



Town of Essex

Local Board/Committees Procedures and Best Practices 2022-2026

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Town of Essex

Local Boards/Committees Procedures and Best Practices

Preamble

The Corporation of the Town of Essex (the “Town”) is committed to community engagement through participation of volunteers and appointees to boards and committees. This “Best Practices” document is intended to act as a guide for committee and board volunteers and appointees during their term.

Definitions

Local Board means a board that is generally established by legislation and members are appointed by Council. They have authority to address their responsibilities as determined under the relevant legislation. Examples include:

- Essex Centre Business Improvement Area (BIA) Board of Management
- Essex Police Services Board
- Essex Region Conservation Authority Board of Directors

Statutory Committee means a committee that is permitted or required by Provincial legislation and performs functions as specified in the relevant legislation. Examples include:

- Accessibility Advisory Committee
- Committee of Adjustment
- Heritage Committee
- Property Standards Committee

Advisory Committee means a committee that provides advice and recommendations to Council as requested on areas within their mandate with no authority for decision making or independent actions. Members are appointed by Council and membership typically includes one member of Council as liaison. Examples include:

- Arts, Culture and Tourism
- Co-An Park Committee
- Essex Festival Committee

Ad-Hoc Committees are created to perform a specific task and are dissolved when the task is completed. The Committee has no authority for decision making or independent actions. Members are appointed by Council and membership typically includes one member of Council as liaison.

Composition

The composition of each of the local boards and committees shall be as stated in each of the mandates listed in Appendix A.

First Meeting – Commencement of Term

The term of appointment commences after the Inaugural Meeting of the new Council and generally ends at the conclusion of Council's term.

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:

- Elect Chair and Vice-Chair
- Establish regular meeting schedule by motion

The Secretary calls for nominations for 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 Secretary closes nominations. In the event that only one (1) nomination is received, and the nominee accepts the nomination, the position shall be announced as acclaimed. If there is more than one (1) nomination received, votes are then cast by ballot. If there is a tie vote, ballots continue to be cast for the tied nominees until such time as a nominee receives the majority of the votes. Once the Chair has been elected the same process applies for the election of the Vice-Chair.

The Secretary is to 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.

Responsibilities and Protocols

Responsibilities of Board and Committee Members

Board and Committee members are expected to:

- Familiarize themselves with the mandate and/or terms of reference of the board/committee;
- Familiarize themselves with the Code of Conduct for Members of Council and Local Boards/Committees policy;
- Understand the board/committee's relationship to Council;
- Strive to attend all scheduled meetings and advise in advance when unable to attend (to determine if there is going to be a quorum);
- Prepare for meetings by reading agendas and any background information supplied;
- Actively participate in the discussion and decision making process;
- Undertake any work assigned, including special projects and research, between meetings;
- Unless adopted separately by the board/committee, operate under the Procedural By-Law of Council, as well as other Town operating policies and procedures, such as the Purchasing By-Law, Communications Policy, Social Media Policy, and other policies adopted by Council, where applicable;

- Be open-minded and allow for a variety of opinions to be heard;
- Focus on the issue;
- Respect the individual worth and dignity of other board/committee members and staff and maintain a high degree of professionalism;
- Ask questions and seek clarification through the staff, the Council liaison or Chair;
- Respect the role of and responsibility of the Chair;
- Respect that actions taken and recommendations shall reflect the majority view of the board/committee;
- Respect the decisions of Council;
- Clearly identify any items of pecuniary interest before they are discussed and refrain from discussing and voting on same;
- Maintain confidentiality when necessary (for example, matters discussed in a closed meeting);
- Allow fellow committee members to speak without interruption;
- Where applicable, directions from a committee member to a staff member shall come through the staff liaison ;
- Direct all comments and questions through the Chair.

