
MEMORANDUM

CL-C 39-2019

Subject: Niagara Peninsula Conservation Authority Board Appointments

Date: May 16, 2019

To: Regional Council

From: Ann-Marie Norio

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully submitted and signed by

Ann-Marie Norio
Regional Clerk