

The Corporation of the Township of Gillies



Committees and Board Procedures and Appointments Policy #68

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Department: Council

Review Frequency: As required

Policy Statement and Rationale:

1.0 The Corporation of the Township of Gillies appoints citizens from the municipality to Council Committees and Boards to review and recommend actions to Council to advance various issues relating to the municipality. It is recognized that Committees and Boards are vital to informing and supporting Municipal Council in accomplishing the Municipality's strategic goals and priorities. It is further recognized that appointed volunteer members of these Committees and Boards bring valuable community knowledge, experience and information, and are committed community stakeholders. This policy establishes the process for appointments, defines the volunteer appointee's roles and responsibilities, and establishes how they conduct business for the betterment of the municipality.

Scope:

2.1 This policy applies to all Council Committees and Boards created and approved by Council and their working groups. Where a Council Committee or Board is legislated, the provisions of the governing legislation shall take precedence over this policy.

Definitions:

"Municipality" or "Township" or "Gillies Township" means The Corporation of the Township of Gillies and includes its entire geographic area;

"Municipal Clerk" or "Clerk" means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

"Committee" means any Council Committee or Board which is advisory in nature and/or mandate specific and is:

1. Established by Council through resolution or by-law; or

2. Created by another level of government (with jurisdiction), providing the right to Council to appoint one or more persons to it, who are not members of Council.

“Council” or “Municipal Council” means the municipal council for the Corporation of the Township of Gillies.

“Director” means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

“Interview Team” means a team composed of two (2) members to review applications and make the recommendation to Council on the Committee or Board appointments. The team shall include a minimum of one Member of Council and one (1) Administrative Staff.

“Person” means a human individual. For the purposes of this policy, the term does not include “artificial” persons recognized by law (for example, Corporations).

Policy:

1. Volunteer Appointments

1.1 In addition to any other qualification requirements established by legislation, resolution or by Municipal policy, any persons appointed to a Committee or Board must be:

- i) A resident of the Municipality (own, rent, live in shared accommodation where you do not pay rent or live in the municipality with no fixed address); or
- ii) An owner of property in the Municipality or a person who rents property in the Municipality, or the spouse of the above; and
- iii) at least eighteen years of age; and
- iv) a Canadian citizen or a permanent resident of Canada.

except where:

- i) The Interview Team recommends the appointment of one or more person(s) to a Committee or Board and declares the exception in the recommendation to Council.
- ii) The Committee or Board composition, as per the Committee or Board Terms of Reference, includes members from specified organizations where the names of those members are to be provided by the organization along with any designated alternates.
- iii) Permitted as per the Council approved Terms of Reference for the Committee or Board

1.2 Notwithstanding Section 1.1, the following persons are ineligible for appointment to the Municipality’s Committee or Board as a Public Appointee:

- i) current members of the Council (with the exceptions of statutory requirements and ex officio positions);
- iv) any person who may have an actual or perceived (in the opinion of the Interview Team) conflict of interest with the purposes of the Committee or Board in question due to their employment or otherwise; or
- v) any person who is in litigation or potential litigation with the municipality.
- vi) any person who has been deemed frivolous or vexatious to the Municipality, or has caused interference with the operations of the Municipality.
- vii) any person who does not fulfill the training requirements as required by legislation and/or the Clerk, including but not limited to, AODA, Health and Safety, Police Record Checks.

1.03 Council may assign staff persons to Committees or Boards in liaison or record-keeping roles. No Municipal employee may participate in voting that may occur on Committee or Board they have been appointed as a Committee or Board member.

1.04 Given the time commitment required by members of the Committees or Boards, no person shall serve as a member of more than three (3) Committees or Boards during the same time period, without approval of Council.

2. Terms of Reference

2.1 The Terms of Reference of any Committee or Board shall be developed using the templates as attached to this policy as Appendix A – Committee or Board Terms of Reference Template.

2.2 The Municipal Clerk has authority to modify the Terms of Reference templates, attached to this policy as Appendix A – Committee or Board Terms of Reference Template.