Responsibilities of Chair and Vice-Chair

The Chair or Vice-Chair has the following responsibilities:

- Operate under the Town's Procedural By-Law and the approved Terms of Reference for that particular board/committee (if applicable)
- Facilitate the meeting by identifying the order of proceedings and speakers according to the published agenda;
- Ensure active participation by all members;
- Maintain decorum and ensure fairness and accountability;
- Generally refrain from participation in the discussion until all members have had an opportunity to speak to the matter;
- Refrain from making decisions. The Chair can only run a meeting in a fair and efficient manner when the will of the majority prevails after the minority has had a fair chance to present its point of view;
- Assist staff liaison when possible or when requested;
- Represent the views of the board/committee and not personal views;
- Ensure the board/committee elects or re-elects the Chair and Vice-Chair on an annual basis;
- Attend or appoint an alternate to attend Council meetings when committee/board minutes are listed on the agenda.

Responsibilities of Council Member Appointee

Where council member(s) also sit on a particular board or committee, that council member, unless otherwise noted, shall have all of the rights and privileges of any other member, including voting.

In addition, the Council member is also responsible for:

- Ensuring the members are fairly and appropriately engaged;
- Ensuring the staff liaison is not unfairly taking on tasks outside the general parameters of their position with the board/committee;
- Liaising between Council and the board/committee, providing information and clarification;
- Ensuring members are aware of Council issues that may affect the goals and objectives of the board/committee, including past actions of Council;
- When necessary and appropriate, explaining the rationale behind the board/committee's recommendation when brought forward to Council.

The Mayor is ex-officio, a member of all advisory committees, sub-committees and ad-hoc committees of Council and is entitled to vote, make motions and amendments.

Responsibilities of Staff Liaison

In most cases, a staff liaison is assigned to a board/committee by the Chief Administrative Officer.

The responsibilities of the staff liaison are to:

- Provide guidance and advice;
- Prepare any necessary reports for Council's consideration;
- Remain impartial during discussions of board/committee matters with all members;
- Not participate in voting since the staff liaison is not a board/committee member;
- Ensure that any recommendations proposed by the board/committee do not contradict the Town's budget, by-laws or policies and procedures;
- Attempt to reconcile any conflicts;
- Report any resignations of the board/committee members to the Town Clerk;
- Report any irregularities to the Town Clerk.

Responsibility of Recording Secretary

The responsibilities of the recording secretary (as appointed by the Town Clerk) are to:

- Schedule meetings in coordination with the Town Clerk and the Town Procedural By-Law;
- Prepare the agenda for the meeting and submit to Town Clerk for review;
- Distribute the agenda to the committee members in the form and manner specified in the Town's Procedural By-Law;
- Provide the agenda to the Town Clerk or Designate for posting to the Town's website as outlined in "Public Notice of Meetings" in the Town's Procedural By-Law;
- Record the minutes of the meeting including resolutions, decisions and other proceedings at the meeting, without note or comment;
- Provide the minutes of the meeting to the Town Clerk within one week of the meeting for review and adoption by Council.
- Where appropriate, advise and seek clarification from the Clerk as to any procedural matters/ issues that may arise for the Board/Committee.

When it is necessary to cancel a meeting (due to inclement weather or prior knowledge of lack of quorum), if time permits, the members should be contacted to advise of the cancellation. The Recording Secretary shall further be bound by and comply with the Memo to all Committee recording secretaries as attached hereto as Schedule A to this Manual.

Attendance

Boards/committees generally meet once a month. Nonetheless, if sub-committees or working groups are formed to further the activities of the board/committee, a more frequent meeting schedule may be necessary.

If a member is unable to attend a meeting, he/she shall inform the recording secretary or Chair.

If a member is absent from three (3) consecutive, regularly scheduled meetings without notice, the member shall be removed from the board/committee unless the member has the prior approval of the board or committee.

Notwithstanding this provision, an office is not vacated by a Member of Council who is absent for 20 consecutive weeks or less if the absence is as a result of the Member's pregnancy, the birth of the Member's child, or the adoption of a child by the Member in accordance with Subsection 259 (1.1) of the Municipal Act, 2001. In this case, provisions of the Municipal Act, 2001, along with the Town of Essex Policy related to Pregnancy and Parental Leave for Members of Council, shall apply.

In the event a member finds it necessary to resign, he/she shall notify the Town Clerk in writing.

