



# District of Lantzville

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**Date of Implementation:** February 5, 2018

**Council Resolution:** C18-12

**Amended:**

**Amended:**

**Council Resolution:**

**Council Resolution:**

## ***COUNCIL COMMITTEE SYSTEM POLICY***

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### **POLICY**

Pursuant to section 141 of the *Community Charter*, the Mayor must establish Standing Committees for matters the Mayor considers would be better dealt with by Committee, and pursuant to section 142 of the *Community Charter*, Council may establish and appoint Select Committees to inquire into any matter and to report its findings and opinions to Council.

### **DEFINITIONS**

**“Alternate”** means a Council member appointed by the Mayor for Standing Committees or by Council for Select Committees to attend Committee Meetings when the appointed Council member for the Committee is unable to attend a Committee meeting.

**“Standing Committee”** is an advisory body to Council established by the Mayor pursuant to section 141 of the *Community Charter* to which the Mayor shall appoint Council representatives and may appoint citizen members. The *Community Charter* requires that at least half the members be members of Council.

**“Select Committees”** are established by Council resolution pursuant to section 142 of the *Community Charter*, and to which Council may appoint citizens. At least one member of a Select Committee must be a Council member. Council may also establish short-term Select Committees to inquire into a specific issue within a bounded time period and report its findings and opinions to Council, after which the Committee will have concluded their work and will be disbanded. A Council member does not have to be appointed to a short-term Select Committee.

**“Statutory Committee”** means boards, Commissions, or Committees established pursuant to a specific enabling statute including a Library Board established pursuant to the *Library Act*, a Police Board established pursuant to the *Police Act*, a Commission including a Parks Commission, Recreation Commission, and Heritage Commission, etc., established pursuant to section 143.(1) (a) of the *Community Charter*, a Family Court Committee established pursuant to the *Provincial Court Act* and any other body established pursuant to enabling legislation which serves in an arms-length capacity on behalf of or in cooperation with Council.

**“Staff Liaison”** is the staff member assigned by the Chief Administrative Officer to assist a Committee in a non-voting advisory and resource capacity.

**“Committee Clerk”** is a person under contract to or employed by the District of Lantzville to provide administrative and clerical support to Council Committees, Commissions or boards.

## **PROCEDURE**

### **1 Membership**

#### **1.1 Diversity**

Membership of Committees will be diverse, and broadly reflective of the community.

Membership, when possible, will reflect desired experience, knowledge and expertise. Geographic location in the community is required unless otherwise waived by Council.

#### **1.2 Appointments**

1.2.1 Annually, the opportunities for appointment of members of the public to Committees will be widely advertised so that any citizen who is interested may apply. Depending on the requirements of the terms of reference specific areas of the community may be targeted or members may be directly solicited.

1.2.2 Recommendations for Committee members will be sought from Council members.

1.2.3 The Mayor will appoint members to Standing Committees. The Mayor will recommend to Council establishment of Select Committees and may recommend the appointment of the Chair, Vice-Chair and members. Council may establish Select Committees and will appoint members to Select Committees, upon recommendation of the Mayor or from applicants, having been considered at a Closed meeting of Council, at a Regular Council meeting.

1.2.4 Appointments to Standing and Select Committees will be made in December of each year, except in an election year when the timing of appointments may be varied by the Mayor.

1.2.5 Appointments to Statutory Committees/Commissions will be made in accordance with the relevant enabling statute or establishment bylaw.

1.2.6 The terms of reference of individual Committees will specify the number of members to be appointed to the Committee but membership shall normally not be more than seven (7) (including Council Members).

1.2.7 Committee members shall serve without pay at the pleasure of Council, unless otherwise provided in the enabling statute or establishment bylaw.

#### **1.3 Applications for Membership are Confidential**

All applications for membership on Committees shall be kept in confidence when submitted to the District.

#### **1.4 Terms of Appointment for Standing, Select Committees**

- 1.4.1 The term of appointment is one year, unless specified otherwise in the Council approved terms of reference.
- 1.4.2 An individual can serve for up to four (4) consecutive one (1) year terms on any one Committee.
- 1.4.3 When considering re-appointments for a consecutive term, Committee stability and membership continuity will be considered.
- 1.4.4 All members remain in office until their respective successors are appointed.
- 1.4.5 Notwithstanding clause 1.4.4, all Committee appointments expire on October 31 in the year of a general local election.