2.3 Any responsibilities not clearly identified within a Committee or Board Terms of Reference shall be the responsibility of the Corporation of the Township of Gillies Council, at its discretion, change the Terms of Reference for a Committee or Board at any time. Any changes proposed to these Terms of Reference by the Committee or Board shall be recommended to Council via the liaison department identified within the Terms of Reference through a report to Council.

2.4 At the discretion of Council, any Committee or Board may be dissolved by resolution of Council. No prior notice is required.

3. Code of Conduct for Committee or Board Appointees

3.1 All volunteer appointees to Committees or Boards shall adhere to the Municipality Code of Conduct for Committee or Board and Members as approved by Council.

4. Advertising for Vacancies

4.1 The Municipality Clerk will, if required, advertise during the last quarter of the calendar year for all vacancies to be filled through appointments of persons to Committees or Boards of the Municipality.

4.2 Advertisement(s) shall list the name(s) of the Committee(s) or Board(s) and any qualification requirements for membership.

4.3 Persons wishing to fill advertised vacancies on Committees or Boards of the Municipality must submit to the Municipal Clerk, in writing, an application except as outlined in Section 4.4. The application shall be on a form supplied by the Municipal Clerk's office. No consideration will be given to filling vacancies unless a written application is received. Supplemental resumes are encouraged but are not required. Application forms and attached resumes are considered confidential and shall only be used for their intended purpose of selecting members to the specified Committee or Board.

4.4 Any person who is a current appointee to any Committee or Board and remains qualified to be a citizen appointee, can reapply by submitting a letter indicating their intention to reapply. Nothing prevents an incumbent from applying using the application form if they choose.

4.5 The Municipal Clerk's Office shall receive and distribute all applications received in response to an advertisement for vacancies on Committees or Boards. Copies of all applications shall be sent to the Interview Team responsible for the appointment of Committee or Board Members.

4.6 The Committee or Board designate shall make the Municipal Clerk aware of any vacancies on Committees or Boards that arise throughout the calendar year. The Municipal Clerk may, if required, advertise at any time throughout the calendar year in order to fill such vacancies on Committees and Boards.

4.7 Alternatively, the Municipal Clerk may review the applications received when the position was most recently advertised and recommend a person to fill the vacancy to the Committee or Board. If there are no applications in the file then the Municipal Clerk shall ask the Committee or Board, through the chair, to nominate a single candidate for the position. Upon receipt of written acceptance of the nomination, the candidate shall be recommended to Council for appointment via a written confidential report and section 1.2 shall be reviewed to ensure the nominee is eligible.

4.8 In all cases, persons appointed to fill a vacancy on a Committee or Board shall assume the remainder of the Term of the member whose vacancy is being filled.

5. Interview, Selection and Appointment Process

5.1 The Clerk, upon receipt of applications shall arrange an interview team to consist of two (2) members. Whenever possible, any member(s) of Council appointed as the Council representative to the Committee or Board shall form part of the interview team. In the event that the Council representative to the Committee or Board is not able to

form part of the interview team the Clerk will request that an alternative Council Member to be assigned.

5.2 The Clerk shall arrange a meeting of the Interview Team to review the applications and decide whether there is a sufficient number of qualified candidates, or if a further notice and advertisement is required, or to decide if interviews are required and how many candidates will be interviewed, or if a recommendation will be made to Council without interviews.

5.3 If interviews are required, the Clerk shall arrange a meeting of the Interview Team to conduct the interviews with the applicants.

5.4 The Clerk shall advise all selected applicants of the time and place of the interview. Only those applicants who are selected for an interview will be notified.

5.5 The Interview Team will give fair and equal consideration to the qualifications, abilities and civic interest of all persons who have applied who meet the qualifications of the office when considering appointments to Committees and Boards.

5.6 Interviews of the applicants to a Committee or Board will be dealt with individually by the Interview Team. After all interviews are completed the Interview Team shall recommend the selected candidates to Council for appointment.

