



Committee of the whole report

Meeting date:	October 27, 2020
Title:	Committees of Council review
Prepared by:	Genevieve Scharback, Clerk
Reviewed by:	Laura Johnston, CAO

Recommendation

That the Municipality of West Grey Council receives the report from Clerk Scharback regarding Committees of Council review, and provides direction regarding amendments to the appointment bylaw.

Executive summary

Council directed staff to bring a report to Committee of the Whole providing information about the current status of committees of council for the purpose of a comprehensive review.

Background and discussion

The purpose of committees of council is to undertake research for council and make recommendations to council. Connecting with the community is also a key factor in the establishment of committees. The information provided to council assists council in decision making. Certain boards and committees are legislated by the province; however, West Grey also has a number of discretionary committees. Over time the necessity of certain committees may pass or their focus may evolve beyond their original mandate. It is imperative that council review the committees from time to time to consider the question for each one: is this committee providing good advice and making good recommendations to council? If the answer is no then it would be appropriate for council to consider dissolving the committee. If the answer is yes then a review of the terms of reference is a positive next step to ensure that any changes in legislation, committee duties or expectations that have developed over a period of time are clearly identified. Committees may recommend amendments to terms of reference to council, but only council may adopt or amend terms of reference.

Meeting procedures

All committees of council are required to conduct their meetings in accordance with council's current procedural bylaw. In general meetings shall be open to the public. Meetings or portions of meetings that are closed to the public shall be closed in accordance with Municipal Act closed meeting provisions set out in section 239.



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Conflict of Interest

A conflict of interest may arise for committee members during the course of their term. The Municipal Conflict of Interest Act applies to all committees of council and at every meeting the chair shall call for the disclosure of any pecuniary interest.

Municipal Freedom of Information and Protection of Privacy Act

Committee members shall act to protect the privacy of individuals with respect to personal information contained in application forms or other information circulated to the committee, and shall ensure that the information is used solely for the purposes of the committee.

Appointments

Vacancies on committees must be reported to council as soon as possible. Staff recommend that all vacancies on committees be advertised on the municipal website and through the municipal social media platforms and by other means available and deemed appropriate by the CAO.

Committee of Adjustment

Applicable Legislation – The Planning Act, 1990, as amended.

Discretionary: The Planning Act provides that council may appoint a committee of Adjustment, but once that committee is created, council has no ability to influence decisions of the Committee or to define the parameters of committee business.

Appointments - West Grey Bylaw No. 68-2020.

Mandate/Terms of Reference – Set out in legislation.

Once appointed, the Committee of Adjustment operates as a quasi-judicial tribunal in accordance with the authorization granted to it under the Planning Act. The Act directs the Committee with respect to the scope of its authority; the considerations that it must have when making any decision on an application presented to it; and the administrative provisions it must comply with regarding notice of applications and hearing procedure.

The Committee of Adjustment is authorized to consider and make decisions on applications for minor variances from the provisions of the zoning bylaw and also has consent granting authority.

The approval of severances can rest with one of a number of different governing bodies. An upper-tier or single-tier municipal council may grant consents or delegate the function to a committee of council, an appointed officer or to a lower-tier municipality, a land division committee or to a municipal planning authority. A lower-tier municipality may delegate its approval functions to a committee of council, an appointed officer or to a committee of



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adjustment.

In Grey County the function of approving severances has been delegated to lower tiers. In West Grey it has been delegated to the committee of adjustment.

Membership - Seven (7) member board, consisting of all members of council. The Act requires that there be a minimum of three (3) members. Committees may be comprised members of council, members of the public or any combination thereof. Legislation provides that members who are not members of a municipal council shall hold office for the term of the council that appointed them and the members of the committee who are members of a municipal council shall be appointed annually.

Remuneration - All members receive remuneration in the form of a per diem of \$90.13 for a half day meeting, \$163.35 for a full day meeting plus mileage at the current municipal mileage rate.

Police Services Board

Applicable legislation – Police Services Act, 1990, as amended.

Mandated: Provincially mandated

Section 27(1) of the Act provides that there shall be a police services board for every municipality that maintains a police force.

Appointments - West Grey Bylaw No. 69-2020.

Mandate/Terms of Reference – Set out in legislation.

