

THE CORPORATION OF THE TOWNSHIP OF ELIZABETHTOWN-KITLEY

BY-LAW 06-49

BEING A BY-LAW TO ESTABLISH THE TERMS OF REFERENCE FOR COMMITTEES OF COUNCIL

WHEREAS by Section 5(1) of the *Municipal Act 2001*, as amended, the powers of a municipal corporation are to be exercised by its council;

AND WHEREAS by Section 5(3) of the *Municipal Act 2001*, as amended, a municipal power shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS By-law 04-22 of the Township of Elizabethtown-Kitley establishes the rules and regulations for the order and dispatch of business by the committees;

AND WHEREAS the Council of the Corporation of the Township of Elizabethtown-Kitley deems it expedient to supplement the procedural By-law through policy; to establish terms of reference for committees; and set procedures regarding committees and appointments of Council;

NOW THEREFORE, the Council of the Corporation of the Township of Elizabethtown-Kitley enacts as follows:

1. Schedule "A", attached, be adopted for Committees of Council, Ad Hoc Committees and Board and Agency Representatives.
2. Schedule "B", attached; be adopted as Terms of Reference for Committees of Council and Ad Hoc Committees.
3. Schedules "A" and "B" constitute part of this By-law.
4. That this By-law shall come into force and effect on the date of passing.

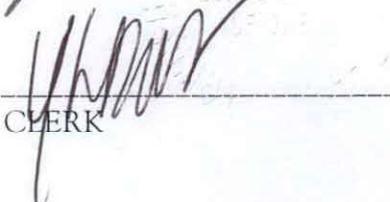
Read a First and Second time this 23 day of October, 2006.

Read a Third time and finally Passed this 6th day of November, 2006.

*Amended by
by-law 06-55*



 MAYOR



 CLERK

Schedule "A" to By-law 06-49

TOWNSHIP OF ELIZABETHTOWN-KITLEY

Committees of Council, Ad hoc Committees and Board and Agency Representatives

Purpose:

In accordance with By-law 04-22, being a By-law to Govern the Proceedings of Council and Committees of Council, Committees of Council may be established by the Township of Elizabethtown-Kitley and Ad Hoc Committees may be appointed by the Mayor or Council to discuss and review matters pertaining to services and issues affecting the Township.

Committees of Council are frequently deemed an appropriate forum for such matters because, among other things:

- they often allow for more focused and timely investigation of a specific matter;
- the meetings are often more informal than Council meetings, albeit there are certain procedural requirements;
- they can meet as frequently as required;
- they often have volunteer members from the public and/of staff members adding their perspectives to the specific matter;
- they allow the public additional opportunities for participation and comment; and
- they may make recommendations to council for their review and potential approval.

Further, the Mayor and Council may establish, appoint members and set the terms of reference for Ad Hoc Committees. Such Committees tend to be issue or subject specific and the most informal in procedure and structure.

Structure – Committees of Council:

At a Council meeting or meetings soon following the inaugural meeting of Council, subsequent to the municipal election, Council shall establish or confirm the number of Committees of Council and their terms of reference as well as the nature and number of members. Subsequently, the Administrator-Clerk shall advertise in the appropriate local newspaper(s) and the Township's web page seeking written expressions of interest regarding the available Committees member vacancies. A copy of all submissions received shall be provided to the Councillors and pertinent Department Heads. The Mayor may solicit opinions from all or any Councillor regarding the subject written submissions and the Mayor shall confirm with the Administrator-Clerk a recommendation regarding the membership of Committees for Council's consideration. The Mayor may also solicit opinions from the immediate past Chairs of all Committees for input into committee member's effectiveness and commitment. All Committee of

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Council membership shall be formalized by Council resolution or by-law. The Mayor may appoint or dismiss the Chair of all Committees of Council for which the Chair is to be member of Council. The Administrator-Clerk shall advise all Committee members of their appointment. The Mayor may be required to arbitrate those situations where they may be an actual or perceived conflict between Committees approaches or the overlapping of jurisdiction(s) between Committees as well as potentially the interpretation of a Committee's role. All Committees and their Chairs shall act in accordance with all applicable Township policies and by-laws. Decisions of Committees of Council shall be made by written resolutions for Council's subsequent review and decision. The Term of a Committee shall coincide with that of Council unless indicated otherwise.

