

**THE CORPORATION OF THE TOWNSHIP OF  
EDWARDSBURGH/CARDINAL**

**BY-LAW NO. 2018-76**

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

**WHEREAS** By-law 2017-51 to govern the proceedings of Council and Committees of Council authorizes Council to establish Committees of Council;

**AND WHEREAS** the Council of the Township of Edwardsburgh/Cardinal deems it advisable to supplement the procedural by-law through a policy to establish terms of reference for Committees of Council and to set additional procedures regarding committees and appointments of Council;

**NOW THEREFORE** the Council of the Corporation of the Township of Edwardsburgh/Cardinal enacts as follows:

1. That the document entitled Committee Structure, Representation and Practices attached hereto as Schedule A, which forms part of this by-law, be hereby adopted.
2. That the Appointment Policy attached hereto as Schedule B, which forms part of this by-law, be hereby adopted.
3. That the Committee Honourariums attached hereto as Schedule C, which forms part of this by-law, be hereby adopted.
4. That the Terms of Reference for Committees of Council attached hereto as Schedule D, which forms part of this by-law, be hereby adopted.
5. That this by-law shall come into force and effect on the date of passing and may be referred to as the Committees of Council By-law.
6. That all other by-laws and resolutions establishing the terms of reference for committees of council including by-law 2014-73 as amended are hereby repealed

Read a first and second time this 10<sup>th</sup> day of December, 2018.

Read a third and final time, passed, signed and sealed this 10<sup>th</sup> day of December, 2018.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
D. Clerk

Schedule "A" By-law 2018-76  
**Committees of Council Structure, Representation and Practices**

**Structure and Appointments**

Council shall at the start of their term, establish or confirm the Committees of Council and their terms of reference as well as the nature and number of members. The CAO/Clerk shall advertise locally seeking written expressions of interest to fill vacancies. A copy of all submissions received shall be provided to the Mayor. The Mayor may solicit opinions from any or all Councillors regarding the written submissions and the Mayor shall confirm with the CAO/Clerk a recommendation regarding the membership of Committees for Council's consideration.

Where citizen representation is proposed for a Committee, and where possible, equal representation from each ward will be appointed. All Council committee appointments shall be confirmed by by-law or resolution.

The Mayor shall designate the Chair of those Committees for which the Chair is to be a member of Council. All Committee members shall be advised of their appointment. The Mayor may be required to arbitrate those situations where there may be an actual or perceived conflict between committees as well as the interpretation of a committee's role.

All Committees and their Chairs shall act in accordance with all applicable Township policies and by-laws. Committees of Council shall make recommendations for Council's subsequent review and decision, unless otherwise governed by legislation. Appointments shall be at the pleasure of Council; however the term of a Committee shall generally coincide with that of Council unless indicated otherwise.

Ad Hoc Committees may be established from time-to-time to address specific matters. The Mayor and/or Council shall appoint members and set the terms of reference for such Committees by resolution.

**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 external Boards and Agencies. Examples of external Boards and Agencies include South Nation Conservation, the Library Board and Rideau St. Lawrence Utilities. The term of the representative shall coincide with that of Council unless indicated otherwise. The representative shall keep council apprised of the actions of the subject board or agency 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.

**Committee Agendas, Minutes and Practices**

To address matters regarding the timing and content of Committee agendas and minutes it is prudent to detail some additional structure regarding Committees of Council that are formed to include three or more members of Council.

Generally, proceedings of Council as described in the Procedural By-law shall be followed by most Committees of Council.

- i) Generally the order and format of the Committee agenda shall be:
- Open Meeting
  - Disclosure of Pecuniary Interest
  - Delegations or Presentations

- Approval of Previous Minutes
- Action Items
- Information Items
- Other Business
- Question Period
- Adjournment

- ii) Staff will provide to the Committee appropriate reports (written or verbal) including options and recommendations. The Committee will make a recommendation to Council or may direct staff to seek further information on a matter.
- iii) The CAO/Clerk or Deputy Clerk are, and senior staff may be, required to attend meetings of Committees where more than three members of Council are present.
- iv) Minutes of Committees shall record:
  - The place, date and time of the meeting;
  - The names of the presiding officer and those members in attendance;
  - A synopsis of discussion, without mention of names associated with the opinions offered;
  - Motions and recommendations duly moved, seconded and voted upon;
  - The reading, correction and approval of previous meeting minutes;
  - All other proceedings without note or comment.

