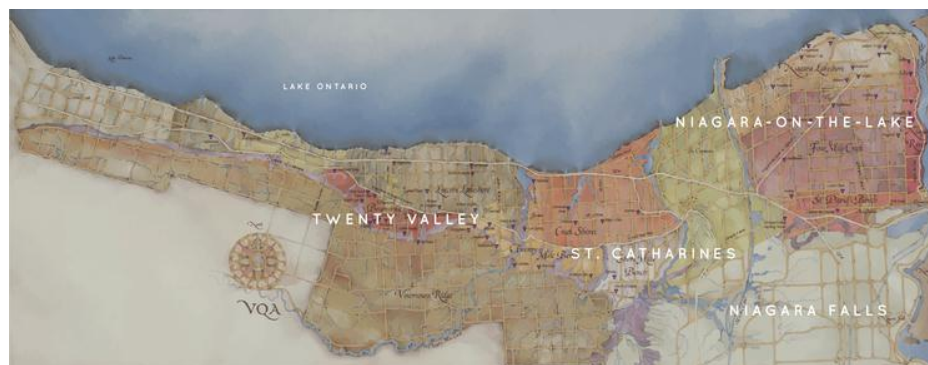
Niagara is known for its natural beauty, its fabulous floral displays and its wonderful ambiance. Romance is in the air year round. Niagara Region has an excellent selection of first-class hotels, wineries, talented musicians, caterers, creative photographers and florists in the area, all of the necessary elements to plan that perfect day exist right here. With over hundreds of venues to choose from and high market demand for new venues Niagara is becoming a sought after location for many local and distance brides.

Niagara-on-the-Lake - Located where the Niagara River meets Lake Ontario. Wineries, restaurants, and historic sites are plentiful, and this small town is frequently recognized for its beautiful gardens, previously winning the title of Canada's Prettiest Town.

Twenty Valley - At the base of the Niagara Escarpment Twenty Valley is charming and memorable. It boasts a developing culinary scene and boutique wineries that are laid-back and approachable.

St. Catharines – The largest city in the Niagara Region and is nicknamed 'The Garden City' for its thousands of acres of parks, trails, and gardens

Niagara Falls – Home to the enchanting Botanical Gardens, the scenic Niagara River Parkway and three large, world-famous waterfalls (the smallest of which is named Bridal Veil Falls).



# Overview

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There are primarily two types of venue options available within the Niagara Region. Hall/Facility rentals and all-inclusive wedding venues make up the majority of the Niagara wedding market. There are many deciding factors why a couple would choose one option over another. Typically when either a hall or facility is rented the couple is responsible for organizing all details of the event (including; catering, décor, entertainment, setup, and clean up). This allows brides and grooms to personalize their wedding in order to fit their needs. Renting a facility provides greater opportunity to control wedding expenses and gives couples the ability to decide on how much and where their money is best spent. This type of wedding venue is not for everyone, due to the time commitment, responsibility and organization that is required throughout the planning process. Although the price to rent a facility may be considered a high price upfront, on average couples spend less per person when all wedding expenses are realized.

Most wedding venues in Niagara do not have the option to rent the facility only. These venues require couples to purchase packages from a select list of wedding options. These packages are typically inclusive of everything a bride and groom may need to plan their wedding (including; venue space, catering, some décor, entertainment, setup, and clean up). The cost of these package are priced per person which can vary by season, and days of the week (i.e. Friday wedding vs Saturday wedding). There is typically an extra fee which occurs for any extras, substitutions, or changes to the package choices, which many brides and grooms can find overwhelming with the additional costs. Although this venue option is found to be more expensive, many couples choose to have all-inclusive wedding venue to simplify their wedding day.

Ball’s Falls Conversation Area has two facility rentals, Glen Elgin Room and the Barn. Both venues are facility rentals only, and the bride and groom are responsible for all aspects of their event outside of amenities included in the hall. Table A and Table B. have been included to demonstrate direct and non-direct comparables to Ball’s Falls Conservation Area.

