

# THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

BY-LAW NO. 11-1003

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## Being a by-law to adopt a Terms of Reference for Standing Advisory Committees of Council.

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**WHEREAS** under Section 8 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

**AND WHEREAS** under Section 238 (2), the Municipal Act, S.O., 2001, c.25, c.M. 45, as amended, requires every municipality and local board to pass a procedure by-law governing the calling, place and proceedings of meetings;

**AND WHEREAS** Section 19.2 of the procedure Bylaw of the Corporation of the Municipality of Temagami, By-law 09-845, as amended, requires that the general procedures to be followed by all Advisory Committees established shall be set out generally within the relevant terms of reference;

**NOW THEREFORE the Council of the Corporation of the Municipality of Temagami hereby enacts as follows:**

1. That the Terms of Reference attached hereto as Schedule "A" to this bylaw shall govern all standing Advisory Committees established in the Procedure By-law.
2. Nothing in this By-law shall be interpreted to conflict with or supersede the Municipality's Procedural By-law; in case of conflict the current Procedural By-law shall take precedence.
3. That this By-law shall repeal and replace By-law 02-256, as amended and any other previous by-law that governs any Standing Advisory Committee of Council save and except the Municipal Procedural By-law.
4. That the Clerk of the Municipality of Temagami is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law and schedule, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.
5. That this bylaw shall come into force and take effect upon final passing thereof.

BE TAKEN AS READ A FIRST time on this 12<sup>th</sup> day of May, 2011

READ A SECOND time and finally passed this 11<sup>th</sup> day of August, 2011

READ A THIRD time and finally passed this 11<sup>th</sup> day of August, 2011.

  
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Mayor

  
\_\_\_\_\_  
Clerk

**The Corporation of the Municipality of Temagami**  
**Schedule A to By-law 11-1003**  
**Standing Committee Terms of Reference**

**GENERAL - Applies to all Standing Committees.**

Section 18 of the Corporation of the Municipality of Temagami Procedural By-law, establishes specified Advisory Committees as Standing Committees of Council.

The Committees exist and serve at the pleasure of the Municipal Council and Council may, at any time, discontinue any Standing Committee or replace any Committee member. Each member of the Advisory Committee must adhere to the Terms of Reference of the Committee.

**Scope**

The function of a Standing Advisory Committee is:

- To research and report on any matters referred to it by the Council;
- To carry out any responsibilities which may be assigned by Council.

A Standing Advisory Committee may also:

- Consider matters in anticipation of them being referred to the Committee by Council.
- Provide recommendations, advice and information to Council.
- Make recommendations to Council concerning the levels of service.
- Review staff recommendations concerning policy referred through the CAO's office and provide comment for Council's consideration.
- Work with municipal administration, when requested through the CAO's Office, to review recommendations on such things as administrative policies.

A Standing Advisory Committee should not embark on new projects or major research that has not been referred to it by Council or received approval of Council.

**Administrative Support Staff**

The Standing Advisory Committees of Council shall be assisted in their work by municipal staff through direction from the Office of the Chief Administrative Officer. The assigned staff will provide advice, background information, and administrative support in preparing agendas and recommendations of the Committee. In addition, the Municipal Clerk, or staff delegated by the Clerk, shall take minutes of all Committee meetings. No Standing Advisory Committee, or member thereof, shall direct the work of municipal staff beyond the scope of direction from the CAO's office.

**Committee Meetings**

- All Standing Advisory Committee meetings are open to the public consistent with Council's rules of procedure.
- Committee meetings are subject to notice requirements, which may be satisfied by posting notice of meetings on the municipal notice board and website. If the Committee meets on a

regular basis and set dates and times are posted, then separate notices of each meeting are not required if the meetings occur as scheduled.

- The procedure of Committee meetings shall be regulated according the municipal Procedural By-law.
- Minutes of Committee meetings shall be submitted to Council after adoption by resolution of the Committee and shall be posted on the municipal website once received by resolution of Council. Committee minutes may be posted on the website prior to being received by a council resolution, but shall still be clearly labeled as DRAFT until a council resolution is passed.

### **Committee Members**

Standing Advisory Committee members, whether members of the Council or members of the public, must be appointed by Council. The length of the appointment may vary by Committee, but in all cases the appointment is deemed to expire at the conclusion of the term of the Council that appointed them. Continuing Committee members must be re-appointed by the new Council after taking office. All property owners and Temagami residents whether full time or seasonal may be appointed as members of Standing Advisory Committees; members do not need to be qualified electors. Persons who are not either property owners or full time or seasonal residents of Temagami are not eligible to be appointed to Standing Advisory Committees. Members of the public may apply for vacancies on Committees by means of a Committee Application Form, or written expression of interest, submitted to the Clerk of the Municipality. The Clerk shall forward all applications to Council and to the applicable Committee Chair for a recommendation to Council. When members are appointed to a Committee, or not appointed if there are more applications than positions available, the Clerk of the Municipality shall send a letter of notification of appointment to successful applicants and a letter of appreciation for their interest to the unsuccessful applicants.