Membership - Five (5) member board.

Section 27(10.1) and (10.2) of the Act provide that the term of office for a member appointed by resolution of a council shall be set out by the council in the appointment but it shall not exceed the term of the council that appointed the member. A member appointed by resolution of council may continue to sit after the expiry of his or her term of office until the appointment of a successor, and is eligible for reappointment.

Section 27(4) of the Act provides that the board of a municipality whose population does not exceed 25,000 shall consist of three (3) members, being (a) the head of council, (b) one person appointed by resolution of the council who is not a member of council or an employee of the municipality, and (c) one member appointed by the Lieutenant Governor in Council.

Section 27(5) provides that the board of a municipality with a population over 25,000 shall have a five member board consisting of (a) the head of council or if the head chooses not to be



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a member, then another member of council appointed by resolution, (b) one member of council appointed by resolution, (c) one person appointed by resolution of the council who is not a member of council or an employee of the municipality, and (d) two persons appointed by the Lieutenant Governor in Council.

Section 27(6) of the Act provides that a municipality to which section (4) would otherwise apply may determine, by resolution, that the composition of its board shall be as described in subsection (5).

Remuneration - All members receive remuneration in the form of a per diem of \$90.13 for a half day meeting, \$163.35 for a full day meeting plus mileage at the current municipal mileage rate.



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West Grey Public Library Board

Applicable Legislation – Public Libraries Act, 1990, as amended.

Mandated: Provincially mandated.

Section 3(3) of the Act provides that a public library shall be under the management and control of a board.

Appointments - West Grey Bylaw No. 70-2020.

Mandate/Terms of Reference – Set out in legislation.

Membership – Eight (8) member board consisting of three council representatives and five public members. Section 9(1) of the Act provides that a public library board shall be composed of at least five (5) members appointed by the municipal council. Section 10(3) of the Act states that a board member shall hold office for a term concurrent with the term of the appointing council, or until a successor is appointed, and may be reappointed for one or more further terms.

Remuneration – Council members sitting on this board receive remuneration in the form of a per diem of \$90.13 for a half day meeting, \$163.35 for a full day meeting plus mileage at the current municipal mileage rate. Public members do not receive remuneration.

West Grey Property Standards Committee

Applicable Legislation – Building Code Act, 1992, as amended.

Mandated: Provincially mandated.

Section 15.1(3) of the Act provides that the council of a municipality may pass a by-law prescribing standards for the maintenance and occupancy of property within the municipality. Section 15.6(1) of the Act provides that a by-law passed under section 15.1 shall provide for the establishment of a committee composed of such persons, not fewer than three, as the council considers advisable to hold office for such term and on such conditions as the by-law may establish. West Grey has passed a Property Standards By-Law and as such must establish a Property Standards Committee.

Appointments - West Grey Bylaw No. 71-2020.

Mandate/Terms of Reference – Set out in legislation.

The Property Standards Committee is an administrative tribunal that conducts the appeal hearing of an Order under the Property Standards Bylaw, pursuant to the Building Code Act. The appeal process and hearing procedures are set out in the property standards bylaw. The



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committee may confirm, modify or rescind an Order and/or extend the time allowed for compliance. This committee must be appointed under the authority of the Building Code Act.

Membership – West Grey currently has a five (5) member committee consisting of five members of the public.

Remuneration – No committee members receive remuneration.

Dark Sky Committee

Applicable Legislation – Municipal Act, 2001, as amended.

Discretionary or Mandated: Discretion of council.

Appointments - West Grey Bylaw No. 72-2020.

Mandate/Terms of Reference – Copy attached

Advises council and makes recommendations on public education, municipal policies, partnerships, events and projects designed to stop the increase of light pollution and where possible bring about a decrease. Primary goals are to increase awareness and develop solutions for reducing light pollution.

Reporting

Committee reports to council.

2020 Minutes to Council:

- January 27, 2020
- February 24, 2020

2019 Minutes to Council:

- March 25, 2019
- May 6, 2019
- May 27, 2019
- June 24, 2019
- July 29, 2019
- September 23, 2019
- October 28, 2019
- November 18, 2019
- November 25, 2019
- December 16, 2019

Membership – Four (4) member committee: three members of the public and one council representative.