Municipal Representation on Boards and Agencies:

The procedures for determining Committee of Council members shall generally be the same procedures for appointing those members who will represent the Township on the external Boards and Agencies the Township is authorized to have representation on. Examples of such Boards and Agencies include the Library Board, RVCA, CRCA, and the Brockville and Area Airport Commission. The term of the representative shall coincide with that of Council unless indicated otherwise. The representative shall keep Council and/or the pertinent Committee appropriately apprised of the actions of the subject Board or Agencies and shall report to the aforementioned at determined intervals or as requested. The Mayor may review and make recommendations annually regarding the effectiveness of the Township representative.

Established Committee of Council:

The Council of the Corporation of the Township of Elizabethtown-Kitley has established the following Committee of Council:

1. Committee of Adjustment
2. Community Emergency Management Program Committee
3. Economic Development Committee
4. Environmental and Conservation Advisory Committee
5. Fire Services Liaison Committee
6. Heritage Elizabethtown-Kitley
7. Planning Advisory Committee
8. Property Standards Committee
- 9.
10. Public Works Committee
11. Recreation Committee
12. Ad Hoc Committees

Committee Agendas, Minutes and Practices:

To address matters regarding the time and content of the Committee agenda, minutes as well as to identify relevant practices, it is appropriate to detail (i.e. from past and standard practices, the procedural by-law and legislated requirements) some additional structure regarding Committees.

- 1) Generally, the order and form of the Committee agenda shall be:

Agenda
Township of Elizabethtown-Kitley

Committee
Date/Time/Place

- Opening Meeting
- Disclosure of Pecuniary Interest
- Minutes of Previous Meeting
- Delegations
- Discussion Items
- Correspondence/Information Items/Reports
- Other Business
- Public Questions
- Adjournment

Some Committees have the order of the above placed differently and this is generally not a concern provided the collective elements are all there. The opening of the meeting and disclosure of pecuniary interest shall always be items number one and two. In camera sessions are separate meetings with distinctive agendas and minutes held for the reasons allowed by legislation and the procedural by-law.

- 2) Staff should provide to the Committee appropriate reports and should have for the Committee clearly written options and recommendations. It is up to the Committee to select what actions they choose or recommend to have pursued. However, there should not be any question regarding the decision of the Committee and should it be unclear to the recording secretary or other staff or to the Committee members, then the Chair should be asked to either: i) have the mover repeat the motion on the table; or ii) have the Chair repeat their understanding of what is on the table and ask the Committee if they concur if that is what is on the table. Further, should the motion not be in a written format already or a written resolution is to be amended; the subject resolution should be written down and provided to the Chair or recording secretary.

- 3) Minutes should not be verbatim but rather a reflection of the direction of the Committee (e.g. Passed resolutions). However, it is acceptable to have some short summaries regarding delegations and verbal reports. A Committee speaks by resolutions approved by the majority of members. The recording secretary will work with the Chair to ensure there is appropriate follow up regarding any decisions (e.g. reports to Council, correspondences and/or implementation). A resolution of a Committee is only a recommendation to Council that Council may or may not choose to approve.
- 4) Committee members should get a copy of the agenda package or have an opportunity to pick up a copy of the package at least three (3) days prior to the Committee meeting. Obviously, special meetings will have different expectations relevant to the circumstances. Before the agenda is prepared, staff, to ensure any additional items they want to be included are included, should contact the Committee Chair.
- 5) The recording secretary assigned to a Committee will get a copy of the draft minutes to the Committee Chair within three (3) days subsequent to the subject meeting for their approval for circulation. They should then be provided to the Administrator-Clerk for inclusion in the earliest possible Council agenda package. The onus is on the relevant Chair, Committee staff person and Department Manager as well as the Administrator-Clerk to ensure such is done in a timely manner.
- 6) The Administrator-Clerk should be advised of the approved schedule of Committee meetings for the year and the onus is on the staff member serving the Committee to make sure such information is provided to the Administrator-Clerk. The Administrator-Clerk will keep a master list of Council and Committee meetings and will see that notice is given for such in the local newspaper and reflected on the Township's web page. It is up to staff to make sure the room or meeting location is reserved and that the Committee members, relevant staff and the Administrator-Clerk are advised of any meeting rescheduling, changes or cancellations.
- 7) Delegations should be given reasonable notice of the meeting and they should provide a written summary of their issue so that it can be included in the agenda package. This will allow the Committee members and staff time to have some appreciation of the issue before the meeting and can prepare appropriate information/recommendations concerning the matter. Hopefully, the Committee will then be more informed and able to deal with items more expeditiously should they so choose. Obviously, if a delegation refuses to

