

TOWN OF FORT FRANCES

By-law xx/16

Being a by-law to establish specific Boards / Committees of Council, the Municipal Act,
xxxx

WHEREAS Council recognizes that the use of Boards / Committees is an effective means of public participation, public consultation and a source of input on Town policies and procedures;

AND WHEREAS Boards / Committees play an integral role in the corporate decision making, by providing a means for staff and Council to receive the views and advice from citizen members on a variety of matters;

AND WHEREAS on xx Date, 2016, Council approved a report from the Clerk recommending amendments to the establishment of Boards / Committees and a defined process for handling appointment to Council established Boards / Committees;

NOW THEREFORE the Council of the Corporation of the Town of Fort Frances
HEREBY ENACTS as follows:

1. With the exception of those by-laws identified in section 2. of this By-law, that each and every by-law and resolution previously enacted by Council for the Corporation of the Town of Fort Frances to establish or create a Board / Committee, the members of which are appointed by Council, be and the same are hereby repealed.
2. The following by-laws and resolutions pertaining to the establishment and structure of certain Boards / Committees are not affected by section 1. of this By-law and shall remain in force and effect:
 - a. Town of Fort Frances By-law 32/78, as amended, to establish a Business Improvement Area Board of Management;
 - b. Town of Fort Frances By-law 38/83, as amended, to establish an Elderly Persons Centre Board of Management (Sister Betty Kennedy Centre);
 - c. Town of Fort Frances By-law 17/07, as amended, to establish a Committee of Adjustment;
 - d. Town of Fort Frances By-law 38/85, as amended, and By-law No. 386, to establish the Fort Frances Public Library;
 - e. Resolution No. 418, passed by Council March 26, 1990 wherein is established the Fort Frances Municipal Non-Profit Housing Corporation.
3. Council hereby establishes an Executive Committee for each of the four Corporate Divisions (Administration & Finance, Planning & Development, Operations & Facilities and Community Services) for a term and with structure and mandate as outlined in Schedule 'A' attached hereto.

4. Council hereby establishes General Provisions that pertain to all Boards / Committees as set out in Schedule 'B' attached hereto.
5. Council will adhere to the Policy respecting the appointment of Board / Committee members, which includes criteria for eligibility and term of appointment as outlined in Schedule 'C' attached hereto.
6. Council may from time to time establish and make appointments to Boards / Committees as deemed necessary by Council resolution, with mandates, structure and Terms of Reference clearly outlined and forming part of the resolution.
7. Council hereby establishes the Committee of the Whole of Council with membership consisting of those members of Council of the day. The term of members shall coincide with the term of Council i.e. from Inaugural Meeting to November 30 for a four (4) year term.

The position of Chairperson and Vice-Chairperson of Committee of the Whole of Council shall be on a rotation basis throughout the duration of the four year term of Council among the six Councillors whereby each Councillor shall be four months as Chairperson. The rotation shall repeat once during the four year term of Council such that each member, following the completion of the terms of all member as Vice-Chairperson and Chairperson, shall repeat a four month term as Vice-Chairperson followed by a four month term as Chairperson. The order of selection shall be determined by the Mayor and approved by resolution of Council at the Inaugural Meeting of the newly elected Council.

The committee shall consider all matters brought before it that are appropriate and within its power to consider. Meetings of the Committee of the Whole are to be held as from time to time are regularly scheduled or otherwise as determined necessary by Council.

Meetings of the Committee of the Whole shall be open to the public. However, if matters being considered are of such a nature that they may legally be considered in camera, the meeting, or portions thereof, may be conducted in the absence of the public.

This by-law shall come into force and take effect on final passing.

READ THREE TIMES and finally passed in open Council this XX day of Month, 2016.

Schedule 'A' to By-law xx/16

EXECUTIVE COMMITTEES

A. Administration & Finance Executive Committee

Membership shall consist of the Chief Administrative Officer, the Treasurer or Deputy-Treasurer, three Councillor's appointed by the Mayor for a two-year term. Meetings will be on a regularly scheduled or as needed basis. A Chairperson and Vice-Chairperson will be appointed by the Committee and will be the executive representative of the Division.

The Committee will work closely with and assist the CAO and Treasurer on Corporate Administration and Finance matters as appropriate.

The Committee will also be delegated Corporate Administration & Finance matters from Council meetings from time to time. The Committee may make recommendations and/or resolve matters as may be specifically directed by Council.

B. Planning & Development Executive Committee

Membership shall consist of the Chief Administration Officer (or designate), three Councillor's appointed by the Mayor for a two-year term. Meetings will be on a regularly scheduled or as needed basis. A Chairperson and Vice-Chairperson will be appointed by the Committee and will be the executive representative of the Division.

The Committee will, as needed, recommend to Council the appointment of members to Boards / Committees within the Planning & Development Division.

The Committee will work closely with and assist the CAO (or designate) on Corporate Planning and Development matters as appropriate, including but not limited to: Building Services, By-law Enforcement, Animal Control, Planning, Committee of Adjustment and Property Standards.

