



Committee & Board Orientation Manual 2023

Committee Meetings

The Committee meetings shall be conducted in accordance with Council's current Procedural By-law regarding Committee Meetings, and Robert's Rules of Order.

The meetings shall be held in public. Closed sessions shall comply with the Municipal Act, Section 239.

Definition of a Meeting

The Municipal Act provides that a meeting means any regular, special or other meeting of council, a local board or of a committee of either of them where, a quorum of members is present and members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of council, local board or committee.

Procedural By-Law

Municipality of West Elgin Procedural By-Law (2018-43), as amended Section 14 states:

14. Committees

14.1. Procedure:

A committee shall conform to the rules governing protocol and procedures for Council meetings, unless otherwise noted herein.

All committees shall be bound by Closed Session provisions set out in this by-law.

14.2. Establishment-Appointment:

14.2.1. Council may establish Council Committees to help support it's work. Council shall set the mandate for each Council Committee by resolution or by-law.

14.2.2. The names of Members required to serve on the Council Committees, Boards, Commissions or other bodies to which Council is required or empowered to appoint persons, shall be determined by Council.

14.2.3. Council may appoint Members to any Local Boards or Council Committees to act in the place of any Members thereof who, by reason of illness or absence from the Municipality, are unable to

attend the meetings of the Council Committees or who resign before their terms of office have expired.

14.3. Local Boards:

Council shall appoint members to Local Boards as requires by statute.
Members are appointed to Local Boards by Council by by-law or resolution.

14.4. Standing Committees:

Standing Committees of Council are committees that consist of at least 50% of the membership consisting of Members of Council, which are appointed by Council by by-law.

14.5. Council Advisory Committees:

The duties of Advisory Committees created by Council shall be to report and to make recommendations to Council on all matters relating to their terms of reference or that have been referred to them. Advisory Committees shall generally have one representative appointed from Council.

14.6. Special Purpose Committees:

The duties of Special Purpose Committees, appointed by Council By-Law or Resolution, shall report to Council on any matters relating to their terms of reference or that have been referred to them.

14.7. Mayor-Ex-officio:

The Mayor is an ex-officio Member of every Council Committee.

The Mayor may vote and otherwise participate without any restriction in the business of the Committee on the same basis as any other Committee Member, but shall not be counted in quorum for the Committee.

14.8. Terms of Reference:

Subject to the provision of any general or special Act, the Council, in establishing any Council Committee, shall set forth terms of reference and such other provisions as the Council deems proper.

Council may consider any matter without referring it to a Council Committee or may refer it to one or more committees or refer it to the Committee-of-the-Whole Meeting, and may withdraw a matter from a Council Committee whether or not the Council Committee has entered into consideration.

14.9. Quorum:

A majority of the Members of a Council Committee shall be a quorum.

14.10. Committee Chair:

Annually, each Committee at its first meeting shall appoint a Committee Chair and Committee Vice-Chair from among its Members, unless otherwise specified in the Council Committee's Terms of Reference. Each Committee shall have the authority to alter the time of its meetings and to hold special meetings. Notice of Council Committee meetings shall be given by the Clerk in accordance with this by-law.

14.11. Attendance:

Members of Council may attend meetings of any Advisory Committee of which they are not Members, but shall not have the privilege of voting and may not address the Committee without the permission of the Chair.

14.12. Minutes:

The Minutes of all Council Committees shall be recorded according to the process set out in this by-law, and forwarded to Council to be received as information. The Clerk, Deputy Clerk or a person delegated by the Clerk in writing shall be the recording secretary for all Standing Committees of Council.

18. Disclosures of Pecuniary Interest and General Nature Thereof

Members shall be required to comply with and disclose as required by the Conflict of Interest Act.

Closed Meetings

The Municipal Act, 2001 include provisions related to the transparency and accountability of council as well as local boards and committees, including the conduct of meetings. A key transparency rule is the requirement of most municipal meetings to be open to the public. There are limited exceptions where a closed meeting can be held.

A meeting or part of a meeting may be closed to the public is the subject matter being considered is:

- The security of the property of the municipality or local board
- Personal matters about an identifiable individual, including municipal or local board employees
- A proposed or pending acquisition or disposition of land by the municipality or local board
- Labour relations or employee negotiations
- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board
- Advice subject to solicitor-client privilege, including communications necessary for that purpose
- A matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act
- 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
- A trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value
- 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.

Conflict Of Interest

A conflict of interest may arise for Committee members when their personal business interests clash with the duties and decisions of the Committee. Municipal conflict of interest requirements as defined by the Municipal Conflict of Interest Act will apply to the Committee. At every meeting held by the Committee, the Chair shall call for the disclosure of any pecuniary interests

Municipal Conflict of Interest Act

Yes it applies to members of Committees and Boards!

The Municipal Conflict of Interest Act (MCIA) defines a member as member of a council or a local board, this means that even though you are not a member of Council, as a member of a committee of Council you must adhere to the Municipal Conflict of Interest Act. This act sets out ethical rules for members of council and local boards if they have certain pecuniary (financial) interests in a matter that is before their council or local board at a meeting. For example, a member may have to take steps if they are present at a council or local board meeting where the member's land will be discussed.