provide information for the agenda, staff may be required to place a memo in the agenda summarizing their understanding of the individual's issue(s) and option(s). It is the responsibility of the Chair to ensure the delegation is presented in a clear, focused and civil manner as well as keeping within the appropriate time lines when making a presentation to the Committee.

- 8) There are some Committees for which staff has not been assigned to record minutes at the actual meeting. In these cases staff should dialogue with the Chair regarding staff transcribing the meeting notes into draft Committee minutes for the Chair's approval for circulation and copying to the Administrator-Clerk for placement in the earliest possible Council agenda. Staff should also ensure the Committee agendas are prepared in accordance with the required format and timing. Similar to other circumstances, the Chair should be approached by staff regarding the items to be placed on the agenda. Further there may be times when (at the request of the Chair) staff assistance at a meeting may be required, and therefore the relevant Department Manager will be required to endeavour to provide such assistance to the Committee through some appropriate means.
- 9) Those Committees that do not have a Council appointed Chair shall select a Chair from within the Committee membership at their first meeting subsequent to the municipal election or at the first meeting feasible should the Chair position become vacant sometime during the term. The Chair of the Committee shall report, in writing, to Council generally by no later than two (2) months following the Committee's initial meeting, the goals and objectives of the Committee. Further the Chair shall provide to Council a written annual summary of the Committee's achievements towards implementing its objectives. The Mayor may review and make recommendations annually regarding the effectiveness of a Chair or Committee.
- 10) The Mayor and Administrator-Clerk shall be provided by relevant staff with a copy of all Committee agendas at the same time the Committee members are.

It is the expectation that the Committee members and staff will endeavour to comply with the afore referenced and that any deviations will be infrequent and only when otherwise unavoidable.

Schedule "B-1" to By-law 06-49

TOWNSHIP OF ELIZABETHTOWN-KITLEY

TERMS OF REFERENCE

Committee of Adjustment

Purpose:

Appointed under the authority of the *Planning Act*, the Committee of Adjustment considers applications under the *Planning Act* with regard to minor variances, for the Township of Elizabethtown-Kitley.

Prescribed Committee regulations are found in the parent legislation and its applicable regulations.

Membership:

The Committee of Adjustment shall consist of five (5) laypersons as appointed by Council.

Meetings:

Committee meetings are called when applications dictate.

Department Jurisdiction:

Planning and Development

Staff Contact:

Secretary-Treasurer, Committee of Adjustment

Schedule "B-2" to By-law 06-49

TOWNSHIP OF ELIZABETHTOWN-KITLEY

TERMS OF REFERENCE

Community Emergency Management Program Committee

Purpose:

The purpose of the Community Emergency Management Program Committee is to develop and implement an emergency management program consisting of an emergency plan, training programs and exercises and public education. The Committee shall act in accordance with the duties and obligations as assigned by the *Emergency Management And Civil Protection Act*.

Membership:

The Community Emergency Management Program Committee shall consist of the Administrator-Clerk (Chairperson), CEMC, Fire Chief, Public Works Representative, OPP Representative, CEMC Alternate and the Public Information Officer.