A resolution of a committee is a recommendation to Council who may or may not choose to approve such recommendation.

- v) Committee members should get a copy of the agenda package or have an opportunity to pick up a copy of the package at least 3 days in advance of the meeting. Committee Chairs will be responsible for overseeing agenda preparation in consultation with staff prior to the package being prepared and delivered.
- vi) Delegations must provide a written summary of their issue for inclusion in the agenda package. Staff shall attempt to have information available for the Committee relevant to the delegation's issue at the meeting. It is the responsibility of the Chair to insure 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.
- vii) The Mayor shall be ex-officio to all Council Committees. Ex-officio is defined as having the right to attend, participate and vote at the meeting, but not forming part of the quorum.
- viii) Policies of Council with respect to Accountability and Transparency shall be adhered to by all Committees. This includes procedures and restrictions with respect to portions of meetings being closed to the public. Council members who are not appointed to Committees shall be permitted to attend closed session meetings of the Committee.

**Schedule "B" By-law 2018-76**  
**Appointment Policy**

This policy pertains to the application for, appointment to and holding of positions on Boards or Committees as may be appointed. The following minimum criteria shall apply:

- Members of Boards or Committees must be legally entitled to vote
- Members of Boards or Committees must have been a ratepayer of the Township for a period of not less than one year, or if less than one year, they must have at least been eligible to vote in the preceding municipal election.
- Members of Boards or Committees must not be an immediate family member of any member of council. Immediate family is defined as father, mother (or alternatively, step-father and step-mother) brother, sister, spouse (including common-law spouse), child (including child of common-law spouse), and step-child.
- Members of Boards or Committees shall not be permitted to have decision making authority affecting the terms and conditions of the employment of immediate family members as listed above who may be employed by the Township.
- Members of Boards or Committees shall not serve for a period exceeding two consecutive full terms of council.
- The Township shall post notices in local newspapers and on the Township's website to solicit interest for positions as Members of Boards or Committees on or about November 15 of each year. If insufficient response is received to advertising, the response deadline may be extended to permit further recruitment.
- After completion of the specified application period those members who meet the foregoing criteria shall be considered. If after reviewing the list of applicants, there are no applicants who meet the established criteria; Council may choose to waive the criteria in favour of the applicant who meets the greatest number of criteria as set out above.

**Schedule "C" By-law 2018-76  
Committee Honourariums**

Livestock Valuer - \$50.00 per visit, plus mileage at the established rate

Fenceviewers - \$50.00 per visit, plus mileage at the established rate

Committee of Adjustment - \$50.00 per hearing

Council members required to attend – mileage as per municipal policy in force  
at the time of attendance

Citizen members appointed to committees - \$30.00 per meeting attended

Schedule "D" By-law 2018-76  
Terms of Reference

**1. Administration & Finance Committee of the Whole**

**Purpose**

The Administration & Finance Committee is responsible for matters related to the Corporation's administration, finances, including capital planning and the annual budget, legal matters, human resources, senior government and upper tier matters. While the drafting of by-laws is the role of staff, the Administration & Finance Committee will develop and maintain a priority list of by-laws to be reviewed and developed. The Committee will also provide the initial review of drafted legislation prior to any public consultation process.

**Membership**

All members of Council plus two advisory members of the public, with the Chair designated by the Mayor. Members shall be appointed for a term of two years. The Mayor may review and make recommendations annually regarding the effectiveness of the public representatives.

**Meetings**

Second Monday of each month at 6:30 pm, except for the month of December. Where the second Monday of the month falls on a Statutory holiday, the meeting will be moved to the Tuesday immediately following.