#### **1.5 Terms of Appointment of Short-term Select Committees**

The term of appointment of members to short-term Select Committees is concurrent with the time frame provided to the short-term Select Committee to complete its work; after which the members terms expire unless extended by Council resolution.

#### **1.6 Terms of Appointment of Statutory Committees**

The term and conditions of appointment of members to Statutory Committees is as provided in the enabling statute or establishment bylaw.

#### **1.7 Committee Vacancy Replacement Term**

In the event of a vacancy, the person appointed to fill the vacancy shall hold office for the remainder of the term of the vacated office.

#### **1.8 Attendance of Members at Meetings**

Unless otherwise provided in the enabling statute or establishment bylaw, any member who is absent from two (2) consecutive regular meetings without leave of absence from the Committee or without reason satisfactory to the Committee shall forthwith cease to be a member of the Committee, and Council shall be advised by the Committee.

#### **1.9 Removal of Member from Committee**

Council may remove or request the resignation at the request of the Committee or on its own initiative any of its Committee appointees for malfeasance in office, or any good and sufficient cause.

#### **1.10 Resignation of Member**

Any member of a Committee wishing to resign from the Committee is requested to provide the resignation in writing to the Committee Chair with a copy to the Staff Liaison.

## **2 Council Liaison/Council Membership**

- 2.1** The Mayor shall designate the members of Council to serve as Chair and Vice-Chair of the Standing Committees.
- 2.2** Both the Chair and the Vice-Chair of a Committee shall be entitled to vote.
- 2.3** The Mayor may appoint alternate (s) Council member to Standing Committees and Council may appoint alternate (s) Council members for Select or Short-term Committees.
- 2.4** Any member of Council not appointed to a Standing or Select Committee may attend the Committee meetings as an observer but is not entitled to enter into the discussion unless requested to by a majority vote of the Committee. Any Council member not appointed to the Committee, but attends Committee meetings, are not entitled to vote.
- 2.5** Council may appoint individual Council members to Select Committees and may designate the Chair and Vice-Chair.
- 2.6** Council representatives serve for a one (1) year term.
- 2.7** The Council representative's role on Committees is:
  - 2.7.1 to be a voting member of the Committee to which they are assigned; and
  - 2.7.2 to serve as a communication liaison to Council.

## **3 Staff Support**

- 3.1** A Staff Liaison shall be appointed to each Standing or Select Committee by the Chief Administrative Officer. The Staff Liaison is not a member of the Committee and therefore is not entitled to vote. The role of the Staff Liaison includes:
  - 3.1.1 providing information and professional advice;
  - 3.1.2 supporting the chairperson in developing agendas, arranging meetings, and promoting effective Committee functioning;
  - 3.1.3 writing report/recommendation to Council as requested by the Committee when reporting to Council;
  - 3.1.4 providing an annual orientation of the work of the Committee, the structure of the Municipality and Council's annual goal setting and budgeting processes; and
  - 3.1.5 assisting with the annual membership recruitment.
- 3.2** Any other projects or tasks to be assigned to the Staff Liaison requires the approval of the Chief Administrative Officer.

**3.3** A Committee Clerk may be appointed to each Standing or Select Committee in addition to the Staff Liaison by the Chief Administrative Officer in consultation with the Director of Corporate Administration. The Committee Clerk is not a member of the Committee and therefore is not entitled to vote. The role of the Committee Clerk includes:

- 3.3.1 providing administrative and clerical support to the Staff Liaison;
- 3.3.2 under the direction of the Staff Liaison, preparing the agenda, arranging meetings and notifying participants;
- 3.3.3 recording the Committee minutes and submitting them within two days of the Committee meeting to the Director of Corporate Administration for review. Once approved by the Director of Corporate Administration, circulates minutes as required by the Director of Corporate Administration and
- 3.3.4 preparing report/recommendations and other correspondence as required by the Staff Liaison.