In the event that a member has resigned or a vacancy on the Board/Committee is otherwise created before the end of the Term of Council, then potential candidates to fill the vacancy shall be selected by the Town of Essex Striking Committee who at their discretion shall decide to :

- give consideration to only the remaining eligible candidates (in the original applicant pool submitted by the Town Clerk to the Striking Committee for the inaugural appointments at the beginning of the new Term of Council) in making a recommendation (s) to Council; or
- direct that the Town Clerk consider and use other recruitment methods to find eligible candidates for the Striking committee to consider in making recommendation(s) to fill the noted vacancy ; or
- direct the Town Clerk otherwise with respect to the striking Committee making a recommendation (s) with respect to filling the noted vacancy on the particular Board/Committee.

Communications

Communications emanating from a board/committee 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.

Letters of appreciation or recognition or correspondence related to the board/committee's mandate do not require Council's approval.

Communications to Council or Administration are generally through the staff liaison or Chair.

Written communications, including media releases, advisories, flyers, posters and other printed materials must be vetted by the Manager, Strategic Communications in advance of starting a project and assistance shall be provided in the areas of planning, preparing, implementing and distributing written materials.

Committees and committee members are not authorized to design and launch websites or social media accounts. Responsibility for managing and monitoring corporate websites and social media sites is centralized through the Manager, Strategic Communications. The Corporate Use of Social Media Policy shall apply. The Employee Personal Use of Social Media Policy also applies.

If a staff liaison is uncomfortable with a proposed communication from the board/committee, he/she should direct it to his/her department head, Town Clerk or Chief Administrative Officer for guidance.

Only authorized spokespersons may speak on behalf of a board/committee. The Town's Media Relations Policy shall apply to boards and committees.

Effective Meeting Management

The business of the board/committee is conducted at its meetings. Conducting effective meetings ensures the agenda items are dealt with in an organized fashion, having regard to the rules of procedure and ensuring those who wish to speak on the matter are heard.

What is a Meeting

A meeting is any regular, special or other meeting of council, of a local board, or of a committee of either of them.

For a formal meeting to take place, notice must be given, an agenda must be prepared and the general process regarding location and procedures must have been followed in accordance with the Procedural By-Law of Council.

Open and Closed Meetings

The Municipal Act, 2001, as amended, ("Municipal Act") requires local government in Ontario to be open, transparent and accountable.

All meetings of boards and committees must be open to the public unless an exception as provided under Section 239 of the Municipal Act, applies.

Boards and committees are permitted to go into a Closed Meeting if the subject matter relates to:

- The security of the property of the municipality or local board (Section 239(2)(a));
- Personal matters about an identifiable individual, including municipal or local board employees (Section 239(2)(b));

- A proposed or pending acquisition or disposition of land by the municipality or local board (Section 239(2)(c));
- Labour relations or employee negotiations (Section 239(2)(d));
- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board (Section 239(2)(e));
- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose (Section 239(2)(f));
- A matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act (Section 239(2)(g));
- 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 (Section 239(2)(h));
- A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization (Section 239(2)(i));
- 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 (Section 239(2)(j));
- 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 (Section 239(2)(k));
- The consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) if the council, board, commission or other body is the head of an institution for the purposes of that Act (Section 239(3));
- Education and training of the members and at the meeting no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, board or committee. (Section 239(3.1))

If a matter requires a Confidential Report or Memo, it must be included with the closed meeting agenda. Closed meeting agendas shall not be published. Separate minutes shall be taken and submitted to the Clerk.

The subject of a closed meeting, discussions in a closed meeting or outcomes from a closed meeting shall not be discussed in public.

Members of Boards and Committees are further advised that they are now subject to the Town of Essex *"Code of Conduct for Members of Council and Local Boards/Committees"*. ("Town of Essex Code of Conduct")

Members of Boards and Committees should also be aware that the Integrity Commissioner has expanded jurisdiction under both the Municipal Conflict of Interest Act ("MClA") and the Town of Essex Code of Conduct as it relates to members of Local Boards and Committees and their obligations thereunder.