### **AMENDMENTS TO THE TERMS OF REFERENCE**

Amendments to the Committee Specific portion of the Terms of Reference may be proposed for Council's endorsement from time to time. For such requests to be made by members of the Committee, a majority vote of the membership is required.

**Amendments to the Terms of Reference can only be made by Council.**

### **SPECIFIC**

In addition to the general functions and guidelines outlined above, specific details pertaining to the individual Standing Advisory Committees are set out in Appendixes I to VI.

**The Corporation of the Municipality of Temagami  
Schedule A to By-law 11-1003  
Standing Committee Terms of Reference**

**Appendix I**

**General Government and Finance Advisory Committee**

**Purpose and Scope**

The objective of the Committee is to increase public / staff dialogue in support of open and transparent Council decision making.

The purpose of the Committee is to provide independent advice, opinion, or options to Council on matters related to general government and finance.

Generally the scope of topics considered by the Committee will include any topic assigned by Council. The General Government and Finance Advisory Committee will make recommendations on matters including, but not limited to the functional areas of:

- Fiscal and multi year business planning;
- Budget including the planning, management and reporting on annual capital and operating expenditures and revenues;
- Human Resources Policies;
- Asset management;
- Accounting and financial system management;
- Controllership and audit; and
- Business and administrative policies including procurement.

**Membership**

The Chair shall be a member of Council and regular members will include both staff and public. The Chair and members will be appointed by Council annually.

**Meetings**

Meetings shall be held as needed. The agenda will be established by the Chair with due regard to Council instructions and discussion with Committee members.

All meetings will be open to the public unless directed otherwise by Council, consistent with the Municipality's Procedural By-Law. Public notice requirements will be consistent with the Municipality's Procedural By-Law.

Public participation at meetings will be at the discretion of the Chair. The guiding principle will be to increase public dialogue while still retaining order and decorum in the meetings.

A quorum will be necessary but attendance may be by electronic means with the Committee's approval. The Committee will not be a voting group but will attempt to form recommendations by consensus. Recommendations including dissenting opinion will be presented to Council for consideration

Minutes, shall be taken by the Clerk or a designated staff member at all meetings who shall record the members present, the general nature of discussion and any recommendations to Council. Draft Minutes may be posted for public review after approval by the majority of the Committee prior to final approval of the official minutes by Council. The draft minutes will be clearly marked as follows:

*"These minutes of this Committee represent ideas or advice to Council. They do not represent decisions of Council and may require further study. "*

**The Corporation of the Municipality of Temagami**  
**Schedule A to By-law 11-1003**  
**Standing Committee Terms of Reference**

**Appendix IV**

**Planning Advisory Committee**

**Purpose and Scope**

The objective of the Committee is to provide advice and assistance in respect of such land use planning matters affecting the Municipality of Temagami as are referred to the Committee by Council and in general accordance with the purposes as set forth in the Planning Act of Ontario. In addition to the general parameters of scope outlined in the Terms of Reference for all Standing Committees of Council, the scope of the Planning Advisory Committee shall also include any other duties and responsibilities of a Planning Advisory Committee as specified in the Planning Act of Ontario, as amended.

**Meetings**

The Planning Advisory Committee shall meet as needed at the call of the Chair with at least 48 hours notice. The meetings shall generally be held in the Boardroom of the Temagami Municipal Office, but may be held at other convenient locations within the Municipality. When the meeting is being held at a location other than the Municipal Office, every effort will be made to give additional notice of the change of location beyond the required 48 hours notice.

The format of meetings will follow formal procedures, using written resolutions and requiring a quorum to vote. The Committee will use an agenda - a general guideline for which is as follows:

1. Call to Order
2. Adoption of the Agenda
3. Declaration of Pecuniary Interest and Conflict of Interest
4. Minutes of Previous Meetings
5. Business Arising from the Minutes
6. Delegations
7. Regular Business
8. Correspondence
9. Other Business
10. Adjournment

The Planning Advisory Committee meetings shall be open to the public. Notwithstanding this, Council may pre-authorize the Committee to go in-camera in order to address matters pertaining to litigation or potential litigation including matters before administrative tribunals, affecting the municipality; and to receive advice on planning matters that is subject to solicitor-client privilege, including communications necessary for that purpose with retained legal counsel or persons retained by or under contract as consultant(s) with the Committee/Municipality of Temagami. The Committee may also go in-camera when specifically authorized by Council for any purpose deemed necessary by Council. The Committee shall only go into closed session when the Municipal Clerk or Deputy Clerk is in attendance at that portion of the Committee meeting.