Meetings:

As required to complete the requirements of the Act.

Department Jurisdiction:

Protection to Persons and Property

Staff Contact:

Administrator-Clerk

Schedule "B-3" to By-law 06-49

TOWNSHIP OF ELIZABETHTOWN-KITLEY

TERMS OF REFERENCE

Economic Development Committee

Purpose

The Economic Development Committee is predominantly comprised of local business people and interested citizens striving to enhance the economic development opportunities and investment and increased local employment opportunities through active encouragement and assistance in business attraction, retention and expansion in Elizabethtown-Kitley that will maintain and enhance the valued lifestyle in this growing community. The Committee is committed to the promotion of commercial and residential development, campaigning for this municipality as the place to live and work.

Under the direction of Council, the Economic Development Committee is to manage the development of the Township businesses and industries within an environment that maximizes benefit to the Township and area residents. The Committee is also tasked with the responsibility for the management of the Business Park.

Membership

The Economic Development Committee shall consist of two (2) member of Council and four (4) layperson members

Meetings

Generally the second Tuesday of the month.

Department Jurisdiction

Economic Development

Staff Contact

Administrator-Clerk or Deputy Clerk

Schedule "B-4" to By-law 06-49

TOWNSHIP OF ELIZABETHTOWN-KITLEY

TERMS OF REFERENCE

Environmental Conservation and Advisory Committee

Purpose

Under the direction of Council the Environmental Conservation and Advisory Committee is to promote a healthy environment and ecological balance in the Township of Elizabethtown-Kitley in the long term interest of residents, resource conservation and the various living components of our natural environment that will meet the needs of today while protecting the environment for future generations.

Membership

The Environmental Conservation and Advisory Committee shall consist of one (1) member of Council and four (4) layperson members.

Meetings

Generally held once a month on the fourth Wednesday of the month.

Department Jurisdiction

Public Works

Staff Contact

Administrative Assistant – New Dublin

Schedule "B-5" to By-law 06-49

TOWNSHIP OF ELIZABETHTOWN-KITLEY

TERMS OF REFERENCE

Fire Services Liaison Committee

Purpose

The primary mission of the Fire Services Liaison Committee is to provide guidance and assistance to fire personnel so that they may provide a wide range of programs to protect the lives and property of the inhabitants of the Township.

Under the direction of Council the Fire Services Liaison Committee is to:

- address matters pertaining to the *Fire Protection and Prevention Act*;
- receive and review the annual preliminary budget estimates as prepared by the Fire Chief;
- prepare and review the progress of Capital Planning; and
- advise Council on matters including fire responses, emergency medical assist responses, and other emergency responses that assist the public with special services to insure a safe environment in which to live.

Membership

The Fire Services Liaison Committee shall consist of two (2) members of Council.

Meetings

Generally held once a month.

Department Jurisdiction

Fire Department

Staff Contact

Fire Chief

Schedule "B-6" to By-law 06-49

TOWNSHIP OF ELIZABETHTOWN-KITLEY

TERMS OF REFERENCE

Heritage Elizabethtown-Kitley

Purpose

Pursuant to the authorities granted under the Ontario Heritage Act, the purpose of Heritage Elizabethtown-Kitley is to advise Council on heritage matters including architectural, material culture, historical and natural heritage. This can be accomplished through conservation or restoration initiatives, education, or heritage designation of the built environment.

Under the direction of Council the Committee may advise and recommend; provide knowledge and expertise; facilitate the work of the organizing body; and act as a liaison between politicians, organizational staff, members of the public and other stakeholders with regard to matters of architectural or historical significance.

Heritage Elizabethtown-Kitley is committed to furthering the investigation, identification, preservation, interpretation and wise use of the natural and constructed heritage of the Township.

Membership

The Heritage Elizabethtown-Kitley Committee shall consist of one (1) Council member and four (4) layperson members.

Meetings

Generally held once a month.

Department Jurisdiction

Heritage

Staff Contact

Deputy Clerk

Recording Secretary

A Recording Secretary shall be appointed from the committee membership.