This includes the ability to review the application of the MClA to Members of Council and or members of local Boards/committees together with the ability to conduct an

inquiry/investigate Applications that allege violations of the MCI A. This expanded jurisdiction also includes the ability to provide advice to Councillors and or members of local Boards/committees regarding their obligations under the MCI A and the ability (if satisfied after conducting a MCI A application investigation) to further apply to a judge under the MCI A for a judicial determination as to whether a member has contravened the MCI A.

Resolution to Move into Closed Session

Prior to moving into closed session, a resolution must first be passed in open session indicating that the board/committee is or will be moving into closed session and stating the general nature of the meeting. It is also recommended that the appropriate section of the *Act* be included on the agenda or in the motion, where applicable.

The members should avoid moving into closed session without public notice. Therefore, the agenda should include the item in as much detail as possible, including the section of the *Act*.

Voting and Rising from Closed Session

Voting is not permitted on any matter in closed session except on a procedural matter, to receive information or to provide direction or instructions to the staff liaison of the board/committee or persons retained under contract by the board/committee. Action on the matter must be taken in open session in the form of a resolution.

A motion is required to move back into open session.

Only the item(s) listed in the motion to move into closed session shall be discussed and no other topics shall be added. The Chair is responsible to ensure no new topics are introduced in a closed meeting.

Closed Meeting Investigator

Effective January 1, 2008, 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 or board/committee.

The Investigator for the Town of Essex is the Ontario Ombudsman. The Office of the Ombudsman receives requests, investigates, makes a determination and reports publicly on compliance.

Notice of Meetings

Public notice of all regular and special meetings is mandatory for all boards and committees.

The agenda is sufficient notice as long as it is posted on the Town's website. It should also be provided to the members of the board/committee.

The notice (agenda) must contain the date, time and place of the meeting and shall be provided to the committee/board members and be posted no later than ninety-six (96) hours before the hour appointed for the holding of such meeting.

Agendas

Each board and committee secretary is responsible for the preparation and distribution of the meeting agenda. The board/committee secretary will determine the schedule for delivery of the agenda as outlined in the Town's Procedural By-Law.

The posting of the agenda on the Town's website will be the responsibility of the Town Clerk or Designate.

The agenda should be reviewed with the Chair and Town Clerk prior to distribution and posting to the Town's website. The draft agenda is to be forwarded to the Clerk at least 5 days prior to the meeting to allow sufficient time to review.

A deadline may be established for submission of agenda items.

Agenda items should be relevant to the business of the board/committee and should only include items that require the attention or action of the board/committee. Agenda items should not include Administrative matters, which are handled at the staff liaison or secretary level.

Agendas shall follow a prescribed order of business.

The agenda should contain the following:

1. Roll Call
2. Land Acknowledgement
3. Declarations of Conflict of Interest
4. Adoption of Published Agenda
5. Adoption of Minutes
6. Public Presentations
7. Unfinished Business
8. Reports from Administration
9. Correspondence
10. Adjournment

Conflict of Interest

The Municipal Conflict of Interest Act applies to Members of Council as well as boards and committees. A member must declare, generally at the outset of the meeting, any direct or indirect pecuniary (financial) interest(s) that he or she may have in any matter before the board/committee at that meeting, whether open or closed. A pecuniary interest also applies to the member if his/her spouse, child or parent is affected by the matter before the meeting.

If missed at the beginning of the meeting, the member must declare a conflict when the matter comes up for consideration.

The member shall identify the matter to which he/she has a conflict and state the reason why.

The conflict shall be recorded in the minutes and at the meeting or within 72 hours thereafter the member shall file a written statement on the prescribed form which indicates the interest and its general nature thereof with the Clerk or the recording secretary of the committee, or local board, as the case may be, for inclusion on the Declaration of Interest Registry. The member may remove him/herself from the meeting while the matter is under consideration. The member must abstain from discussing or voting on the matter. If the matter is under consideration in a closed meeting, the member shall take leave of the meeting until the matter has been considered.

In the event a member discovers after the meeting that he/she actually had a direct or indirect pecuniary interest in the matter, he/she shall declare the interest at the next available meeting and it shall be recorded in the minutes.