In respect to all other general matters regarding the conduct of its meetings, the PAC shall follow the procedural by-law of the Municipality and more specifically sec. 18 thereof for Standing Committees of Council.

**Membership**

The Planning Advisory Committee shall consist of a maximum of nine (9) members to be made up of members of Council and appointed members outside of Council. The Planning Advisory Committee shall be composed of four (4) members from the islands of Lake Temagami, four (4) members from the area within the former mainland boundaries of Temagami and one (1) member from the newly incorporated Cassels and Adjoining Lakes/Marten River area. The membership as specified above shall include the Chairperson for the Planning Advisory Committee who shall be the Councillor and shall chair all meetings. The Official Plan of the Municipality of Temagami specifies the balance of representation of membership on the Planning Advisory Committee. Council may amend the number of members on the Committee only in accordance with the Official Plan.

The Chair of the Planning Advisory Committee shall be the Councillor appointed by Council to the planning portfolio. The Chair may select an Acting Chair, as required, for a meeting or part thereof, for example in the case of a conflict of interest.

If any member of the PAC Committee misses three (3) consecutive regularly scheduled meetings or has an attendance record of less than sixty (60%) percent on an annual basis the Committee Chair must report such attendance failure immediately to Council. After consideration of the relevant facts a replacement may be made if required.

#### **Remuneration and Expenses**

The Planning Advisory Committee members shall not receive any remuneration or honorarium for their service on the Committee. As permitted under the Planning Act of Ontario, the members of the Planning Advisory Committee shall be paid expenses as specified below, and which may be adjusted from time to time as the Council of the Municipality of Temagami may determine.

#### **Compensation for Travel**

1. PAC members may submit claims for reimbursement for travel to PAC meetings using the kilometer rate set by the current Travel Expenses Policy By-law of the Municipality of Temagami.
2. The vehicle owner shall inform the PAC Secretary of their travel at each meeting for payment.
3. Every effort shall be made to share rides.
4. When PAC meetings and Committee of Adjustment (COA) meetings are held on the same day and a person serves on both Committees, compensation for travel shall only be paid in respect to one meeting.
5. The PAC secretary shall prepare a summary of travel expenses quarterly. At the following meeting of PAC, the members shall review the prepared summary for the past months and make a request for payment by resolution to Council.
6. Travel expenses for PAC members attending site visits within the municipality, out-of-town training workshops and conferences shall be paid expenses in accordance with the current Travel Expenses By-law.

**The Corporation of the Municipality of Temagami  
Schedule A to By-law 11-1003  
Standing Committee Terms of Reference**

**Appendix V**

**Public Works and Water Advisory Committee**

**Purpose and Scope**

The Public Works and Water Advisory Committee exists for the purpose of:

- Advising Council on any issue which Council sends to the Committee for comment;
- Making recommendations on matters which will include, but not be limited to the functional areas of:
  - o Solid Waste Management
  - o Water and Sewer Services
  - o Roads and Bridges
  - o Machinery and Equipment
  - o Public Works budgets
  - o Complaints from the Public on Public Works related matters.

**Meetings**

The Public Works and Water Advisory Committee will hold a regular meeting once per month on the 3<sup>rd</sup> Tuesday of the month, but this may be changed by the Chair with sufficient notice to the Committee and to the public. Meetings will be held during the day at the Public Works Office.

**Membership**

The Committee will ideally have four members of the public appointed with representation from a variety of areas of the Municipality.

**The Corporation of the Municipality of Temagami  
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Standing Committee Terms of Reference**

**Appendix VI**

**Parks and Recreation Advisory Committee**

**Purpose and Scope**

The Parks and Recreation Advisory Committee exists for the purpose of creating and sustaining an active and healthy lifestyle for all the citizens of Temagami, and especially the children and young people along with the seniors/retired folks in our community.

In addition to providing advice to Council on Parks and Recreation matters, the Committee shall also assist municipal staff in organizing and running Parks and Recreation events.

In addition to the general functions outlined above, the Parks and Recreation Advisory Committee endeavors to focus upon our sense of place in Northern Ontario and to encourage as much as possible events which will knit together our Municipality from Marten River to Smoothwater, from the Lakes community to the Highway 11 core, towards a strong identity and pride amongst us all.

**Meetings**

Parks and Recreation Advisory Committee will meet once per month at the call of the Chair. Meetings will be held at the Community Centre / Arena.

**Membership**

The Committee will ideally have from 5 to 10 members.