5.7 A confidential written report from the Clerk will be presented in closed session at a Regular Council Meeting to bring forward the recommendations of the Interview Team. Council may choose to accept the Interview Team's recommendations, or it may choose to request a new recommendation be provided. Council shall not appoint a person who was not considered by the Interview Team. The final appointment resolution shall be made in open session of Council.

5.8 The Municipal Clerk's Office shall retain all applications received for vacancies on Committees or Boards in accordance with the Municipality's Records Retention By-law.

6. Expulsion of a Member

6.1 Any member of the Committee or Board, who misses three consecutive formal business meetings, without being excused by the Committee or Board, may be removed from the Committee or Board.

6.2 The Committee or Board may recommend to Council the expulsion of a member, or Council may remove a member for reasons including, but not limited to, the member being in contravention of the Municipal Act, the Municipal Freedom of Information and Protections of Privacy Act, the Provincial Offences Act, the Municipal Conflict of Interest Act; the Code of Conduct Members of Committees, Boards and Task Forces; disrupting the work of the Committee or Board or other legal issues. Recommendations from a Committee or Board regarding expulsion of a member shall be directed to the Clerk.

6.3 Any Member, staff, Council member, Council, or a member of the public has the right to identify any alleged non-compliance to the Code of Conduct - Members of Committees and Boards. The individual shall bring the matter forward to the Clerk.

6.9 Council has the sole discretion to terminate any Municipal Committee or Board member.

7.0 Attachments:

Appendix A – Committee/Board Terms of Reference Template

Schedule "A"

Terms of Reference

Committee/Board

Established by Council: Date

Regular Review Timeframe: Date

1.0 Mission:

1.1 State the Mission of the Committee or Board.

2.0 Roles and Responsibilities:

2.1 It is the responsibility of all appointed members to comply with:

- List Various Acts/Policies/By-laws

2.2 No individual member or the Committee as a whole has the authority to make direct representations of the Municipality to Federal or Provincial Governments

2.3 Members shall abide by the rules outlined within the Municipal Conflict of Interest Act and shall disclose the pecuniary interest to the Secretary and absent himself or herself from meetings for the duration of the discussion and voting (if any) with respect to that matter.

2.4 The Committee will abide by any terms and conditions which may be set out by the Municipal Clerk, Municipal Solicitor, Municipal Auditor and/or Municipal Insurer for any activities relating to Committee business.

3.0 Activities:

3.1 The following represent the general activities of the Committee:

- List the general activities.

4.0 Composition:

4.1 The Committee shall be comprised of a maximum of five (5) consisting of not more than two (2) members of the public and two (2) Council representative(s), and one (1) administrative staff. Committee members will be appointed by Council in accordance with the established policy for Committees and Boards Procedures and Appointments. The Councillor appointed by the Council will be ex-officio on the Committee and have full authority to debate and vote. The Committee shall, at its first meeting in each year, elect from its membership a Chair, and Vice-Chair. It is acknowledged that there are no

per diems for any Committee positions, and it is acknowledged that none of the above positions shall be paid for their services. All committee members are considered volunteer positions. Mileage costs and other minor expenses related to committee activities may be eligible for reimbursement subject to budget approvals by Council. No attendance at conferences or workshops shall be allowed by a volunteer member unless clearly identified in the workplan and approved by Council.

5.0 Term of Appointment:

5.1 Unless exempted by legislation, members will be appointed for the term of the Council. List any further dates/restrictions/etc.

6.0 Resources:

6.1 The Clerk will provide support in the form of advice to the Board and be the day-to-day liaison when relevant municipal updates are available. The Clerk will also assist in the preparation and submission of budget requests/grant submissions, if needed and attend meetings of the committee; in the event that the Clerk is not appointed to the Committee then the Clerk will attend upon request of the Board.