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Remuneration – Council member on this committee receives remuneration in the form of a per diem of \$90.13 for a half day meeting, \$163.35 for a full day meeting plus mileage at the current municipal mileage rate. Public members do not receive remuneration.

Friends of Music in the Park Committee

Applicable Legislation – Municipal Act, 2001, as amended.

Discretionary or Mandated: Discretion of council.

Appointments – Established by resolution May 7, 2019, included in West Grey Bylaw No. 72-2020.

Mandate/Terms of Reference – Terms of reference have not been established. General terms of reference apply.

Reporting

Committee reports to council.

2020 Minutes to Council:

- None

2019 Minutes to Council:

- None

Membership – Six (6) members of the public, no members of council appointed to this committee.

Remuneration – Public members do not receive remuneration.

Glenelg Hall Committee

Applicable Legislation – Municipal Act, 2001, as amended.

Discretionary or Mandated: Discretion of council

Appointments - West Grey Bylaw No. 72-2020

Mandate/Terms of Reference – Hall Committees Terms of Reference, copy attached.

Reporting

Committee reports to council.

2020 Minutes to Council:

- None



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2019 Minutes to Council:

- None

Membership – Seven (7) members of the public, no members of council appointed to this committee.

Remuneration – Public members do not receive remuneration.

West Grey Economic Development Advisory Committee

Applicable Legislation – Municipal Act, 2001, as amended.

Discretionary or Mandated: Discretion of council.

Appointments - West Grey Bylaw No. 72-2020.

Mandate/Terms of Reference – Copy attached.

Committee advises council and the citizens of West Grey on matters related to the long term prosperity of the community.

Reporting

Committee reports to council.

2020 Minutes to Council:

- January 8, 2020
- March 3, 2020
- June 24, 2020
- July 16, 2020
- August 12, 2020

2019 Minutes to Council:

- February 13, 2019
- March 4, 2019
- April 4, 2019
- May 2, 2019
- June 14, 2019
- July 4, 2019
- August 11, 2019
- August 14, 2019
- November 6, 2019
- December 5, 2019

Membership – Nine (9) members: six (6) members of the public, three (3) members of council.



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Remuneration – Council members sitting on this committee receive remuneration in the form of a per diem of \$90.13 for a half day meeting, \$163.35 for a full day meeting plus mileage at the current municipal mileage rate. Public members do not receive remuneration.

Sub-Committee – West Grey Commercial Beautification Committee

Applicable Legislation – Municipal Act, 2001, as amended.

Discretionary or Mandated: Discretion of council.

Appointments - West Grey Bylaw No. 72-2020.

Mandate/Terms of Reference – Copy attached.

The committee works to enhance the visual appearance of the commercial cores and entry signage of West Grey's four urban areas: Ayton, Durham, Elmwood and Neustadt, including seasonal plantings and maintenance program.

Reporting

Committee reports to council.

2020 Minutes to Council:

- January 30, 2020 February 20, 2019
- February 28, 2019
- March 28, 2019
- June 27, 2019
- August 29, 2019
- September 25, 2019
- November 7, 2019
- November 28, 2019

2019 Minutes to Council:

- February 20, 2019
- February 28, 2019
- March 28, 2019
- June 27, 2019
- August 29, 2019
- September 25, 2019
- November 7, 2019
- November 28, 2019

Membership – Six (6) members of the public, no members of council.



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Remuneration – Public members do not receive remuneration.

West Grey Local Accessibility Advisory Committee

Applicable Legislation – Municipal Act, 2001, as amended.

Discretionary or Mandated: Discretion of council.

Appointments - West Grey Bylaw No. 72-2020.

Mandate/Terms of Reference – Terms of reference have not been established. General terms of reference apply.

Reporting

Committee reports to council.

- March 11, 2020
- September 2, 2020

2019 Minutes to Council:

- None

Membership – Seven (7) members, six (6) members of the public, one (1) member of council.

Remuneration – Council member on this committee receives remuneration in the form of a per diem of \$90.13 for a half day meeting, \$163.35 for a full day meeting plus mileage at the current municipal mileage rate. Public members do not receive remuneration.

West Grey Parks, Recreation and Culture Committee

Applicable Legislation – Municipal Act, 2001, as amended.

Discretionary or Mandated: Discretion of council.