## **4 Meeting Schedule**

- 4.1** Standing and Select Committees will establish their own meeting schedules, in consultation with the Staff Liaison and subject to the availability of resources, to hold meetings as required with a minimum of two (2) meetings per year. Once the meeting schedule is established it is to be provided to the Director of Corporate Administration.
- 4.2** Statutory Committees meet as provided in their enabling statute or establishment bylaw. The meeting schedule shall be provided to the Director of Corporate Administration.

## **5 Quorum**

Unless otherwise provided in a Committee's/Commission's enabling statute or establishment bylaw, a majority of the members of a Committee/Commission constitute a quorum provided that one Council member is in attendance. For Standing Committees, at least half of the quorum must be made up of members of Council.

## **6 Chair**

Each Committee shall, at its first regular meeting in January or as soon thereafter as possible, or as provided in its enabling statute or establishment bylaw, elect a Chair and Vice-Chair if the Mayor or Council has not already done so, each of whom hold office for a period of one year, to carry out the duties normally attributed to such office in conducting the business of the Committee.

## **7 Agendas**

The Staff Liaison or an appointed Committee Clerk is responsible, in consultation with the Committee chair, for the preparation of the Committee agenda in a format as required by the Director of Corporate Administration. The completed agenda is to be provided to the Director of Corporate Administration for distribution and posting.

## **8 Minutes**

**8.1** Committee minutes, setting out the recommendations made at all meetings of Committees shall be legibly recorded in accordance with the requirements of the Director of Corporate Administration.

**8.2** Following the adoption of the minutes by the Committee the Staff Liaison or Committee clerk shall:

8.2.1 provide the adopted minutes to the Director of Corporate Administration for circulation to Council on the public agenda for information; and

8.2.2 following adoption of the minutes at the next meeting of the Committee, shall be signed by the Chair, or other member presiding at the meeting to which the minutes apply and provided to and signed by the Director of Corporate Administration.

**8.3** The Staff Liaison or an appointed Committee Clerk shall provide adopted Committee minutes to all members of the Committee and the original signed copy as well as an electronic version to the Director of Corporate Administration for proper retention and distribution.

## **9 Rules of Procedure**

**9.1** Each Committee shall prescribe its own rules, providing they are not inconsistent with its enabling statute, establishment bylaw, the *Local Government Act, Community Charter*, Council policy and Councils Procedure Bylaw. The Committee may rely for reference upon the advice of the Staff Liaison.

**9.2** Questions of procedure which cannot be resolved by the Committee upon the advice of the Staff Liaison shall be referred to the Director of Corporate Administration.

## **10 Voting**

All members of a Committee, including the Chair and Vice-Chair, shall have a vote on any question before it, and in all cases in the event of a tie vote, the motion shall be defeated. Any member who abstains from voting, without having declared a conflict of interest and leaving the meeting, shall be deemed to have voted in the affirmative. Proxy votes are not permitted.

## **11 Conflict of Interest**

Committee members are subject to sections 100 to 104 of the *Community Charter*.

## **12 Working Groups**

Committees may establish working groups comprised of their members, however, if the committee wishes to appoint a working group of citizen members, prior Council approval is required.

## **13 Reporting**

### **13.1 Establishment and Authority**

Members will not misrepresent themselves as having any authority beyond that delegated by Council.

13.1.1 Standing and Select Committees must refer recommendations to Council for authority to act.

13.1.2 Short-term Select Committees shall conduct their task within the time prescribed by Council following which they report their findings and opinions to Council for consideration.

13.1.3 Statutory Committees shall conduct their business in accordance with the terms of their enabling statute, establishment bylaw and the policies of the authority which established the Committee.

### **13.2 Reporting on Issues**

When responding on an issue referred to it by Council, Standing and Select Committees, with the assistance of the Staff Liaison, Committee Clerk or Director of Corporate Administration will submit reports to Council in accordance with Council policy and Council's Procedure Bylaw. If deemed appropriate by the Chief Administrative Officer, Committee reports will be accompanied by a staff report.

Committees shall not reconsider a decision of Council except with a referral from Council.

### **13.3 Timing of Reports and Minutes to Council**

Reports and minutes from Committee meetings scheduled in the week prior to a Council meeting will be submitted for the agenda for the next Council meeting, or as soon as reasonably possible.

## **14 Authority**

Except as may be provided in their enabling statute or establishment bylaw, Committees/Commissions do not have the authority to communicate with other levels of government, to pledge the credit of the Municipality, or to authorize any expenditures to be charged against the Municipality.