Schedule "B-7" to By-law 06-49

TOWNSHIP OF ELIZABETHTOWN-KITLEY

TERMS OF REFERENCE

Planning Advisory Committee

Purpose

Appointed under the authority of the *Planning Act*, the Planning Advisory Committee considers applications under Section 52 of the *Planning Act* (e.g. minor variance) for the Township of Elizabethtown-Kitley.

Prescribed Committee regulations are found in the parent legislation and its applicable regulations.

Membership

The Planning Advisory Committee shall consist of one (1) member of Council and four (4) layperson members.

Meetings

Monthly, generally on the third Tuesday of the month, based on the number of applications/submissions received.

Department Jurisdiction

Planning and Development Department

Staff Contact

Director of Planning and Development

Schedule "B-8" to By-law 06-49

TOWNSHIP OF ELIZABETHTOWN-KITLEY

TERMS OF REFERENCE

Property Standard Committee

Purpose

In accordance with the Municipal Act and the Township of Elizabethtown-Kitley Property Standards By-law, the Property Standards Committee rules upon appeals of property standards orders.

The Appeals may consider whether orders were in accordance with provisions under the Property Standards By-law; if remedial action proposed is reasonable or the Property Standards Committee may make decisions regarding the length of time corrective action may take.

Prescribed Committee regulations are found in the parent legislation.

Membership

The Property Standard Committee shall consist of a maximum of five (5) layperson members.

Meetings

Upon appeal of an order under the Property Standards By-law.

Department Jurisdiction

Planning and Development Committee

Staff Contact

By-Law Enforcement Officer

Schedule "B-9" to By-law 06-49

TOWNSHIP OF ELIZABETHTOWN-KITLEY

TERMS OF REFERENCE

Public Works Committee

Purpose

Under the direction of Council the Public Works Committee may address, in particular:

- the transportation system, including but not limited to roads, sidewalks and pathways owned or under the jurisdiction of the Township;
- inter-governmental relations relating to Public Works functions; and
- utility relations such as Enbridge and Hydro One contracts pertaining to right-of-way usage.

Membership

The Public Works Committee shall consist of three (3) members of Council.

Meetings

Generally held once a month on the fourth Thursday of the month.

Department Jurisdiction

Public Works

Staff Contact

Director of Public Works

Schedule "B-10" to By-law 06-49

TOWNSHIP OF ELIZABETHTOWN-KITLEY

TERMS OF REFERENCE

Recreation Committee

Purpose

The Recreation Committee is to provide leadership and guidance in the development, promotion, awareness and enhancement of recreation in the Township of Elizabethtown-Kitley.

Under the direction of Council the Recreation Committee may address matters related to in particular:

- the programs provided by the Township (swim lessons, camping) offered through the Director of Recreation and other agencies under the auspices of the Township;
- the conceptual planning of park services;
- the creation of park development policies;
- the development of agreements that provide for the usage of parks and Township facilities and real properties by other organizations; and
- inter-governmental relations relating to recreation functions and services

Membership

The Recreation Committee shall consist of one (1) member of Council and four (4) layperson members

Meetings

Generally held once a month on the first Tuesday of the month.

Department Jurisdiction

Recreation Department

Staff Contact

Director of Recreation

Schedule "B-11" to By-law 06-49

TOWNSHIP OF ELIZABETHTOWN-KITLEY

TERMS OF REFERENCE

Waste Site Operations Committee

Purpose

Under the direction of Council the Waste Site Operation Committee to review and make recommendations with regard to waste and recycling which will extend the life of the waste site and increase recycling. The Waste Site Operation Committee mandate includes establishing the options for waste management (that is a waste management master plan) for the time when the space of the existing space is exhausted.

Membership

The Waste Site Operations Committee shall consist of three (3) member of Council and two (2) layperson members.

Meetings

Meeting time shall be established at the first meeting of the committee.

Department Jurisdiction

Public Works

Staff Contact

Landfill Attendant