Appointments - West Grey Bylaw No. 72-2020.

Mandate/Terms of Reference – Copy attached.

Committee advises council and makes recommendations on active and passive recreation, community events and festivals, programs and services related to recreational, open space and cultural opportunities as recommended by the Durham, Neustadt and Ayton Parks, Recreation and Culture Advisory committees. The committee assists in bringing together other community groups and volunteers as opportunities arise.

Reporting



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Committee reports to council.

2020 Minutes to Council:

- None

2019 Minutes to Council:

- November 11, 2019

Membership – Nine (9) members, including the chair and one alternate from each of the Durham, Neustadt and Ayton Parks, Recreation and Culture Advisory committees and three members of council.

Remuneration – Council members sitting on this board receive remuneration in the form of a per diem of \$90.13 for a half day meeting, \$163.35 for a full day meeting plus mileage at the current municipal mileage rate. Public members do not receive remuneration.

West Grey Parks, Recreation and Culture Committee – Ayton

Applicable Legislation – Municipal Act, 2001, as amended.

Discretionary or Mandated: Discretion of council.

Appointments - West Grey Bylaw No. 72-2020.

Mandate/Terms of Reference – Copy attached.

Committee advises the Advisory committee on active and passive recreation, community events and festivals, programs and services related to recreational, open space and cultural opportunities to guide the Advisory committee's recommendations to council.

Reporting

Committee reports to council.

2020 Minutes to Council:

- None

2019 Minutes to Council:

- July 2, 2019
- July 29, 2019
- August 22, 2019
- October 30, 2019
- November 27, 2019

Membership – Seven (7) members of the public, no members of council.

Remuneration – Public members do not receive remuneration.



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West Grey Parks, Recreation and Culture Committee – Durham

Applicable Legislation – Municipal Act, 2001, as amended.

Discretionary or Mandated: Discretion of council.

Appointments - West Grey Bylaw No. 72-2020.

Mandate/Terms of Reference – Copy attached.

Committee advises the Advisory committee on active and passive recreation, community events and festivals, programs and services related to recreational, open space and cultural opportunities to guide the Advisory committee's recommendations to council.

Reporting

Committee reports to council.

2020 Minutes to Council:

- None

2019 Minutes to Council:

- February 6, 2019
- March 6, 2019
- April 3, 2019
- May 1, 2019

Membership – Two (2) members of the public, no members of council.

Remuneration – Public members do not receive remuneration.

West Grey Parks, Recreation and Culture Committee – Neustadt

Applicable Legislation – Municipal Act, 2001, as amended.

Discretionary or Mandated: Discretion of council.

Appointments - West Grey Bylaw No. 72-2020.

Mandate/Terms of Reference – Copy attached.

Committee advises the Advisory committee on active and passive recreation, community events and festivals, programs and services related to recreational, open space and cultural opportunities to guide the Advisory committee's recommendations to council.



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Reporting

Committee reports to council.

2020 Minutes to Council:

- February 12, 2020

2019 Minutes to Council:

- May 8, 2019
- June 12, 2019
- September 18, 2019
- November 13, 2019
- December 11, 2019

Membership – Seven (7) members of the public, no members of council.

Remuneration – Public members do not receive remuneration.

West Grey Ad Hoc Police Building Task Force

Applicable Legislation – Municipal Act, 2001, as amended.

Discretionary or Mandated: Discretion of council.

Appointments - West Grey Bylaw No. 72-2020.

Mandate/Terms of Reference – Copy of draft attached.

Reporting

Committee reports to council.

2020 Minutes to Council:

- None

2019 Minutes to Council:

- None

Membership – Three members of council, no members of the public.

Remuneration – Council members sitting on this committee receive remuneration in the form of a per diem of \$90.13 for a half day meeting, \$163.35 for a full day meeting plus mileage at the current municipal mileage rate.

Lamlash Hall Committee

Applicable Legislation – Municipal Act, 2001, as amended.



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Discretionary or Mandated: Discretion of council.

Appointments - West Grey Bylaw No. 72-2020.

Mandate/Terms of Reference – As attached – Hall Committee Terms of Reference.

Reporting

Committee reports to council.

2020 Minutes to Council:

- None

2019 Minutes to Council:

- None

Membership – Nine (9) members of the public, no members of council.