The Committee Chair is the spokesperson for the committee.

Committees shall not report out to the media or provide media releases without the prior approval of Council or the Chief Administrative Officer

## **15 Budget**

**15.1** Unless otherwise provided in their enabling statute or establishment bylaw, Committees/Commissions may request budget funds from Council in accordance with Council's budget preparation schedule and procedure.

**15.2** Any solicitation of funds from other levels of government and other organizations requires the prior approval of Council.

**15.3** Committee(s) shall have reasonable use of the Municipality's miscellaneous services such as photocopying, paper supplies, meeting areas, etc. which are primarily provided through the Staff Liaison and only during office hours unless otherwise arranged by the Staff Liaison.

## **16 Personal Liability**

No member of a Committee shall be liable in their personal capacity for any debt or liability of the Committee except in cases of gross negligence or unlawful acts. It is the responsibility of Council to insure the members of Committees against all liabilities related to fulfilling their responsibilities as a member of the Committee.

## **17 Orientation**

**17.1** An orientation package for newly appointed members will be provided by the Director of Corporate Administration to the Committee members upon their appointment.

**17.2** An orientation session will be provided by the Staff Liaison to each Committee at the first meeting after annual Committee appointments are made, where such orientation is deemed necessary by the Staff Liaison or Committee.

## **18 New Committees**

In considering the formation of a new Select Committee, Standing Committee, or Statutory Committee, the Council or Mayor will request staff to prepare terms of reference or bylaw for consideration and approval by Council prior to establishing the Committee.



## **19 Meetings Open to Public**

All meetings of Council Committees are open to the public and no person shall be excluded except for improper conduct, or where the Committee is considering an item where, in accordance with section 90 of the *Community Charter*, the exclusion of the public is permitted.

## **20 Application Form**

Individuals interested in applying for membership to Standing, Select or Statutory Committees, are to use the District's application form, substantially in the form as attached (Attachment 1) and as updated from time to time by staff.



# District of Lantzville

## **VOLUNTEER APPLICATION** Committees, Commissions, Boards

Name of Applicant: \_\_\_\_\_

Mailing Address of Applicant: \_\_\_\_\_

Residential Address of Applicant: \_\_\_\_\_

Contact:      Work: \_\_\_\_\_      Fax: \_\_\_\_\_  
                  Home: \_\_\_\_\_      E-mail: \_\_\_\_\_

1. Is your primary residence in Lantzville?      Yes       No

2. Are you a business operator in Lantzville or Nanaimo?      Yes       No

3. Name of Committee/Commission/Board you are applying to:  
\_\_\_\_\_

4. Are you applying as a representative of a community association or other organization?  
Yes       No

If YES, identify the association/organization: \_\_\_\_\_

5. Are you currently serving on a Committee/Commission/Board?  
Yes       No

If yes, identify the Committee/Commission/Board:  
\_\_\_\_\_  
\_\_\_\_\_

6. Have you previously volunteered on any Lantzville Committee/Commission/ Board?  
Yes       No

If YES, provide name of the Committee/Commission/Board and length of service:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Have you volunteered on any Committee/Commission/Board for another municipality or any community organization? Yes  No

If YES, provide details:

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8. What skills and goals will you bring to the Committee/Commission/Board?

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9. Business/work experience in the past five years?

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10. How is your business/work experience related to the mandate of the Committee/Commission/Board?

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11. Do you have an education background or professional qualifications related to the mandate of the Committee/Commission/Board?

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12. Are you available to participate throughout the year? Yes  No

If NO, please explain: \_\_\_\_\_

13. Other relevant information, if any:

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Signature: \_\_\_\_\_

Date of Application: \_\_\_\_\_

*Personal information you provide on this form is collected pursuant to the Community Charter/Local Government Act and will only be used for the purposes of consideration of your application and contract purposes by staff, if appointed. Your personal information will not be released except in accordance with the Freedom of Information and Protection of Privacy Act. Questions about the collection of your personal information may be referred to the Director of Corporate Administration, Municipal Hall, 7192 Lantzville Road, Lantzville, BC, 250.933.8082.*

Phone: 250.390.4006 Fax: 250.390.5188  
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