**Department Jurisdiction**

CAO/Clerk, Treasurer, Chief Building Official

**Staff Contact**

CAO/ Clerk

**2. Public Works/Environmental Services and Facilities Committee of the Whole**

**Purpose**

The Public Works/Environmental Services and Facilities Committee oversees the operations of the Operations Department, the Fire Department and the Parks, Recreation and Facilities Department. Specific areas include the transportation system including roads and sidewalks, solid waste management including landfills and collection, the water, sewer and waste water treatment system, stabilization ponds and municipal drainage. Fire Department matters will be reviewed as needed. Issues relating to public access facilities such as cemeteries, parks, arenas, swimming pools and community halls including the maintenance of all facilities/buildings owned by the Township will be addressed.

**Membership**

All members of Council plus two advisory members of the public, with the Chair designated by the Mayor. Members shall be appointed for a term of two years. The Mayor may review and make recommendations annually regarding the effectiveness of the public representatives.

**Meetings**

Third Monday of each month at 6:30 pm, except for the month of December. Where the third Monday of the month falls on a Statutory holiday, the meeting will be moved to the Tuesday immediately following.

**Department Jurisdiction**

Operations, Fire, Parks/Recreation & Facilities

**Staff Contact**

CAO/Clerk

### **3. Community Development Committee**

#### **Purpose**

The Community Development Committee ensures broad community sustainability by reviewing beautification, land use planning, economic development and recreation activities in the Township. It assists in developing a healthier and more dynamic and diverse business environment by encouraging and supporting existing business while working to attract new business opportunities. The Community Development Committee acts in a Planning Advisory role and makes recommendations relative to development in the municipality. The mandate of the Committee is generally to address items related to "Live, Work and Play".

#### **Membership**

Two voting members of Council selected by the Mayor for a period of two years, one of whom shall be appointed as Chair, plus three to six voting citizen members appointed for the term of Council. Council will strive to ensure a balanced representation between urban and rural interests as well as residential, business and agricultural interests when making appointments. The Mayor may review and make recommendations annually regarding the effectiveness of the public representatives.

#### **Meetings**

First Monday of each month at 6:30 pm except for January. Where the first Monday of the month falls on a Statutory holiday, the meeting will be moved to the Tuesday immediately following.

#### **Staff Contact**

CAO/Clerk, Community Development Coordinator

### **4. Committee of Adjustment**

#### **Purpose**

Appointed under the authority of the Planning Act, the Committee of Adjustment considers applications under Section 52 of the Planning Act (e.g. minor variance) for the Township of Edwardsburgh/Cardinal.

#### **Membership**

Three citizen appointees, preferably one from each Ward. Chair selected by the appointees. Members shall be appointed for the term of council. The Mayor may review and make recommendations annually regarding the effectiveness of the public representatives.

#### **Meetings**

At the call of the Chair in consultation with staff when applications dictate.

#### **Department Jurisdiction**

Planning, Building

#### **Staff Contact**

Community Development Coordinator, appointed as Secretary-Treasurer.

### **5. Fenceviewers**

#### **Purpose**

To determine responsibility for erection and/or repair of boundary fences, in accordance with the Line Fences Act

#### **Membership**

A minimum of three citizen members shall be appointed for the term of Council.

#### **Meetings**

At the call of the Clerk when required by application.

#### **Department Jurisdiction**

Clerk's Department

#### **Staff Contact**

CAO/Clerk

## **6. Edwardsburgh Cardinal Cemetery Board**

### **Purpose**

To oversee management of the Mainsville, Shanly, Adams and North Channel Cemeteries.

### **Membership**

Four to ten citizen members appointed for the term of Council, plus the Township Treasurer.

### **Meetings**

At the call of the Treasurer as needed.

### **Departmental Jurisdiction**

Clerk's Department, Treasury

### **Staff Contact**

Treasurer

## **7. Library Board**

### **Purpose**

As per the Public Libraries Act, responsible for operation of the two branches of the Edwardsburgh/Cardinal Public Library Board.

### **Membership**

At least one council member shall be appointed as a member of the Board. Members are appointed for the term of Council; Chair to be selected from time-to-time by the membership.

### **Meetings**

Monthly in accordance with the Public Libraries Act.

### **Staff Contact**

Chief Librarian