The onus is on the member to determine whether he/she has a conflict of interest. If uncertain, the member is advised to seek the advice of the Integrity Commissioner or such other legal advice.

If a member fails to declare a pecuniary interest, any elector may bring an Application before the Ontario Superior Court.

A copy of the Municipal Conflict of Interest Act is available at http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90m50_e.htm or from the Town Clerk.

Minutes

The Town Clerk or Designate is available to provide training and/or advice in the recording of minutes.

Minutes of meetings represent a clear and accurate account of the business conducted by the board/committee. Minutes provide a permanent and official record of all proceedings, policy and budgetary decisions. Minutes should only reflect actions and not discussions.

The secretary of the board/committee is responsible for recording, without note or comment, all proceedings and decisions of the meeting, whether open or closed.

The secretary shall distribute the meeting's minutes to the Chair/Vice-Chair and staff liaison to ensure the minutes are an accurate representation of the proceedings.

The secretary shall submit the minutes in an acceptable and accessible format to the Town Clerk within one week of the meeting and shall include the minutes with the next board/committee meeting agenda package. The minutes will be included in the next available Council Agenda.

Resolutions that require Council approval shall not be acted upon until the minutes have been approved by Council.

Quorum

A quorum is a majority of the members constituting the board/committee as set out in the by-law/resolution establishing the board/committee.

If there is no quorum present within thirty (30) minutes of the appointed hour of the meeting, the board/committee shall adjourn until the date and time of the next regular or special meeting. The names of those members present shall be recorded in the minutes.

If a meeting starts with a quorum and then members of the board/committee leave the meeting, the meeting shall continue as long as two members of the board/committee remain.

The Mayor is ex-officio, a member of all committees, sub-committees and ad-hoc committees of Council, and is entitled to vote, make motions and amendments. An ex-officio is not counted in determining the number required for a quorum or whether a quorum is present at a meeting.

Delegations

From time to time, delegations may wish to appear and speak to a matter. Delegations must register with the staff liaison or secretary.

Delegations should not be received from the floor of the meeting.

Rules of Procedure

The Town of Essex Procedural By-law (as amended from time to time) shall apply to all boards/committees a copy of which is available from the Town Clerk.

The Town Clerk is available to assist boards/committees with the interpretation of the rules.

Conduct

All members shall conduct themselves in a professional manner and with proper decorum.

Appropriate courtesy and respect will be shown to all delegations, to each other as members and to all those who appear before or with the board/committee.

Members shall recognize that there are legitimate differences in opinions.

Comments and language shall be courteous and non-inflammatory, ensuring that neither offence nor embarrassment is caused.

Members shall remain on topic when discussing agenda items.

The Town of Essex *"Code of Conduct for Members of Council and Local Boards/Committees"*. ("Town of Essex Code of Conduct") shall apply to boards/committees. Members of Boards and Committees are encouraged to review the same. Copies are available from the Town Clerk.

Budget and Expenses

Boards and committees that incur expenses must prepare and submit an annual budget to Finance and Business Services for approval by Council. The budget will generally include expenses such as:

- Remuneration to board/committee members to attend meetings where such members are paid board/committee members (for example Committee of Adjustment, Police Services Board, Property Standards Committee);
- Mileage for board/committee members where a board/committee member is travelling to attend workshops, conferences or other training relevant to that committee;
- Meals for board/committee members while travelling to attend workshops, conferences or other training relevant to that committee;
- Costs for committee members, excluding the staff liaison, to attend workshops, conferences and other training;
- Incidental expenses for such things as stationery and office supplies;
- Other costs specific to the mandate of the committee (for example Essex FunFest Committee).

Budgets shall not include projects, supplies or work that will be carried out by Town of Essex departments or contractors and other vendors, as these costs will be included in the appropriate budget. Any projects or work deemed necessary by a board or committee will be recommended to Council by way of a motion and such motion will be included in the board/committee minutes.

Budgets shall be prepared annually in the format provided by Finance and Business Services and shall be submitted to the Manager, Finance and Business Services by the date as determined by the Manager, Finance and Business Services. Questions regarding the preparation of budgets should be directed to the Manager, Finance and Business Services or the Director, Corporate Services.