The Committee will also be delegated Corporate Planning & Development matters from Council meetings from time to time. The Committee may make recommendations and/or resolve matters as may be specifically directed by Council.

C. Operations & Facilities Executive Committee

Membership shall consist of the Manager of Operations & Facilities, three Councillor's appointed by the Mayor for a two-year term. Meetings will be on a regularly scheduled or as needed basis. A Chairperson and Vice-Chairperson

will be appointed by the Committee and will be the executive representative of the Division.

The Committee will, as needed, recommend to Council the appointment of members to Boards / Committees within the Operations & Facilities Division.

The Committee will work closely with and assist the Division Manager on Corporate Operations & Facilities matters as appropriate, including but not limited to: Airport, Cemeteries, Parks, Public Works, Streetlights, Water, Sewer & Storm Sewer Systems and Traffic Safety.

The Committee will also be delegated Corporate Operations & Facilities matters from Council meetings from time to time. The Committee may make recommendations and/or resolve matters as may be specifically directed by Council.

D. Community Services Executive Committee

Membership shall consist of the Manager of Community Services, three Councillor's appointed by the Mayor for a two-year term. Meetings will be on a regularly scheduled or as needed basis. A Chairperson and Vice-Chairperson will be appointed by the Committee and will be the executive representative of the Division.

The Committee will, as needed, recommend to Council the appointment of members to Boards / Committees within the Community Services Division.

The Committee will work closely with and assist the Division Manager on Corporate Community Services matters as appropriate, including but not limited to: Day Care, Elderly Persons Centre, Library, Museum, Recreation and Transit Services.

The Committee will also be delegated Corporate Community Services matters from Council meetings from time to time. The Committee may make recommendations and/or resolve matters as may be specifically directed by Council.

Schedule 'C' to By-law xx-16

BOARD & COMMITTEE APPOINTMENT POLICY

Purpose:

To establish guidelines and best practices for the recruitment and appointment of citizen members to the Town of Fort Frances' Boards / Committees. This policy will ensure a fair and equitable appointment process where the most qualified applicants are appointed, who are representative of the Town of Fort Frances.

Scope of Policy:

This policy applies to appointments to Town of Fort Frances Boards / Committees. This policy does not apply to Town of Fort Frances' Boards / Committees which are subject to their own applicable legislative requirements, governing by-laws and/or other legal requirements regarding Board / Committee appointments.

Definitions:

Board / Committee – means any Board or Committee of the Town of Fort Frances as named in this Policy or as established by resolution of Council, which consists of citizen members, established to provide advice, make recommendations, fulfill a statutory role, organize events or provide program support.

Clerk – means the Clerk of the Town of Fort Frances, or his/her designate.

Council – means the Council of the Town of Fort Frances.

Eligibility – means the qualifications established by Council that an applicant must possess in order to serve on Boards and Committees.

Length of Service – means the period of time for which a member is appointed to a specific Board or Committee.

Mandate – means the statement that describes the Board / Committee purpose or authority to address matters. The Mandate shall align with Council's strategic goals and objectives.

Member – means a person appointed by Council to serve on a Board or Committee.

Public – means a member of the public who is a resident or property owner in the Town of Fort Frances

Resident – means a member of the public whose current and primary residence is within the Town of Fort Frances.

Statutory Committee – means a committee required by Provincial legislation which addresses matters or performs functions as specified in the relevant legislation.

Terms of Reference – a document outlining the mandate and board or committee operational details including such things as composition, activities, term, quorum, meeting schedule, staff roles and the like. Terms of Reference must be approved by Council, including any amendments.

Town – means the Town of Fort Frances.

Eligibility & General Qualifications of Board / Committee Members:

A member must be 18 years of age, unless otherwise specified in the Terms of Reference for the specific Board / Committee, i.e. where youth representation is required.

A member must be an eligible elector of the Town of Fort Frances.

Members are required to maintain their eligibility status for the duration of their term, and are responsible for advising the Clerk of any change to their status.

Town of Fort Frances full time staff are not eligible for positions as citizen members on any Board / Committee. Citizen members who subsequently receive a full time position with the Town, shall immediately resign from the Committee. Staff may be given the opportunity to attend and participate in discussions at Board/Committee meetings based on previous expertise.

Term and Length of Service on a Board/Committee:

Unless otherwise provided for by legislation, Terms of Reference or operating procedures, the term of appointment shall generally coincide with the Term of Council. The appointment will commence upon passing of the appointment resolution and will expire no later than November 30 in an election year, unless otherwise specified.

Members will not be appointed for more than two consecutive terms on the same Board / Committee. Notwithstanding the foregoing, Council may reappoint a member beyond two consecutive terms if deemed necessary by Council to maintain continuity and to achieve balance between new and experienced members. Members eligible for reappointment, must complete an application form and submit to the Clerk. Members that have served two consecutive terms on one Board/Committee, may apply to serve

on another Board / Committee. If a member is appointed to fill a vacancy mid-term, then he/she completes that term and then may serve an additional two terms.