7.0 Timing of Meetings:

7.1 Meetings will be held on a set day and time as may be determined by the Committee/Board or at the call of the Chair.

8.0 Meetings:

8.1 The Committee shall hold a minimum of number (X) meetings in each calendar year. The Chair shall cause notice of the meetings, including the agenda for the meetings, to be provided to members of the Committee a minimum of three (3) business days prior to the date of each meeting. Quorum for meetings shall consist of a majority of the members of the Committee. No meeting shall proceed without quorum.

8.2 Working meetings throughout the year to advance the efforts of the workplan shall be held at the call of the Chair with the Chair providing notice of the working meetings to all members of the Committee a minimum of three (3) business days prior to the date of each meeting. No formal minutes are required to be taken at working meetings, however, notes shall be taken and provided to the Clerk for record retention.

8.3 Any member of the Committee who misses three consecutive formal business meetings, without being excused by the Committee, may be removed from the Committee in accordance with adopted policy.

8.4 Members shall abide by the rules outlined within the Municipal Conflict of Interest Act and shall disclose the pecuniary interest to the Secretary and absent themselves from meetings for the duration of the discussion and voting (if any) with respect to that matter.

9.0 Procedures:

9.1 Procedures for the formal business meetings of the Committee shall be governed by Gillies Procedural By-law and Legislation or, where both of these are silent, by Robert's Rules of Order.

10.0 Closed Meetings:

10.1 The Committee may, upon affirmative vote of the majority of its members present at a meeting, determine to hold any meeting or part of a meeting as a closed session in order to discuss sensitive personal issues or legal matters. If the Committee elects to hold a closed session, all persons not entitled to vote (with the exception of the staff liaison and visiting members of Council, if any, and all persons excepted by the members) shall vacate the premises where the meeting is taking place. Closed meetings shall only be held in accordance with Section 239 of the Municipal Act. Prior to the commencement of closed session, a resolution shall be passed stating the general nature of the matter to be discussed and what section of the Municipal Act applies. The Committee shall maintain a record of the meeting which will be stored with the Municipal Clerk.

11.0 Agendas and Minutes:

11.1 A copy of the Agenda shall be provided to the Municipal Clerk at the same time it is provided to Committee Members. The Municipal Clerk will distribute the agenda to Council members and have it posted on the website. Orientation Sessions shall be held by the Clerk for new members as they become appointed.

11.2 Minutes of all formal meetings and notes from working meetings of the Committee/Board shall be forwarded to the Clerk not later than two weeks after the meeting. Action items requested of staff and/or Council will be brought to the attention of the Clerk at that time.

11.3 The Municipal Clerk will electronically circulate the formal meeting minutes to all members of Council for their information. The Municipal Clerk will maintain a set of printed minutes on file for public review.

12.0 Reports:

12.1 List the reporting requirements.

13.0 Location of Meetings:

13.1 The location of the meetings will be set by the Clerk.

14.0 Purchasing Policy:

14.1 This Committee has no purchasing or procurement responsibilities.

15.0 Insurance:

15.1 As the Gillies Cemetery Board is Committee of Council coverage is extended under the City's general liability insurance and Errors and Omissions policy for the Township.

16.0 Expulsion of Member:

16.1 The Committee may recommend to Council the expulsion of a member or Council in accordance with the Committees and Boards Procedures and Appointments Policy and may remove a member for reasons as listed, but not limited to, the member being in contravention of:

- the Municipal Act
- the Municipal Freedom of Information Act
- the Protection of Privacy Act
- the Provincial Offences Act
- the Municipal Conflict of Interest Act
- disrupting the work of the Board/Committee
- legal issues

17.0 Terms of Reference:

Any responsibilities not clearly identified within these Terms of Reference shall be the responsibility of the Corporation of the Township of Gillies. Council may, at its discretion, change the Terms of Reference for this Committee/Board at any time.

Any changes proposed to these Terms of Reference by the Committee/Board shall be recommended to Council via the Clerk through a report to Council.

At the discretion of Council or upon the mandate of the Board/ Committee being fulfilled, the Committee may be dissolved by resolution of Council.