

Wednesday, May 15th 2019

Dear Regional Chair and Members of the Regional Council:

We are respectfully submitting these two issues for your consideration:

1. Re: Item 12.2.2 Appendix 1, the correspondence from the NPCA that the Region of Niagara model a list of competencies from the Alberta Public Agencies (APA) matrix as a basis for selecting NPCA board members:

Basing NPCA board selection criteria on the APA matrix will not allow for a board that has the necessary skills and experience, based on the NPCA's mandate, as recommended by the Auditor General (Recommendation 3). The Auditor General said it was important to have board members who have conservation expertise because a key aspect of the board's job is to be able to independently evaluate the rationale behind management's recommendations. As well, the Board is responsible for setting the strategic direction for the organization and that requires conservation/environmental knowledge.

In Recommendation 3 the Auditor General said: "To ensure that members of the NPCA Board of Directors collectively have the skills, experience and training necessary to oversee the NPCA's activities effectively, we recommend that the NPCA Board:

- Determine the types of skills and experience required on the Board based on the NPCA's mandate, and develop and implement a strategy to address any gaps;
- Work with the NPCA's funding municipalities to ensure that their board appointment processes consider skills and experience requirements;
- Assess the current role of its advisory committee to determine whether it is sufficient in fulfilling any gaps in Board skills and competencies, and revise as necessary;

While the APA may provide good overall guidance in selecting board members with general board management skills, it does not include the specific skills needed for a Conservation Authority. Although at first glance the APA does include a section called Specialized Environmental Knowledge, if you take a deeper dive into how that is actually defined it is too general to be of any use and is not actually about any specific knowledge of the kinds of environmental skills and competencies that the Auditor General was referring to.

The description of "Environmental Knowledge in the APA is:

Government/Public Policy Knowledge

➤ The applicant has experience with, or is able to demonstrate knowledge or expertise of, the broader public policy context affecting the public agency. This may include the strategic priorities of government and the relationship between those priorities and the work of the public agency.

Community/Stakeholder Relations Knowledge

➤ The applicant has experience with, or is able to demonstrate knowledge or expertise of, the community or communities the public agency serves, including the stakeholder landscape affecting the

public agency. This may include a demonstrated capacity to build networks and foster trusting relationships with communities and stakeholders.

Industry/Sector Knowledge

➤ The applicant has experience with, or is able to demonstrate knowledge or expertise of, the industry or sector the public agency operates within. This may include an understanding of particular trends, challenges and opportunities, or unique dynamics within the sector that are relevant to the public agency.

Using the APA as a guide is fine for general board governance competencies but what's needed is to add a list of competencies specific to the mandate of Conservation Authorities.

In an effort to be helpful, A Better Niagara, provided such a list to the NPCA, based on input from former and current staff of Conservation Authorities. That list included: watershed management, natural systems management, climate change adaptation, flood plain mapping, restoration programs, land use planning, development proposal and permit applications, geomatics. (For the full list of Board Skills Matrix suggestions see the document attached).

We encourage Council to heed the Auditor General's recommendation and advise staff to include these specific competencies.

2. Re. item 12.2.2 NPCA Board Appointments Extension:

We are concerned about the resolution before Regional Council to "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."

Our concern is that these negotiations, which have yet to begin, could continue for an extended period of time, possibly for the entire remainder of this term of Council, should one of the municipalities prove intractable. That would leave what was supposed to be an "interim" board in place far beyond what was envisioned and what the public expected.

Four municipalities have selected replacements for their interim board members. They should be allowed to sit.

We request for the rest of the original members of what was the "three-month" interim board, an extension of no more than another three-months should be given — just long enough for the Region to sort out how Niagara's NPCA board members should be selected and for the municipalities and region to undertake the process.

Submitted by the board of A Better Niagara
Ed Smith, Liz Benneian, Dennis Edell, Hailey Bateman

Board Skills Matrix

INTRODUCTION

This skills matrix is designed to ensure the Niagara Peninsula Conservation Authority (NPCA) Board of Directors consists of individuals with a balance of skills to oversee the organization's delivery of its mandate, achieve the strategic goals, and direct the organization's future.

