Local Boards and Committees
Terms of Reference

Approved by Council on January 9, 2023

Town of Kingsville
Local Boards and Committees
Terms of Reference

1. Purpose

The Corporation of the Town of Kingsville (the "Town") is committed to community engagement through consultation and participation from volunteer members of the community. Local Boards and Committees serve a valuable function for the good of the community. These terms of reference are intended to act as a guide for committees and boards.

Except in section 2 where Local Boards and Committees are defined and described separately, the use of the term "committee" is used throughout this document to describe both local boards and committees of Council. This document should be understood to apply to both local boards and committees of Council.

2. Types of Boards and Committees

Local Boards are a municipal service board or commission established by the Council, or under any Act, with respect to the affairs of a municipality. Local Boards have authority to make decisions in their respective areas of responsibility according to statute or by-law. Local Boards of the Town of Kingsville are:

- Police Services Board (5 members, consisting of the Mayor, Council members, 2 persons appointed by the province, and 1 member of the public appointed by Council)
- Business Improvement Area (BIA) Board of Management (Board members chosen by the BIA membership at their annual general meeting)

Committees of Council are committees established by statute or by-law to perform functions as specified in these terms of reference, by-law or statute. A committee of Council can either provide advice to Council or Administration, or have delegated authority to make decisions on behalf of Council.

Authoritative Committees of Council are committees of Council which have been given delegated authority to make final decisions. Authoritative Committees of Council are:

- Committee of Adjustment and Appeals (Combined committee of Committee of Adjustment, Fence Viewers, Court of Revision, Bylaw Appeals Committee and Property Standards Committee) (5 members maximum, including 1 member of Council)
- Election Compliance Audit Committee (3 members maximum)

Advisory Committees of Council are committees of Council which do not have delegated authority to make final decisions but which provide important advice and recommendations to Council or Administration on topics within their mandate. Advisory Committees often provide important perspectives and volunteer support to various events and initiatives. Kingsville Advisory Committees of Council are:

- Committee of the Whole of Council (All the elected members of Council, with the Deputy Mayor as the Chair)
- Accessibility Advisory Committee (5 members maximum including 1 member of Council, with

not less than 3 members being persons with disabilities)
- Heritage Advisory Committee (5 members maximum including 1 member of Council)
- Fantasy of Lights Advisory Committee (7 members maximum including 1 member of Council)
- Migration Festival Advisory Committee (7 members maximum including 1 member of Council)
- Highland Games Advisory Committee (7 members maximum including 1 member of Council)
- Communities in Bloom Advisory Committee (7 members maximum including 1 member of Council)

Ad-Hoc Committee is a committee of Council created by Council to perform a specific task and is dissolved when the task is completed.

Working Group or **Task Force** is not a committee of Council and may be organized by the Mayor or Administration for a specific purpose. These are generally organized for a short-duration. The advantage of these types of informal groups is that they can be more flexible as they do not follow the rules or processes outlined in this policy.

Staff Committees are created for various purposes by Administration. These are not committees of Council and do not follow the rules or processes outlined in this policy. Attendance and membership in these staff committees are decided by the CAO. Examples of staff committees include the Senior Management Team (SMT), Special Events Review Team (SERT), Technical Advisory Committee (TAC), Pay Equity Committee, Health & Safety Committee, and Employee Social Committee.

Corporations may be owned wholly or jointly by the Town of Kingsville. Municipal corporations are not local boards or committees of Council. These corporations are not governed or affected by these terms of reference and remain outside the scope of this document. Corporations owned wholly or partly by the Town of Kingsville include:
- Port of Kingsville
- Union Water (in transition from a Local Board in 2023)

3. Composition

Membership on committees is decided by Council.

Committee members shall:

- Be a resident, tenant or owner of land in the Town of Kingsville, or the spouse of such owner or tenant
- 18 years of age or older
- Have a demonstrated expertise, interest, and involvement in the sector(s) of the specified committee
- Fairly represent the sector(s) of the specified committee
- Commit the time required to work on the Committee

Committee members can be removed by Council at any time and for reasons decided by Council.

A member of Council will generally be appointed to each committee as a liaison on behalf of

Council. Members of Council appointed to committees may vote and make motions.

The Mayor shall be permitted to attend and speak at all committee and sub-committee meetings, although the Mayor may not vote or make motions, unless he or she is appointed by Council to the committee as a regular member of the committee.

Employees of the Town of Kingsville may not be committee members. However, the CAO, Directors, and Managers of the Town, shall be permitted to attend and speak at meetings of committees and sub-committees but may not vote or make motions.

4. Appointment to Local Boards and Committees

At the beginning of a Council term or after a vacancy occurs for any reason, the Town Clerk will advertise on the Town website that the Town is seeking to recruit committee members and provide a deadline for submission.

Members of the public will submit their application, including references, in writing by email to the Town Clerk.

The Manager of Human Resources and Town Clerk will review applications together in consultation with the CAO. The Manager of Human Resources and the Town Clerk may choose to seek additional information from applicants as is appropriate in the circumstances. The Manager of Human Resources will make confidential inquiries and check references.

Administration will then make confidential recommendations to Council in an *in camera* (closed session) meeting of Council. At this meeting, Council will give direction to Administration on next steps.

Administration will bring forward a report to a public meeting of Council with recommendations. Council will make final decisions and appoint Board and Committee members as it deems appropriate.

All appointed members of Boards and Committees are required to have a criminal reference check at the Town's expense.

Resignations should be submitted in writing to the Town Clerk.

5. First Meeting and Commencement of Term

The term for committees is usually for the four year term of Council. Existing committees will continue until after the next regular municipal election until such time as the new Council makes new appointments.

Council shall either appoint a Chair or allow the committee to select its own Chair. Where the committee selects its own Chair, Council shall have the authority to replace the Chair with a different committee member.