A member with a pecuniary (financial) interest is required – with certain exceptions – to:

- Disclose the interest and its general nature before the matter is considered at the meeting
- Not to take part in the discussion or voting on any question in respect of the matter
- Not attempt to influence the voting, before, during or after the meeting
- Immediately leave the meeting, if the meeting is closed to the public

The Municipal Conflict of Interest Act will generally prohibit members of a council or local board from using their office to attempt to influence decisions or recommendations being considered by municipal or local board employees (or by persons with authority delegated from council), if the member has a pecuniary interest in the matter could not, in most instances, try to influence a decision or recommendation of a municipal employee who is considering the matter. A member who discloses a pecuniary interest at a meeting will be required to file a written statement of their interest, either at the meeting or as soon as possible afterwards.

Municipalities and local boards are required to establish and maintain a registry of statements and declarations of interests of members and make it available for public inspection.

Code of Conduct

All members of Local Boards and Committees for the Municipality of West Elgin are required to adhere to either the Code of Conduct for their Municipality (if an elected official of another Municipality or Employee of another Municipality) or the Municipality of West Elgin Code of Conduct for Council and Local Boards.

The West Elgin Code of Conduct for Council and Local Boards is attached for Reference.

Appointing Chair & Vice Chair for Committees and Boards

Tip: Have pieces of paper ready for ballots and a box to collect them in case an election is required.

The Recording Secretary shall conduct election by appointing a scrutineer, handing out “ballots”, receiving them in the box, then counting and announcing results. Ties shall be addressed by lot – that is, the Recording Secretary shall draw a name from the box to determine the winner.

Chair:

Call the meeting to order – or- if no Chair or Vice Chair then Recording Secretary shall proceed.

Recording Secretary:

Call meeting to order in the absence of Chair or Vice Chair.

Review procedure for the members – not that you will call for nominations from the floor as 1st, 2nd and 3rd and final time – first for position of Chair, then for position of Vice Chair. Note there will be an election if more than one (1) nomination, if only one (1) nomination then that person shall be declared Chair or Vice Chair for the term set out in Terms of Reference – one year unless otherwise stated.

Recording Secretary:

I will now call for the first time nominations from the floor for the position of Chair

I will now call for the second time nominations from the floor for the position of Chair.

I will now call for the third and final time for nominations from the floor for the position of Chair.

Read out a list of all nominees, conduct and election if more than one (1) nomination for the position.

I hereby declare that _____ is the Chair of the _____
Committee/Board for _____ (year or term).

Vice Chair – same process.

Sample Motion

The _____ (Committee Name) hereby recommends to West Elgin Council that
_____ be adopted

Municipality of West Elgin

Schedule “A” to By-Law #2020-64

Policy #2020-08 Advisory Committee Policy

Effective Date: September 24, 2020

Review Date:

Policy Statement

This policy establishes the various expectations and protocols for the Advisory Committees of the Municipality of West Elgin.

Policy

Role of an Advisory Committee

The role of an Advisory Committee is to provide recommendations, advise and information to Municipal Council on specialized matters which relate to the purpose of the Advisory Committee, to facilitate public input into Municipal Council on programs, provide ideas and to assist in enhancing the quality of life for the community of West Elgin.

Appointments to Advisory Committees

Appointments to Advisory Committees shall be at the pleasure of Municipal Council. All appointees must be a resident of West Elgin.

Process:

At the start of each Council term, the Clerk shall contact all members of Advisory Committees, who are eligible to continue to serve, in writing to gauge their interest in continuing on the Advisory Committee, these expressions of interest shall be presented to Council during the Committee Appointments meeting.

Any vacancies shall be advertised for two (2) consecutive weeks in the local newspaper, website and social media, prior to the Committee Appointments meeting. All interested residents shall fill out the application form (attached to this policy, by the established deadline. Council shall review all applications in camera and make appointments by By-law. Mid-term vacancies appointments shall follow the same process, with appointment by resolution of Council.

Any member of an Advisory Committee who wishes to resign their appointment may do so by submitting notice in writing to the Clerk. Resignation shall be effective upon receipt of the letter by the Clerk.

Term of Appointment

Appointments to Advisory Committees shall be for the term of Council – four (4) years. Each member may be appointed for a maximum of two (2) consecutive terms. A member may be re-appointed after not serving for one (1) term.

No resident shall sit on more than one (1) Advisory Committee at one time.

Only one (1) immediate family member may sit on any one Advisory Committee at one time. “Immediate family” is defined as: spouse, common-law spouse, common-law spouse’s child, mother, father, brother, sister, child, grandchild, step-mother, step-father, son-in-law, daughter-in-law, brother-in-law, sister-in-law, mother-in-law, common-law spouse’s mother, father-in-law, common-law spouse’s father.

Remuneration

Advisory Committee members shall serve without remuneration.

Attendance

Advisory Committee members are expected to attend all meetings. Members shall be deemed to have resigned their appointment if they miss three (3) consecutive meetings or 25% of the meetings in one calendar year.

The Clerk shall send written notice to any member who has reached the absence threshold and invite the member to provide written explanation, with the understanding that this will be reviewed by the Chair and Clerk. The Chair and Clerk shall make a recommendation to Council with regards to the members appointment. Council shall make the final decision on absence issues.

Agendas & Minutes

The Clerk or designate shall, in consultation with the Chair notify all members of upcoming meetings as per The Municipality of West Elgin Council Procedure By-law.

The Clerk or designate shall, in consultation with the Chair prepare all Agendas and distribute according to The Municipality of West Elgin Council Procedure By-law.

The Clerk or designate shall record the minutes of all Advisory Committee Meetings.

Code of Conduct

Advisory Committee Members shall adhere to the West Elgin Committee and Council Code of Conduct, and in accordance with the provisions of other applicable Acts and Regulations.

Responsibilities

The Clerk shall ensure this policy is followed