

	<b>THE CORPORATION OF THE TOWN OF TILLSONBURG</b>		
	<b>POLICY FOR BOARDS &amp; COMMITTEES OF COUNCIL</b>		
	<b>Policy Number</b>	2-009	
	<b>Approval Date</b>		<b>Revision Date</b>
	<b>Schedules</b>		

**A. POLICY STATEMENT**

There is a need to provide a policy for Boards & Committees of Council within the Town of Tillsonburg.

**B. PURPOSE**

The purpose of this policy is to identify a process for establishing Boards and Committees of Council; requirements for maintaining and supporting their work; and the coordination of the appointment and advertising process through the Clerk`s Office. It excludes external bodies and local boards not established by Council and internal, working groups of an administrative nature.

This policy supplements the Town of Tillsonburg Procedural By-law 4173. Boards and Committees shall be subject to the provisions of the Procedural By-Law.

**IMPLEMENTATION PROCEDURE**

**1. Classification of Boards and Committees**

Where the municipality makes appointments to bodies of its own creation and to outside bodies when requested to do so, such appointments shall be citizen appointments, except in those situations where the municipality has a direct financial involvement, in which case Council shall determine whether or not it will appoint citizen and/or Council Members to such bodies.

Generally Boards and Committees may be either ongoing or a Sub Committee of an existing Board or Committee. Committees provide recommendations, advice and information to Council on an ongoing basis on specific municipally-related matters that relate to the mandate of Boards and Committees as set out in the Committees Terms of Reference. They may include some of the following:

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- i. Advisory - includes bodies authorized by Municipal Council to provide input on a discretionary basis and advice to Council on a particular matter, or undertake special projects as assigned.
- ii. Mandatory - where a Provincial Statute prescribes the type of appointments to be made by the municipality to a given body, the Statute be complied with;
- iii. Local Boards/Committees - means a school board, municipal service board, public library board, board of health, police services board, or any other board, commission, committee, body or local authority established or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes, including school purposes, of a municipality;
- iv. External Bodies - separate special purpose bodies that have a substantial amount of authority over their own operations.

Sub Committees assist in the short-term study and analysis of a specific municipally- related issue. They may include staff representation as well as representation from external bodies.

## **2. Establishment of Boards and Committees**

Boards and Committees are proposed by resolution of Council and established by By-law. The By-law shall incorporate the Terms of Reference for the specific Board/ Committee. Prior to Council's establishment of any Board or Committee by by-law, staff shall submit a report to Council including the following information:

Board/Committee Structure, including Terms of Reference;

Membership composition;

Orientation, training and facilitation needs.

## **3. Ongoing Review of Boards and Committees**

Early in a new Council term, Council shall review all Boards and Committees. The Clerk shall assist in this effort by providing an overview of all Boards/ Committees, including, but not limited to, the following:

- a. A list of Boards/Committees by name and type;
- b. Summary of mandates, goals and objectives for each Board/Committee;
- c. Recommendations on the future direction of each Board/Committee and its structure in general;

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- d. Review and recommendations on the reporting and functional relationships of Boards/Committees in general.

The Terms of Reference of each Board/Committee shall be reviewed on an ongoing basis by relevant staff in order to ensure that the Terms of Reference, the need for and the roles of each Board/Committee remains relevant and appropriate.

If a Board or Committee is to be disbanded, a final report on the Board/Committee activities and reasons for disbandment shall be presented to Council for approval.

**4. Terms of Reference**

It is recommended that the following components be included in the Board/Committee Terms of Reference at a minimum:

- a) Nature of Committee/Reporting and Functional Relationships
  - describes type of Board/Committee, whether advisory or subcommittee,
  - sets out reporting and functional relationships between the Board/Committee, Council, relevant town staff and the public.
- b) Mission/Mandate of Board/Committee
  - sets out the general purpose, goals and activities of the Board/Committee
- c) Committee Composition
  - describes the nature of the membership (citizens and/or organizations, numbers in each category), membership qualification, terms, quorum requirements, absentee requirements, Council Representative, Staff Liaison.
- d) Roles/Responsibilities
  - identifies various roles and expectations of key Board/Committee participants (members, Chair, Vice-Chair, staff participants, staff liaisons)
- e) Rules of Procedure/Order
  - Board/Committee members shall observe the Rules of Procedure outlined in the Town Procedure By-Law, as far as applicable, keeping in mind that members may feel more comfortable and appreciate the opportunity to exchange views with fellow committee members in a more informal atmosphere.
- f) Schedule/Location of Meetings
  - The Committee will establish a meeting schedule, setting out the time and place for meetings at the beginning of each year.

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- g) Meeting Structure, Agenda and Minute Formats
  - Identifies format, preparation and distribution of agendas and minutes
  - Identifies that Minutes of all meetings, whether closed to the public or not, shall be recorded.

**5. Mayor as Ex-Officio Member of Committees**

The Mayor of the Council of the Town of Tillsonburg is an ex officio member of every Committee;

Where a Committee is established by reference to a particular number of members without specifically providing for the membership of the Mayor of the Council, such number is automatically increased by one, being the Mayor of the Council, and all members of the Committee are present.