Boards and committees will not apply for grant funding without the prior approval of the Chief Administrative Officer or Director, Corporate Services. The Chief Administrative Officer or Director, Corporate Services will determine if Council approval is required.

Expenses incurred by a board/committee against an approved budget shall be detailed in the agenda of the board/committee meeting and will be ratified as part of the meeting business.

Where a board/committee, other than Essex Centre Business Improvement Board of Management, has a budget to carry out the mandate of the board/committee (for example Essex FunFest Committee), a staff member from Finance and Business Services may be appointed by the Town as Treasurer for that board/committee. A person so appointed by the Town, shall oversee the finances of the board/committee and ensure that all purchases by the board/committee are in accordance with the Town's procurement by-law.

Municipal Freedom of Information and Protection of Privacy Act

The Municipal Freedom of Information and the Protection of Privacy Act (MFIPPA) may apply to boards and committees where the records are under the custody and control of the municipality. The legislation regulates and controls the information made available to the public. It not only provides rights of access to records, but also protects the privacy of individuals.

Records are generally provided through routine disclosure (for example agendas, minutes, by-laws, et cetera) and are public in nature.

Insurance Coverage

Appointees to the Town's boards and committees and their normal activities associated with Boards and Committees are covered under the Town's insurance policies.

All persons appointed to a board/committee by Town Council are covered by the Town's insurance program. The insurance program includes coverage against general liability claims made by another person resulting from activities as a board/committee member.

Board/committee members and the people volunteering their time to the board/committee are required to follow Town policies where identified within the policies. The board/committee must ensure that volunteers are aware of and abide by applicable Town policies; that they understand who they report to; that they are provided with proper tools; that they are given proper instructions as to their duties and responsibilities; and that they are provided with all required health and safety instructions and training.

All events must be approved by the Town.

Any board/committee sponsored event must be supervised by board/committee member(s).

Where there is an incident or accident at any of these events, where a person or property is (potentially) injured or harmed, the board/committee member or representative must report it to the Town Clerk immediately.

Role of Clerk's Office

The Town Clerk is responsible for carrying out the direction of Council with respect to the recruitment of board/committee members and the filling of vacancies.

The Town Clerk is available to answer questions, provide guidance and advice.

The Town Clerk is responsible for preparing relevant documentation, information and notifying the boards/committees of any legislative changes impacting boards/committees.

The Town Clerk is responsible for ensuring the board/committee minutes and agendas are prepared in accordance with the policies outlined in this manual, that minutes are being submitted for inclusion on the Council agenda in the prescribed time period and that agendas are forwarded to the Town Clerk or Designate to be posted on the Town website.

Pursuant to the Municipal Act, the Town Clerk is responsible for records and information management. Under the *Act*, any person has the right to inspect the records of the municipality subject to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

The Mandates in Appendix “A” as Amended From Time to Time Are:

Local Boards

Essex Centre Business Improvement Area (BIA) Board of Management

This non-profit organization represents and promotes a defined geographic area of the Town as a business or shopping area (Essex Centre). The membership of the organization elects the Board of Management for the Essex Centre BIA, which in turn is appointed by the Council of the Town of Essex. One (1) member of Council and the Town of Essex Manager, Economic Development (Town Liaison) are also appointed to the Board as non-voting members. The role of the Board of Management of Essex Centre BIA is to:

- Plan and administer activities for the promotion of Essex Centre BIA as an attractive business and shopping area and for the maintenance of the appearance of the downtown core;
- Engage in strategic planning necessary to address Essex Centre BIA issues;
- Advocate on behalf of the interests of Essex Centre BIA; and
- Manage the money that is collected by the Town of Essex from the required special BIA levy for these activities.

The budget for promotional activities and events as adopted by the Board of Management is submitted annually to Council for approval as part of the budget process.

Essex Police Services Board

The Town of Essex currently contracts the services of the Ontario Provincial Police (OPP) for police protection within the community. This contract is administered by the Essex Police Services Board.