All Directors will be expected to have sound professional knowledge and experience and contribute to the collective industry skills set held by the Board.

PRINCIPLES

The NPCA Board is a skills-based board comprised of Directors who collectively have the skills, knowledge and experience to effectively govern and direct the organization. The skills and attributes of the Board can be broadly categorized as follows:

- Governance skills (skills directly relevant to performing the Board's key functions);
- Industry skills (skills relevant to Conservation Authorities);
- Priority Skills Over Next 4 Years (skills relevant to issues NPCA is facing)

POLICY

The skills, knowledge and experience required on the Board will change as the organization evolves. In relation to each skill identified in this matrix, the Board will use this as a guide to ensure reasonable diversity and a broad range of skills are evident across the NPCA Board.

The Board skills matrix is:

- An assessment of governance and industry-based skills which should be held collectively by the Board. Each skill area is accompanied by a description and a separate column for the Board to assess whether the skill is essential or desirable.
- As part of the selection process potential Directors are expected to self-assess their competency and through the interview process, the Selection Committee is expected to validate the ratings.
- As Directors are appointed or elected to the Board, their skill sets should be noted in the 'Directors Strengths' column. It is recommended that only the top 3 or 4 skills held by each Director should be mapped so that the Board can readily ascertain the Board's collective skill strengths and gaps.
- Collective skill gaps will be addressed through a Board of Directors' Education program.

Regular Board performance evaluations will be conducted to address Board skills of Directors.

The skill areas in the matrix will be regularly reviewed to ensure that the composition of skills on the Board remains aligned with the NPCA stage of development and strategic direction.

LAST UPDATED: <Insert Date>

Governance Skills:

Skill Area	Description	E (Essential) D (Desirable)	Current Key Director Strengths <Insert director initials or identifying number in the columns below. Include additional columns as required>									
Board Governance	Experience with, or is able to demonstrate knowledge or expertise in, board governance in the private, public, and/or not-for-profit sectors. The applicant has a clear understanding of the distinction between the role of the board versus the role of management. Governance experience could have been acquired through prior board or committee service or reporting to/or working with a board as an employee.	E										
Business Management	Experience with, or is able to demonstrate knowledge or expertise in, sound management and operational business processes and practices in the private or public sector. This competency may include an understanding of topics such as managing complex projects, leveraging information technology, planning and measuring performance, and allocating resources to achieve outcomes.	E										
Strategy and planning	Ability to think strategically, identify and critically assess strategic opportunities and threats, and develop effective strategies in the context of the mission, mandate of the NPCA and relevant goals and priorities.	E										
Risk Management	Ability to identify and mitigate key risks to the NPCA. This may include identifying potential risks, recommending and implementing preventive measures, and devising plans to minimize the impact of risks. This competency may also include experience or knowledge of auditing practices, organizational controls, and compliance measures.	E										

Skill Area	Description	E (Essential) D (Desirable)	Current Key Director Strengths									
			<Insert director initials or identifying number in the columns below. Include additional columns as required>									
Financial Literacy	Qualifications and experience in accounting and/or financial management with the ability to: <ul style="list-style-type: none"> Analyze key financial statements; Critically assess financial viability and performance; Contribute to strategic financial planning; Oversee budgets and the efficient use of resources; Oversee funding arrangements and accountability 	E										
Member and stakeholder engagement	Experience with managing government relations, or is able to demonstrate knowledge or expertise of the communities the NPCA serves. This may include demonstrated experience in building networks and fostering trusting relationships and the ability to effectively engage and communicate with key stakeholders.	E										
Legal and/or Compliance and Enforcement	Experience with, or is able to demonstrate knowledge or expertise in, legal compliance and enforcement principles, processes, and systems. This may include experience interpreting and applying legislation, experience with adjudicative or quasi-judicial hearings or tribunals, or an understanding of the legal dimensions of organizational issues.	E										