Wedding ceremony’s can be consider the most important aspect when planning a wedding. Niagara Region offers everything a couple would want for a ceremony space, from lush floral gardens, picturesque vineyards, scenic waterfront views, and historical churches. Many Niagara venues now offer the ability to have a ceremony on site, some venues provide more than one option for a ceremony location. Typically, there is an extra fee charged when booking a ceremony space, which may include some extra amenities. Ball’s Fall Conversation Area offers three different ceremony spaces which can be booked separate from the Glen Eglin room and the Barn. Table C. has been included to demonstrate ceremony space comparables within the Niagara Region.

# Indirect Comparables

TABLE A.

| Venue   | Location  | Amenities   | Disadvantages  | Seating Capacity   | 2017 Rates  | 2018 Rates                             |
|---|---|---|--|--|---|--|
| HERNDER ESTATES<br>(Barn)<br>A. Victoria Room<br>B. Alexis Room | 1607 Eighth Avenue, St.<br>Catharines, ON       | Outdoor ceremony space<br>Available (extra fee)<br>Inclusive wedding<br>packages            | Limited to in house<br>catering and reception<br>options<br>(less personalized)  | A. Victoria Room<br>Inside: 160-250<br>B. Alexis Room<br>Inside: 90 -150 | \$155 pp –\$165pp   | \$165pp-\$180pp                        |
| HONSBERGER ESTATE<br>(Barn)                                     | 4060 Jordan Road,<br>Jordan Station, ON         | Outdoor ceremony space<br>Available<br>Inclusive wedding<br>packages                        | No Sunday books offered<br>Limited to in house<br>catering and reception<br>options  | Barn 150   | \$184 pp (Friday)<br>\$189pp (Saturday)   | \$194pp (Friday)<br>\$199pp (Saturday) |
| LEGENDS ON THE<br>NIAGARA                                       | 9651 Niagara Pkwy,<br>Niagara Falls, ON         | Outdoor ceremony space<br>Available<br>Inclusive wedding<br>packages                        | Limited to in house<br>catering and reception<br>options<br>Only 3 hour bar service  | Inside: 200  | \$89pp – \$128pp approx.<br>(plus tax and gratuities)   | \$93.50 - \$135.00                     |
| INN ON THE TWENTY   | 3845 Main Street, Jordan<br>Station, ON         | Inclusive wedding<br>packages<br>Discount for winter<br>weddings                            | Outdoor ceremony space<br>Limited to in house<br>catering and reception<br>options   | Inside: 120-140  | \$125pp (Friday &<br>Sunday)<br>\$140pp (Saturdays)<br>\$115pp (Nov-April)<br>(plus tax and gratuities) | N/A                                    |
| STONEWALL ESTATE<br>(Barn)                                      | 1607 Eighth Avenue<br>Louth, St. Catharines, ON | Outdoor ceremony space<br>Available<br>Inclusive wedding<br>packages<br>Bridal suite onsite | Only portable bathrooms<br>Wine not included in<br>Price<br>Limited to in house<br>catering & reception<br>options<br>Minimum booking<br>requirement | Inside: 200 approx.  | \$213pp + HST   | \$213pp + HST                          |