Remuneration – Public members do not receive remuneration.

West Grey Sustainability Advisory Committee

Applicable Legislation – Municipal Act, 2001, as amended.

Discretionary or Mandated: Discretion of council.

Appointments - West Grey Bylaw No. 72-2020.

Mandate/Terms of Reference – Copy attached.

The committee shall develop programs and initiatives which balance economic, social, and environmental impacts in effort to build a sustainable community and shall:

Identify and research emerging local sustainability issues, make recommendations to council, assist the corporation and community to identify, develop and implement plans, programs and policies, monitor and evaluate implementation of initiatives, support education, awareness and stewardship, build partnerships, collaborate.

Reporting

Committee reports to council.

2020 Minutes to Council:

- None

2019 Minutes to Council:

- October 22, 2019
- November 7, 2019
- November 19, 2019
- December 10, 2019



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Membership – Eight members, two (2) members of council, six (6) members of the public.

Remuneration – Council members sitting on this committee receive remuneration in the form of a per diem of \$90.13 for a half day meeting, \$163.35 for a full day meeting plus mileage at the current municipal mileage rate. Public members do not receive remuneration.

Sub-Committee – Waste Reduction

Applicable Legislation – Municipal Act, 2001, as amended.

Discretionary or Mandated: Discretion of council.

Appointments - West Grey Bylaw No. 72-2020.

Mandate/Terms of Reference - Copy attached – Draft Terms of Reference and Draft Mandate

Reporting

Committee reports to council.

2020 Minutes to Council:

- None

2019 Minutes to Council:

- October 22, 2019
- November 7, 2019
- November 19, 2019
- December 10, 2019

Membership – Six (6) members of the public, no members of council

Remuneration – Public members do not receive remuneration.

Sub-Committee – Climate Action

Applicable Legislation – Municipal Act, 2001, as amended.

Discretionary or Mandated: Discretion of council.

Appointments - West Grey Bylaw No. 72-2020.

Mandate/Terms of Reference – Copy attached – Draft Terms of Reference and Draft Mandate

Reporting



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Committee reports to council.

2020 Minutes to Council:

- None

2019 Minutes to Council:

- October 22, 2019
- November 7, 2019
- November 19, 2019
- December 10, 2019

Membership – Six (6) members of the public, no members of council.

Remuneration – Public members do not receive remuneration.

West Grey Traffic Safety Working Group

Applicable Legislation – Municipal Act, 2001, as amended.

Discretionary or Mandated: Discretion of council.

Appointments - West Grey Bylaw No. 72-2020.

Mandate/Terms of Reference – Copy attached.

The committee provides a community perspective on traffic safety issues, the mandate as set out in resolution of council, is as follows:

Consult with residents and stakeholders, identify key streets where speeding is most prevalent, provide traffic calming options for education, enforcement, road engineering and the built environment, report to council by June 30, 2020.

Reporting

Committee reports to council.

2020 Minutes to Council:

- March 4, 2020
- August 12, 2020

2019 Minutes to Council:

- None

Membership – Six (6) members: two (2) members of council, four (4) members of the public.

Remuneration – Council members sitting on this committee receive remuneration in the form of a per diem of \$90.13 for a half day meeting, \$163.35 for a full day meeting plus mileage at the current municipal mileage rate. Public members do not receive remuneration.



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West Grey Youth Committee

Applicable Legislation – Municipal Act, 2001, as amended.

Discretionary or Mandated: Discretion of council

Appointments – West Grey Bylaw No. 72-2020

Mandate/Terms of Reference – To be drafted.

Reporting

Committee reports to council.

There have been no meeting due to COVID-19.

Membership – Three (3) members of council, members of the public have yet to be appointed.

Remuneration – Council members sitting on this committee receive remuneration in the form of a per diem of \$90.13 for a half day meeting, \$163.35 for a full day meeting plus mileage at the current municipal mileage rate. Public members do not receive remuneration.

West Grey Trails Committee

Applicable Legislation – Municipal Act, 2001, as amended.

Discretionary or Mandated: Discretion of council.

Appointments – To be added to West Grey appointment bylaw at council's direction.

Mandate/Terms of Reference – Copy attached.