Conservation and Environmental Skills :

Skill Area	Description	E (Essential) D (Desirable)	Current Key Director Strengths									
			<Insert director initials or identifying number in the columns below. Include additional columns as required>									
Watershed Management	Experience with the development of watershed plans and/or processes of implementing sound land use and water management practices to protect ,improve and restore the quality and quantity of the water and other natural resources within a watershed.	E										
Natural Systems Management	A demonstrated knowledge of natural systems and ecological processes including current evaluation standards and methods. In depth knowledge of local environmental issues and features.	E										
Climate Change Adaption	Experience with the preparation and planning of resilient systems in response to climate change. A demonstrated knowledge of current best management practices related to hazard identification and emergency response.	E										
Flood Plain Mapping	A demonstrated understanding of the science and technology underlying the mapping and modeling of hazard features. Experience with the monitoring and communication of flood response systems.	E										
Restoration Programs	Able to demonstrate knowledge or expertise in the design and planning of ecological restoration projects including an understanding of current restoration techniques and practices. This may include experience with the administration of contracts for the implementation of projects and demonstrated ability to work effectively with diverse stakeholders to achieve restoration goals at multiple scales (landscape level to subwatershed level).	E										
Land use Planning	A demonstrated knowledge of the legislation and	E										

	policy of land use planning including Provincial, municipal and Conservation Authority regulations and policies.											
Development Proposal and Permit Applications	A demonstrated knowledge of the permit review process, including Conservation Authority regulations and policies and the Mining and Lands Commission processes and legal requirements.	E										
Geomatics	A demonstrated understanding of the development and use of GIS based tools in the administration and enforcement of Conservation Authority regulations and programs.	E										

Priority Skills For Next 4 Years :

Skill Area	Description	E (Essential) D (Desirable)	Current Key Director Strengths									
			<Insert director initials or identifying number in the columns below. Include additional columns as required>									
Change Management	Experience dealing with the transition or transformation of an organization's goals, processes or technologies. This may include experience with tools and techniques to manage the people side of change to achieve the required business outcomes.	E										
Human Resource Management	Experience with, or is able to demonstrate knowledge or expertise in, strategic human resource management. This may include workforce planning, employee engagement, succession planning, organizational capacity, compensation, professional development and CAO/CEO performance management and evaluation.	E										
Capital Planning	Knowledge of infrastructure capital planning and land development matters.	E										
Public Sector Procurement	Experience with Ontario public sector procurement legislation and practices in managing public funds efficiently and effectively ensuring value for money for the goods and services that are purchased by the NPCA	E										
Diversity Understanding	Understanding, recognizing and supporting individual differences along the dimensions of race, ethnicity, culture, gender, sexual orientation, socio-economic status, age, physical abilities, or religious beliefs	E										

Competency Definitions

	Competency	Definition
5	Expert	You are recognized by others as an authority on the subject matter garnered through education and extensive experience.
4	Advanced	You have significant practical and professional experience related to the subject matter and you consult or lead others in the application of the competency.
3	Intermediate	You have working or functional knowledge of the subject matter but may require assistance in understanding its advanced concepts.
2	Novice	You have a basic understanding of the subject matter.
1	None	You have no knowledge of the subject matter.

Proposed Board of Directors Skills Matrix

		Governance							Conservation and Environmental								Priority For Next 4 Years				
Essential or Desired		E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	
	Name	Board Governance	Business Management	Strategy and Planning	Risk Management	Financial Literacy	Member and Stakeholder Engagement	Legal and/or Enforcement and Compliance	Watershed Management	Natural Systems Management	Climate Change Adaption	Flood Plain Mapping	Restoration Programs	Land Use Planning	Development Proposal and Permit Applications	Geomatics	Change Management	Human Resource Management	Capital Planning	Public Sector Procurement	Diversity Understanding
1	Director 1																				
2	Director 2																				
3	Director 3																				