## Direct Comparables

TABLE B

| Hall/Facility  | Location                                     | Amenities   | Disadvantages   | Seating Capacity               | 2017 Rates                                | 2018 Rates                                |
|--|--|---|---|--------------------------------|---|---|
| NAVY HALL  | 305 Ricardo Street, Niagara-on-the-Lake, ON  | Located on the Niagara River<br>Outside ceremony space<br>Tables and chairs included  | Limited parking   | Inside: 100<br>Tent: 150approx | \$735.90                                  | \$735.90<br>(currently)                   |
| AGORA  | Fort George Grounds, Niagara-on-the-Lake, ON | Picturesque venue on the grounds of Fort George<br>Tables and chairs included   | Walk to washrooms   | Inside: 110<br>Tent: Unlimited | \$1,962.00                                | \$1,962.00<br>(currently)                 |
| NIAGARA ON THE LAKE COURTHOUSE<br>A. Grand Hall<br>B. John Drope Hall<br>C. Both Halls | 26 Queen Street, Niagara-on-the-Lake, ON     | Tables and chairs included  | Only available for bookings through mid-October to mid-March  | Inside: 100 -200 approx.       | A. \$734.00<br>B. \$526.00<br>C. \$890.00 | A. \$749.00<br>B. \$537.00<br>C. \$908.00 |
| GLEN DRUMMOND FARM<br>(Barn)   | 418 Fallsview Road, Dundas, ON               | Location edge of Niagara escarpment<br>Includes open courtyard, outdoor fire, wagon ride along the escarpment, picnic tables & Muskoka chairs, Onsite wedding coordinator and professional DJ | Secluded location<br>Limited surrounding accommodation options  | Inside: 200                    | \$4500.00                                 | \$4500.00                                 |
| ROCKWAY CONSERVATION AREA AND THE MILL RUINS   | 161 Fall Street, Rockwood, ON                | Located on a picturesque bank over the Emorosa River and surrounded by towering limestone cliffs stands the stone shell of the old Harris Wollen Mill   | Park admission fee is required for each guest<br>No washrooms onsite<br>Tent not included<br>No hydro onsite<br>Event curfew - 11pm | Tent: Unlimited                | \$1000.00                                 | \$1000.00                                 |
| DUNDAS VALLEY Conservation Area<br>(Hermitage Ruins)                                   | 650 Governors Road, Dundas, ON               | A restored stone house and its outbuildings.<br>Area include lush Carolinian Forests, and colourful meadows   | No washrooms or onsite<br>No hydro or water onsite<br>Tent not included<br>Event curfew - 6pm                                       | Tent: Unlimited                | \$1050.00                                 | \$1050.00                                 |
| WESTFIELD HERITAGE VILLAGE<br>Ironwood Hall<br>(Hamilton Conservation)                 | 1049 Kirkwall Road, Rockton, ON              | Over 30 historical buildings<br>Hall includes kitchen, air conditioning and outdoor deck<br>Ceremony space, onsite photography, and early setup available (extra fees apply)                  | Dated Hall  | Inside: 110                    | \$1836.00                                 | \$1836.00                                 |



## Wedding Ceremony Comparables

TABLE C.

| Facility Name   | Location                                 | Information  | 2017 Rates   | 2018 Rates  |
|---|--|--|--|---|
| GLEN DRUMMOND FARMS   | 418 Fallsview Rd, Dundas, On, L9H 5E2    | Choice of 2 different outdoor ceremony spaces;<br>1.Ceremony on the edge of the escarpment overlooking Dundas Valley<br>2.Ceremony outside in the gardens<br>Ceremony includes chairs, signing table, setup, and use of farm area for photos | \$1,500.00   | \$1,500.00  |
| LUNA GARDENS  | 526 Winona Rd, Stoney Creek, ON, L8E 5E9 | Ceremony space has a spectacular view of the waterfront and gardens<br>Includes onsite photography, chairs, access to power, and a wedding supervisor  | \$1,820.00<br>\$1,300.00 when reception is booked at located | \$1,820.00<br>\$1,300.00 when reception is booked at location |
| HERNDER ESTATES   | 1607 Eighth Ave, St. Catharines, ON      | Choice 2 beautiful outdoor ceremony locations surrounding the vineyard<br>1.Ceremony on garden patio<br>2.Ceremony next to vineyard pond<br>Includes your space of choice, chairs, signing table with linen, and an event coordinator        | N/A  | \$1,500.00  |
| BELFOUNTAIN Conservation Area<br>(Credit Valley Conservation) | 10 Credit Park Street, Belfountain, ON   | Ceremony terrace area<br>Includes admission for up to 100 guests as well as hydro<br>Includes signing table and chair  | \$800.00   | \$800.00  |
| WESTFIELD HERITAGE VILLAGE<br>(Hamilton Conservation)         | 1049 Kirkwall Rd, Rockton, On            | Victorian Church located on the Westfield Heritage Village   | \$408.00   | \$408.00  |