The Police Services Act requires a municipality to appoint a Police Services Board. Essex Council established that a Board be appointed for the Town comprised of:

- two (2) members of Council appointed by resolution (1 is Mayor)
- one (1) person appointed by resolution of Council who is neither a member of Council nor an employee of the Town; and
- three (3) persons appointed by the Lieutenant Governor in Council.

The responsibilities of the Police Services Board are set out in the Police Services Act. The Board is responsible for the provision of adequate and effective police services in the Town.

Statutory Committees

Accessibility Advisory Committee

The Ontarians with Disabilities Act provides that municipalities must establish an Accessibility Advisory Committee. The Committee shall advise Council about the preparation, implementation and effectiveness of the municipality’s Accessibility Plan for all municipal properties, facilities and services as the regulations prescribe. The Committee is also responsible for carrying out all obligations of an Accessibility Advisory Committee as established by the Ontarians with Disabilities Act.

Currently the Committee is comprised of one (1) member of Council and up to twelve (12) appointed members from the community. The Ontarians with Disabilities Act requires that not less than 50 percent of this Committee's members be persons with disabilities or such members as Council deems appropriate.

Committee of Adjustment

The Committee of Adjustment is responsible for holding hearings under the Planning Act with respect to minor variances from the Town's Zoning By-law and applications for consents to sever which result in the creation of new lots or lot additions.

The Committee is comprised of five (5) appointed members from the public.

Drainage Board

The Drainage Board is responsible for carrying out the procedures under the Drainage Act. When required, in connection with drainage works, the Board conducts a meeting to review and consider the preliminary and/or final engineers report in accordance with Section 10(2) and 42 of the Drainage Act and make recommendations concerning adoption of the report to Council.

Upon appeal, three (3) members are selected to sit as a Court of Revision as defined by Section 97 of the Drainage Act to hear appeals on assessments as outlined in Sections 52 to 56 of the Drainage Act and make final decisions as a Court.

The Board is comprised of five (5) appointed members from the public.

Property Standards Committee

The Property Standards By-Law enacted by Council provides for a Property Standards Committee comprised of three (3) appointed members. The members of the Committee are selected by Council from the Committee of Adjustment. The Property Standards Committee considers appeals from orders issued by the Property Standards Officer.

Heritage Committee

The Heritage Committee is appointed under the Ontario Heritage Act. The Committee may advise on matters related to the Act and to properties in the Town of Essex that have cultural heritage value and which the Town may wish to protect from destruction or harmful change by passing of a Designation By-Law as provided for in the Ontario Heritage Act.

Essex Council is required, under the Ontario Heritage Act, to consult with its Heritage Committee during the designation/repeal-of-designation process for individual properties or districts and on applications to demolish/remove structures from or otherwise alter designated properties.

The statutory role of the Heritage Committee is:

- Designation – advise Council prior to the designation of a property;
- Repeal of Designation – advise Council prior to the repeal of a by-law or part thereof designating a property;
- Amendment of Designation – advise Council prior to the amendment of a by-law or part thereof designating a property

- Alteration of a Designated Property – advise Council on applications to alter a designated property where such proposed alteration may affect the reasons for designation as set out in the by-law designating the property;
- Demolition – advise Council on applications to demolish or remove any building or structure on designated property;
- Easements/Covenants – advise Council before the passing of by-laws providing for the entering into of easements or covenants with the owners of real property or interest therein, for the conservation of buildings of historical or architectural value or interest; and
- Districts – advise Council before passing a by-law to define one or more areas to be examined for designation as a heritage conservation district.

The Heritage Committee may be comprised of one (1) Council member and up to ten (10) appointed members from the public.

Election Compliance Audit Committee

In accordance with the Municipal Elections Act, 1996, the Council of the Town of Essex must establish an Election Compliance Audit Committee. The Committee must be comprised of persons with accounting and audit, academic or legal backgrounds and/or other individuals with knowledge of election campaign finances.

Members should have a demonstrated knowledge and understanding of municipal election campaign finances; proven analytical and decision-making skills; experience working on a committee, task force or similar setting; and good oral and written communication skills.