If there is an absent member, the Mayor’s attendance replaces the absent member and the membership number is not automatically increased by one.

The Mayor is able to participate in the business of the Committee without any restriction including voting. Members of Council are able to attend at any meeting, however only members of Council who have been appointed to a Committee are entitled to vote.

**6. Appointment Process and Advertising for Board/Committee Members**

Where a Provincial Statute prescribes the type of appointments to be made by the Municipality to a given Board or Committee, the Statute shall be complied with. Where the Municipality makes appointments to Boards/Committees of its own creation and to outside bodies when requested to do so, such appointments shall be citizen appointments, except in circumstances where the Municipality has a direct financial involvement, in which instance Council shall determine whether or not it will appoint citizens and/or Council Members to such bodies.

Vacancies for citizen appointments shall be publicly advertised in the local newspapers, through social media and on the Town website. To apply to serve as a volunteer on a Town of Tillsonburg Board or Committee, interested individuals shall be invited to apply and submit an Application. It is not a requirement that applicants are a resident or municipal taxpayer in Tillsonburg. These appointments enable local citizens from various backgrounds to participate in local government and voluntarily give their time and expertise to help formulate the direction of certain municipal functions/programs.

The duration of Board/Committee appointments are the same as the term of Council, however staff may recommend that the terms for specific Board/Committee appointments be staggered to

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ensure experience and consistency in following the Board/Committee's goals and mandate. While appointees may serve on more than one Board/Committee, Council shall give first consideration to individuals who are not already appointed to another Board/Committee.

The following process, coordinated by the Clerk’s Office, will generally be followed in initiating the recruitment, selection and appointment process:

- a) In an election year or upon Council passing a By-law to establish a Board/ Committee, the Clerk, will advertise Committee vacancies in the local newspapers, through social media and on the Town’s website, making note of the mandate of the Committee, a brief statement of the role and responsibilities of Committee membership, duration of term, level of commitment, application process and contact information.
- b) Applicants shall be required to complete and submit to the Clerk an application form, available from the Clerk's office, Customer Service Centre (CSC) and the Town’s website. Once the applications have been received, a selection committee comprising of three members of Council and the Clerk shall review the applications. The selection committee shall make recommended selections and a report will be prepared by the Clerk’s office for approval by Council. All applicant’s names shall be forwarded to Council with the staff report.
- c) Upon Council's approval of Board/Committee appointments, the Clerk will prepare the necessary appointment by-law.
- d) The Clerk, on behalf of Council, shall send out confirmation letters to new Board/ Committee appointees and advise of their staff liaison and any other relevant contacts.
- e) The Clerk will coordinate the necessary advertising in September of an election year in order to follow the appointment process.

Applications from volunteers who are not appointed during the regular appointment process will be kept on file for the remainder of the term of the committee. If a vacancy occurs on a Committee within that term, the applicants who applied to serve on that Committee and were not appointed will be contacted and asked if they are still interested in serving. Names of those who continue to have an interest to serve on the Committee will be submitted to the Clerk for consideration to fill the vacancy. The Clerk’s Office will also advertise the vacancy in the newspaper.

**7. Resignation/Dismissal Process**

Board/Committee members wishing to resign their appointment shall submit a letter of resignation to the committee chair. Upon acceptance of the resignation, the Chair shall forward

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the resignation letter to the Clerk's office, which will initiate the aforementioned appointment process to fill the vacancy.

Council, at its discretion can dismiss any Committee/Board in its entirety or any member thereof at any time.

### **8. Absentee Requirements**

If any Board/Committee member is absent from three consecutive meetings, without justification, the Chair of the Committee, in consultation with the staff liaison, will ask the member whether or not they wish to attend meetings and remain on the Committee or resign.

Upon confirmation that the member will no longer be serving on the Committee, the Committee Chair will notify the Town Clerk, which will initiate the appointment process for committee vacancies. If a member indicates the desire to continue to serve on the Committee, the member will be advised that attendance is required or the member will be removed from the Committee.

Any member of a Committee who is absent for more than fifty per cent (50%) of the meetings since their term of appointment, will not be eligible for re-appointment. A member of a Committee of Council who intends to leave a meeting before the meeting is adjourned must inform the Chair of this intention either at the start of the meeting or prior to leaving.

### **9. Orientation Sessions**

Orientation sessions shall be conducted for Board/Committee appointees at the beginning of each Committee term. All Board/ Committee members benefit from orientation. The sessions identify goals, objectives and work plans. Further sessions may be conducted for appointees during the Council term, as required. Orientation manuals will be distributed to all members of the Committee for reference purposes. Each Board/Committee manual shall include the following information:

- a) Establishing By-Law for Board/Committee
- b) Mandatory Statutes (i.e. Ontarians with Disabilities Act)
- c) Tillsonburg Procedural By-Law
- d) Member Contact Information
- e) Council Members Contact Information
- f) Relevant Town Policies & Procedures affecting Board/Committee members.
- g) Committee Terms of Reference
- h) Staff Support Contact Information

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## **10. Meeting Structure, Agenda and Minute Formats**

Meeting structure, agenda and minute formats should meet the needs of Individual Boards/ Committees, while ensuring consistency, completeness and accountability. A Board/Committee may choose to follow a more informal procedure and allow for a consensus approach to discussion. It is recommended that the following components be included in Board/Committee Agendas, where specific subject items are described in each component.