Recruitment & Appointment Process:

The recruitment of members will begin where vacancies are required to be filled and if applicable, following any changes to the terms of reference for the Board / Committee or after the establishment of any new Boards / Committees.

An advertisement for vacancy, which includes details on eligibility, meeting frequency and time, information on how to obtain an application form (Appendix 'B'), terms of reference, deadline and location for submitting an application. Vacancies will be advertised in appropriate locations as determined by the Clerk.

The Clerk may extend the application submission deadline when there are an insufficient number of applications deemed appropriate. Applicants may be required to complete supplementary screening requirements such as a criminal reference check (i.e. committee exposed to children). Any additional requirements will be noted in the recruitment advertisement.

All personal information collected in the application process is collected in accordance with MFIPPA and will be used to determine eligibility for appointment.

Collected applications will be reviewed in-camera, by the appropriate Executive Committee, after which a recommendation will be brought forward to a Committee of the Whole in-camera session. If an established Board / Committee does not pertain to a specific Executive Committee, then the applications will be reviewed by the Committee of the Whole. A resolution to formally appoint members to Board / Committees will be brought forward to a subsequent Council meeting. Current members who are eligible for reappointment, will be evaluated in the same way as all new applicants.

The Clerk's department will subsequently send letters to all successful applicants confirming their appointment, as well as sending letters to all unsuccessful applicants advising that they have not been selected but thanking them for their application. The Clerk's department will provide notification to the appropriate Board / Committee, recording secretary with contact information for the new citizen member. All newly appointment members will review/sign two copies of the Code of Conduct, one for their reference and one copy to be returned to the Clerk's department. The Clerk will maintain a confidential database containing all appointments to Boards and Committees.

Vacancies:

Vacancies on Boards / Committees are created when a member resigns or vacates the position, effective:

- The date of resignation
- The date that the member is removed by Council resolution
- The date that the member no longer qualifies for the position
- The date of the death of the member.

Boards / Committees may pass a resolution requesting that a member's position be declared vacant when a member has been absent without good reason for three consecutive meetings or five total meetings in any calendar year.

A member who is resigning from their appointed position, will submit a written letter of resignation to the Clerk.

Vacancies will be filled as per the Recruitment & Appointment Process outlined above.

Conduct of Members:

Boards and Committees are governed by and subject to the provisions of the Town's Procedural By-law, the Municipal Conflict of Interest Act and the Code of Conduct and shall adhere to all Town policies and procedures.

Exceptions to this Policy:

Where a conflict exists between the provisions of this policy and any legislative or legal requirement, the legal requirement shall prevail.

Interpretation & Administration:

The Clerk is responsible for interpreting and administering this policy, and such interpretations will be final.

Policy Review and Procedure

This policy will be reviewed as required, but in any case, no less than once per four (4) year term of Council. The Clerk will be responsible for initiating the review of this Policy.

Appendix 'A'

List of Committees & Citizen Complement

Administration & Finance Executive Committee

Planning & Development Executive Committee

Operations & Facilities Executive Committee including:

- Traffic Safety Committee – one citizen

Community Services Executive Committee including:

- Museum and Cultural Centre Advisory Committee – 5 citizens
- Sunny Cove Advisory Committee – 2 citizens
- Townshend Theatre Advisory Committee – 1 citizen
- Sister Betty Kennedy Board of Management – 5 citizens

Statutory Committees:

- Town of Fort Frances Police Services Board – 1 citizen
- Fort Frances Public Library Board – 5 citizens
- Committee of Adjustment – 7 citizens

Other Boards / Committees not specifically affiliated with a Division including:

- Citizen of the Year Committee – two citizens
- Economic Development Advisory Committee – 9 citizens
- Salary Structure and Administrative Practices Committee
- Business Improvement Area (BIA) – 11 citizens (specific criteria)

Schedule 'B' to By-law xx/16

General Provisions Pertaining to All Boards / Committees

- The Board / Committee shall meet as often as necessary to fulfill its mandate.
- A majority of the members of the Board / Committee shall constitute a quorum. In the absence of a quorum, the only actions admissible are: 1. Take action to obtain a quorum; 2. Recess until a quorum is attained; and 3. Adjourn in the event a quorum cannot be attained.
- The Mayor is an ex-officio member of each committee. As such, if the appointment member of Council to said Board / Committee is absent, the Mayor assumes voting responsibilities.
- Members of the Board / Committee shall serve without remuneration.
- At the first meeting of the appointed Board / Committee, the members shall elect one of their members as chair, another as vice-chair.
- The Board / Committee secretary is responsible for the preparation and circulation of the agenda prior to the meeting. Items for inclusion on the agenda, shall be provided in a timely fashion to the Board / Committee secretary.
- The Board / Committee will review the minutes at the next regularly scheduled meeting and shall be adopted by a majority vote of members in the form of a mover and seconder, and once approved, forwarded to the Clerk's department for inclusion as information on the next Council agenda.