At the first meeting of the term of the newly appointed board/committee, and at the first meeting of each year thereafter, the following must occur:

1. Choose a Recording Secretary, if one is not appointed by the Town
2. Elect Chair and Vice-Chair
3. Establish regular meeting scheduled by motion

The Recording Secretary calls for nominations of the Chair. A member of the Committee can make a nomination which must be seconded by another member of the Committee. When all nominations have been received, the Recording Secretary closes nominations and calls for a vote for Chair. Once the Chair has been elected the same process applies for the election of the Vice-Chair.

Members of Council, who are appointed by Council to serve as liaisons on a committee, should avoid serving as Chair if there is another committee member willing to take on this role. This allows for leadership of the committee by members of the public and provides for greater input by the public.

Regular meetings of the committee are to be scheduled in advance by decision of the committee and shall proceed on the date and location specified. Regular meetings of the committee may be cancelled by decision of the committee or Chair when appropriate. Special meetings required on an urgent basis may be called at the discretion of the Chair.

A quorum of the committee is required to conduct committee business.

The Recording Secretary shall advise the Town Clerk of the regular meeting schedule established at the first meeting. The meeting schedule will be posted on the Town's website.

6. Training

The Town Clerk and Manager of Human Resources shall organize training for committee members. This may include online and in-person training.

7 . Code of Conduct

All members of Local Boards and Committees shall abide by the Code of Conduct for Local Board and Committee Members.

Members shall review the Code of Conduct for Local Board and Committee Members at the beginning of each term. Each member will be required to sign this Code of Conduct and affirm willingness to abide by its terms and conditions.

Complaints by anyone about breach of the Code of Conduct for Local Board and Committee Members shall be made to the Town's Integrity Commissioner. The Integrity Commissioner shall have sole discretion to investigate and respond to all complaints, including control of the process of the investigation. The Integrity Commissioner may make a public report and/or recommend to Council the removal of the member from the Committee.

8. Roles

The Chair should facilitate all meetings effectively and efficiently, ensuring active participation and input from all members. The Chair must ensure that decisions of substance are voted upon by the members present at the meeting. The Chair shall be responsible for ensuring meetings are conducted in accordance with the Town's Procedural By-law.

Council members appointed to committees should avoid imposing their will on committees, especially on advisory committees, and instead should encourage other committee members to speak up with views and ideas. Council members appointed to committees should act as a liaison between the committee and Council, bringing communication back and forth between Council and committee.

A staff liaison will be assigned to a committee by the Chief Administrative Officer. Although not a voting member of the committee, the responsibilities of the staff liaison are to provide guidance and advice, manage budget and expenses, and bring communication back and forth between Administration and committee. The staff liaison shall consult with the CAO or relevant Director to determine the position of Administration on any relevant matter.

The Recording Secretary shall be responsible for serving in the role of "clerk" to the committee, as described in the Procedural By-law. This includes the preparation of agendas, giving notice of meetings, completion of minutes for approval and submission of notices and agendas to the Town Clerk. The Recording Secretary shall take direction and training from the Town Clerk in carrying out these duties.

The Recording Secretary may be the staff liaison or a member of the committee.

9. Sub-Committees

Committees may establish sub-committees and recruit volunteers to assist with committee work. This is encouraged where the committee is responsible for event organization and the event requires volunteer support.

Volunteers may attend committee and sub-committee meetings. Volunteers can be a valuable addition to some committee work. Volunteers who are not appointed by Council as committee members may not vote at committee meetings but they are welcome to attend committee meetings and participate in discussion as permitted by the committee. Volunteers may not attend closed session meetings of a committee, if any.

Volunteers may be required to undertake some training and/or reference checks from the Town depending on their task and role.

10. Attendance

Boards and committees will meet at least once per quarter. Some will regularly meet monthly, as decided by the committee. If a member is unable to attend a meeting, he/she should inform the staff liaison and Chair. If a member is absent from three consecutive regularly scheduled meetings, the member may be removed from the board/committee.

11. Communications

External communications (such as website, media statements, social media, or printing for public use) shall be consistent with the communication policies and by-laws of the Town and must reflect the Town's graphic standard and comply with accessible document principles. Communications should be filtered through the Town's staff liaison who will bring relevant matters forward to the Town's Communications and Public Relations Coordinator.

12. Procedural Rules

The Municipal Act, 2001, as amended, ("Municipal Act") requires local government in Ontario to be open, transparent and accountable. All meetings of committees must be open to the public unless an exception, as provided under Section 239 of the Municipal Act, applies.

The Procedural By-law applies to all committees, with necessary modification for committees as required and approved by the Town Clerk.

Meetings may be held in person or remotely, as decided by the Chair and staff liaison, but must allow for public attendance regardless of format. The Town Clerk should be consulted.

Discussions and outcomes from a closed meeting shall not be discussed in public.

The Town Clerk will provide training on the procedural rules and is available to provide the Chair or Recording Secretary with advice.

Any person has the right to request an investigation into whether a local board or committee subject to the Municipal Act has complied with all of the closed meeting rules established by the Province and the Procedural By-law of the municipality.

13. Purchasing, Expenses and Budget

The staff liaison will be responsible for managing expense approvals, including ensuring that the Town's Purchasing By-law and other legal requirements are met.

The staff liaison will be responsible for entering into contracts (if any) in consultation with relevant Town staff departments (such as Financial Services, Legal Services, CAO's Office, etc.).

The staff liaison will be responsible for preparation and submission of the budget to the Treasurer. The staff liaison will ensure that expenses are kept within the approved budget.

Committee members will submit expenses to the Town through the staff liaison, including reimbursement of expenses and the payment of honorariums to committee members (if any).