- a) Date, time, location of meeting
- b) Members present (include office, i.e. Chair, Recording Secretary)
- c) Members absent/regrets
- d) Disclosure of Pecuniary Interest
- e) Approval of previous minutes
- f) Presentations/Deputations
- g) General Business and Reports
- h) Correspondence
- i) Other Business
- j) Closed Session
- k) Next meeting.
- l) Adjournment.

It is recommended that the Board/Committee minutes briefly outline the substance of each of the agenda items discussed during the meeting, including actions taken and recommendations by motion. The minutes shall be forwarded as soon as possible following the meeting to the Deputy Clerk in order to present them to Council as information on a monthly basis. Staff will be required to prepare a report for any recommendation of a Board/Committee requiring action by Council. Committee Chairs to present reports to Council. Minutes of all meetings must be recorded.

## **11. Election of Officers**

Each Committee will elect as soon as possible after January 1st each calendar year to select a Chair and Vice-Chair from its membership for a term commencing January 1st and terminating December 31st or until a successor is appointed. For the purpose of clarity, a member of the Committee who served as Committee Chair or Vice Chair may be reappointed as Committee Chair or Vice Chair.

The secretary function shall be the responsibility of the staff liaison.

## **12. Term of Appointment**

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The term of appointment shall be as set out in the appointment by-law.

Committee members will continue to serve on a committee past the expiration of their term until they are replaced.

**13. Citizen Appointments**

Renewed membership on a committee is not automatic, any member of the public who wishes to serve for an additional term must submit the approved application form or provide a letter which includes the necessary information in order to be considered for re-appointment;

**14. Establishment of Sub-Committees**

If a Committee wishes to establish a sub-committee, the sub-committee shall be formed to undertake business of special projects appropriate to the Committee through committee resolution. The Committee minutes shall note the mandate of the sub-committee, the beginning and proposed ending date, the composition and how the members are to be recruited. Such sub-committees shall report their findings to the Committee at regular Committee meetings. Sub-committees that are formed of members outside of the committee must be endorsed by council, as such staff must prepare a report to Council requesting endorsement of the additional committee members.

**15. Access to Meetings**

Except as provided in this section, all meetings shall be open to the public and the media and Board/Committee Minutes shall be available upon request. The Chair or presiding Officer may expel any person for improper conduct at a Meeting. A meeting may be closed to the public if the subject matter being considered is:

- a) the security of the property of the municipality or local board;
- b) personal matters about an identifiable individual, including municipal employees or local board members;
- c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- d) labour relations or employee negotiations;
- e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- f) the receiving of advice that is subject to solicitor-client privilege; including communications necessary for that purpose;



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- g) a matter in respect of which the local board or committee may hold a closed meeting under another Act.
- h) consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act. This applies if the council, board, commission or other body is the head of an institution for the purposes of that Act;
- i) an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*;
- j) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
- k) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- l) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value; or
- m) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board; or
- n) for the purpose of educating or training the members, subject to the condition that no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the committee.

Before holding a Meeting or part of a Meeting that is to be closed to the public, the Board/Committee shall state by Resolution:

- a) the fact of the holding of the Closed Meeting;
- b) the general nature of the matter to be considered at the Closed Meeting.
- c) in the case of a meeting for educational or training purposes, that it is closed for that purpose as well.

All deliberations while in Closed Session shall remain confidential unless otherwise approved by Committee in Open Session.

### **16. Provision for Accessibility and Diversity**

Adequate provision shall be made by the Chair of the Board/Committee and relevant staff to ensure that meeting locations, agenda and minute formats, communications and conduct of meetings be accessible, to ensure maximum participation and quality customer service.

Reference may be made to the provisions of the Ontarians with Disabilities Act, and similar

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legislation, policies and guidelines. Membership that reflects the diversity of the Tillsonburg community will be encouraged in the recruitment, selection and appointment process.

**17. Pecuniary Interest**

If a Committee member has a pecuniary interest in any matter and is, or will be, present at a meeting at any time at which the matter is the subject of consideration, the member:

- a) shall, before any consideration of the matter, at the meeting verbally disclose the interest and its general nature.
- b) shall not, at any time, take part in the discussion of, or vote on, any question in respect to the matter; and
- c) shall leave the meeting and remain absent from it at any time during consideration of the matter.

**18. Budget/Financial Reporting**

Boards/Committees may make requests for budget allocations through their staff liaison in advance of the Town's annual budget process no later than August 31st of any given year. All related revenue and expenditure transactions will follow Council approved policy. Requests must relate to specific activities approved in the Board/Committee's mandate and work plan. Requests shall be submitted by the appropriate department head for consideration in the Town's budget review.

**19. Town of Tillsonburg Policy and Procedures**

Board and Committee members shall adhere to the policies and procedures of the Town of Tillsonburg.