The Committee shall perform the duties related to the compliance audit application process as outlined in the Act, including:

- considering a compliance audit application received by an elector and deciding whether the application should be granted or rejected;
- appointing an Auditor if the application is granted;
- receiving the Auditor's report;
- reviewing the Auditor's report and deciding whether legal proceedings should be commenced; and
- determining whether to recover the costs of conducting the compliance audit from the applicant, if the Auditor's report indicates there were no apparent contraventions and, if there were no reasonable grounds for the application.

Three (3) appointed members from the public comprise the Committee. Employees of the Town of Essex, Council members and any candidates in the most recent municipal election or in any by-election during the term of Council are ineligible to be appointed as a member of this Committee.

Advisory Committees

Co-An Park Committee

The Co-An Park Committee was established pre-amalgamation by the former Township of Colchester North (now Town of Essex) and the former Township of Anderdon (now Town of

Amherstburg). The Committee oversees the operation, maintenance and management of the park and its personnel. There is one (1) Council member and three (3) appointed members from the public for each municipality.

Essex Festival Committee

The Essex Festival Committee is responsible for organizing the events associated with the Fun Fest, including but not limited to the parade, midway, vendor booths, entertainment and the Bavarian Garden. Other responsibilities of the committee include advertising, promotion and security. The Festival does not get municipal funding directly. It is expected to be self-funding through revenues. The Corporate Services Department appoints a staff member to act as Treasurer for the Festival Committee to ensure that expenditures are approved in accordance with the annual budget and the procurement by-law. Currently one (1) Council member and up to fourteen (14) members from the public are appointed to serve on this committee. The use of an Executive Committee structure by the Festival Committee is authorized, provided that minutes are kept of Executive Committee meetings and forwarded to the full committee for approval at the earliest opportunity.

Arts, Culture and Tourism Committee

The Essex Mural Committee is comprised of two (2) Council member and up to seven (7) appointed members from the public. The committee maintains the inventory of the murals which visually portray the history of the area and can be found at various vantage points throughout the Town. The committee recommends new murals to Council and fundraising initiatives for all four wards. The types of murals include painted, glass (mosaic), three-dimensional, paper, cloth, and any other medium brought and approved by the Committee.

New Committees

Prior to being established, any new committee must have a clear written mandate that must be approved by Council.

Schedule A



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Memo

TO: Committee Members
FROM: Shelley Brown, Acting Clerk
RE: 2022 – 2026 Committee Procedures

Initial Meeting

At the first meeting and at the first meeting each year thereafter,

- Chair and Vice-Chair elected. The Recording Secretary calls for nominations for the Chair. A member of the Committee can make a nomination which must be seconded by another member of the committee. Once nominations are received, the recording secretary (RS) closes nominations. Votes are then cast by ballot. In the event of a tie, ballots continue to be cast for the tied nominees until a nominee receives the majority of votes. The same process is followed for the Vice-Chair.
- Regular meeting schedule is established by motion. The RS is to advise the Clerk of the regular meeting scheduled. The Mayor and CAO is to be invited to all meetings as an option attendee.

Important: The Clerk's Department must be included in meeting invitations to eliminate the potential for scheduling conflicts with Council and other Committees. The Clerk's department also enters all meetings on the website as well. This ensures that the notice period, where required, is met.

Regular Meeting

The agenda for each meeting is to be forwarded to the Clerk's department 5 days prior to a meeting. Please use clerks@essex.ca to ensure everyone is in receipt of the email. The Town utilizes a standard agenda format and requires all committees to follow the same format.

Meeting minutes are to be emailed to the Clerk's department as soon as possible after the meeting but not longer than 1 week as they need to be included in the next Council Agenda.

Resolutions that require Council approval shall not be acted upon until the minutes have been approved by Council.

If there is no quorum within 30 minutes of the appointed hour of the meeting, the committee shall adjourn until the next meeting. The names of those in attendance shall be recorded in the minutes. If quorum is lost during a meeting, the meeting shall continue as long as two members of the board/committee remain.

Delegations must register with the staff liaison or secretary. Delegations should not be received from the floor of the meeting.