The committee shall advise council on matters relating to the planning and implementation of trails, assist in developing safe and public accessible trails, assist in identifying potential resources and opportunities including grants for trail-related initiatives.

Reporting

Committee reports to council.

There have been no meetings to date due to COVID-19.

Membership – Five (5) to six (6) members, two (2) members of council, three (3) to four(4) members of the public.

Remuneration – Council members sitting on this committee will receive remuneration in the form of a per diem of \$90.13 for a half day meeting, \$163.35 for a full day meeting plus



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mileage at the current municipal mileage rate. Public members do not receive remuneration.

Court of Revision

The Court of Revision is a tribunal appointed pursuant to the Drainage Act, 1990. It is appointed by Council resolution on an as needed basis for the purpose of hearing appeals on assessments for proposed drainage work, to be collected from landowners.

Where only one municipality is affected the court consists of three to five members who have been appointed by council. Where more than one municipality is involved the court consists of two members from the initiating municipalities and one member from each other affected municipalities. To be appointed, the member must either be on council or eligible to be elected by council.

Local Boards

Durham Cemetery Board

Applicable Legislation – Municipal Act, 2001, as amended and Funeral, Burial and Cremation Services Act, 2002.

Discretionary or Mandated: Discretion of council; however, a governance structure must be in place to oversee the functioning of the cemetery and to ensure necessary local and provincial requirements are met.

Appointments - West Grey Bylaw No. 72-2020.

Mandate/Terms of Reference – To oversee the functioning of the cemetery.

Membership – Five (5) members, one (1) member of council, four (4) members of the public.

Remuneration – Council member sitting on this board receives remuneration in the form of a per diem of \$90.13 for a half day meeting, \$163.35 for a full day meeting plus mileage at the current municipal mileage rate. Public members do not receive remuneration.

Union Cemetery Board

Applicable Legislation – Municipal Act, 2001, as amended and Funeral, Burial and Cremation Services Act, 2002.

Discretionary or Mandated: Discretion of council; however, a governance structure must be in place to oversee the functioning of the cemetery and to ensure necessary local and provincial requirements are met.

Appointments – West Grey Bylaw No. 72-2020.



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Mandate/Terms of Reference – To oversee the functioning of the cemetery.

Membership – Two (2) members of the public, no members of council.

Remuneration – Public members do not receive remuneration.

Joint Boards – Operating Pursuant to Agreements

Elmwood Community Centre Board – Joint with Brockton

Elmwood Fire Department Board of Management – Joint with Brockton

Stothart Hall – Joint with Grey Highlands

Remuneration – Council members sitting on these boards receive remuneration in the form of a per diem of \$90.13 for a half day meeting, \$163.35 for a full day meeting plus mileage at the current municipal mileage rate. Public members do not receive remuneration.

Legal and legislated requirements

Municipal Act, 2001, The Planning Act, 1990, Police Services Act, 1990, Public Libraries Act, 1990, Building Code Act, 1992, Funeral, Burial and Cremation Services Act, Freedom of Information and Protection of Privacy Act, R.S.O. 1990, Municipal Conflict of Interest Act, 1990 and the Drainage Act, 1990.

Financial and resource implications

None.

Staffing implications

Staff assist various committees in varying capacities, including uploading minutes and agendas to the municipal website.

Consultation

None.

Alignment to strategic vision plan

Pillar: Work together.

Goal: Listen and empower.

Strategy: Review committee of council structure and procedural bylaw to empower and encourage diversity.



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Attachments

Dark Sky Terms of Reference
General Terms of Reference
Hall Committee Terms of Reference
Economic Development Advisory Committee Terms of Reference
Commercial Beautification Committee Terms of Reference
Parks, Recreation and Culture Terms of Reference
Parks, Recreation and Culture Local Advisory Committees Terms of Reference
Sustainability Advisory Committee Terms of Reference
Waste Reduction Committee Draft Terms of Reference and Mandate
Climate Action Committee Draft Terms of Reference and Mandate
Traffic Safety Working Group Terms of Reference
Trails Committee Terms of Reference
Draft Police Building Ad Hoc Committee Terms of Reference
Bylaw No. 72-2020

Next steps

Update appointment bylaw based on council direction.

Respectfully submitted:

Genevieve Scharback, Clerk