# Balls Falls Conservation Area Current Approved rates

## Wedding Reception

| Facility/Hall   | Location                          | Amenities  | Disadvantages   | Seating Capacity                  | 2017 Rates                               | 2018 Rates                              |
|---|-----------------------------------|--|---|-----------------------------------|--|---|
| BALL'S FALLS<br>CONSERVATION AREA<br>A. Glen Elgin<br>B. The Barn | 3292 Sixth Avenue,<br>Lincoln, On | Located on majestic Twenty Mile Creek, with<br>beautiful views of the upper and lower falls.<br>Many locations for onsite wedding<br>photography<br>Outdoor ceremony space<br>available (extra fee)<br>A. Glen Elgin<br>Tables and chairs Included (with setup)<br>Garden patio off facility can be used for<br>ceremony or cocktail space<br>Modern facility with wheelchair accessibility<br>B. Barn<br>Bridal Suite available (extra fee)<br>Wooden tables and chiavari chairs included<br>(with setup) | A. Glen Eglin<br>Corporate room<br>divider<br>B. Barn<br>Walk to washrooms<br>No air conditioning or<br>heaters | A. Glen Egin -150<br>B. Barn- 190 | A. \$2,300 Glen Elgin<br>B. \$2,000 Barn | A.\$2,800 Glen Elgin<br>B. \$2,500.Barn |

## Ceremony Space

| Ceremony                          | Location                             | Information  | 2017 Rates  | 2018 Rates  |
|-----------------------------------|--------------------------------------|--|---|---|
| BALL'S FALLS<br>CONSERVATION AREA | 3292 Sixth<br>Avenue, Lincoln,<br>On | Choice of 3 different settings to have outdoor ceremony.<br>Customer must supply and setup chairs and tables<br>1. Historical Church<br>2. Forested Area (back of the "v")<br>3. Open field along 6 <sup>th</sup> Avenue | \$675.00 - Outdoor Ceremony<br>\$750.00 – Historical Church | \$725.00 - Outdoor Ceremony<br>\$800.00 – Historical Church |

Appendix 1

**DRAFT 2019 Wedding Fee Structure for Ball's Falls Conservation Area**

| <b><u>Ball's Falls Conservation Area</u></b>  | 2016        | 2017        | 2018        | 2019        |
|---|-------------|-------------|-------------|-------------|
| Barn Rental   |             |             |             |             |
| Barn Reception - non-licensed   | \$ 1,800.00 | \$ 2,000.00 | \$ 2,500.00 | \$ 2,700.00 |
| Barn Reception - licensed   | \$ 1,800.00 | \$ 2,000.00 | \$ 2,500.00 | \$ 2,700.00 |
| Barn Wedding Value Package Rental - Includes: Historic Area, Barn, V, Mid Field, Pavilion, and Field Center |             |             | \$ 6,000.00 | \$ 6,000.00 |
| Security - Hourly Rate  |             |             | \$ 50.00    | \$ 75.00    |
| Set-up Rental (5pm to 10pm)   | \$ 200.00   | \$ 225.00   | \$ 250.00   | \$ 275.00   |
| * These rates apply only if available within 2 weeks of wedding date  |             |             |             |             |
| Tent Rental   |             |             |             |             |
| Initial Tent Set Up   |             |             | \$ 3,000.00 | \$ 3,200.00 |
| Daily Rental Rate   |             |             | \$ 2,000.00 | \$ 2,200.00 |
| Center for Conservation Glen Elgin Room (Ball's Falls C.A.)   |             |             |             |             |
| Glen Elgin Room Reception - non-licensed  | \$ 2,100.00 | \$ 2,300.00 | \$ 2,800.00 | \$ 3,000.00 |
| Glen Elgin Room Reception - licensed  | \$ 2,100.00 | \$ 2,300.00 | \$ 2,800.00 | \$ 3,000.00 |
| Set-up Rental (5pm to 10pm)   | \$ 200.00   | \$ 225.00   | \$ 250.00   | \$ 275.00   |
| * These rates apply only if available within 2 weeks of wedding date  |             |             |             |             |
| Church Rental - Wedding Rates (Ceremony) 2 Hour Allotments  |             |             |             |             |
| ** Rental Times: 9:30am to 11:30am; Noon to 2pm; 2:30 pm to 4:30pm; 5pm to 7pm                              | \$ 700.00   | \$ 750.00   | \$ 800.00   | \$ 850.00   |
| Outdoor Natural Setting Ceremony  | \$ 625.00   | \$ 675.00   | \$ 725.00   | \$ 750.00   |
| Bridal Suite - Rental   |             |             |             | \$ 350.00   |