

Boards and Committees Appointments Policy



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City Council	February 16, 2021	14-2021	1	7
Subsection	Repeals By-Law Number		Policy Number	
Boards and Committees Appointments	72-2019		CC-14-1	

Background/Purpose

Council is required by provincial legislation to establish certain local boards and committees. Following each Municipal Election Council appoints Members at-large to serve on a number of Boards, Committees, Groups or other bodies, and it is deemed necessary to have a Policy to cover the process of making these appointments for consistency purposes.

Policy Statement

The Corporation of the City of Kenora encourages the participation of the general public in the municipal government process by appointing citizens to its various Committees as required by statute, invitation or initiative.

It shall be the policy of the City of Kenora that all municipal appointments, unless stated in part of a statute, by-law, regulation, and constitution or otherwise, shall generally be on the basis of public advertisement through the Clerk's Office. Such advertisement shall invite open applications by persons for appointments and submitted to Council for consideration and approval by way of resolution.

This policy does not apply to a Compliance Audit Committee established by Council under the provisions of subsection 81.1(1) of the Municipal Elections Act.

This policy does not apply to any standing committee comprised of all Council members.

The Clerk is responsible for interpreting this policy and establishing any forms which may be required by this policy.

Eligibility

All applicants must be at least 18 years of age, unless deemed otherwise by Council should they wish to invite participation from Kenora's youth.

All applicants must be a Canadian Citizen.

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All applicants must be an eligible municipal elector of the City of Kenora, however from time to time, Council may wish to involve citizens from the outlying or unincorporated areas, and they reserve the right to waive this requirement to allow such citizens to participate.

Municipal employees cannot be appointed to any board or body to which the Council makes appointments as a voting member, however municipal employees may be appointed as resource persons.

To remain an active member, appointees are required to maintain their eligibility and qualifications throughout their term.

In addition to general eligibility requirements, the specific skills and experience for membership on each board or committee shall be established by way of the Terms of Reference. The following guidelines may be considered in establishing any such qualifications:

- a) Ability to perform the duties of the Board or Committee, including any complementary skills, and/or competencies
- b) Areas of specialization where required, experience, or community service

Applicants should consider whether they have a real or perceived conflict of interest in relation to the mandate of the Board or Committee prior to application, including any direct or indirect pecuniary interest with the City. Disclosure of such potential conflicts does not mean that an applicant is automatically ineligible for an appointment, but Council may assess potential conflicts in its determination of whether the applicant should be considered. Disclosure (or non-disclosure) of any such conflicts is the full responsibility of the applicant.

Committee Conduct

Committees are established to provide informed advice and guidance and to facilitate public input to City Council on programs and ideas reflected in the Board / Committee terms of reference.

Council recognizes the value of the impartial and objective advice received from committee members and the challenges and inherent restrictions facing committee members in assessing and recommending various options in a conscientious and ethical manner.

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Advisory committees, when carrying out their committee responsibilities, are expected to:

- Act in the best interest of The Corporation of the City of Kenora for the purposes established in the terms of reference for the specific Board or Committee
- Fulfills the mandate of the committee and acts for the overall good of the Board/Committee without prejudice;
- Respects due process and the authority of the Chair, Vice-Chair or Presiding Officer;
- Demonstrates respect for all fellow committee members, Council, the public and staff;
- Respects and gives fair consideration to diverse and opposing viewpoints;
- Demonstrates due diligence in preparing for meetings, special occasions, or other committee related events;
- Demonstrates professionalism, transparency, accountability and timeliness in completing any tasks or projects undertaken by the committee;
- Conforms to relevant legislation, by-laws, policies and guidelines
- Contributes in a meaningful manner, offering constructive comments to staff, fellow members of the board/committee and members of Council

In the performance of his or her duties, a board/committee member shall not:

- Place him or herself in a position where a member is under obligation to any person who might benefit from special consideration or favour or who might seek preferential treatment in any way;
- accord preferential treatment to relatives or to organizations in which the member, his or her child, parent or spouse, have an interest, financial or otherwise;
- deal with an application to the City for a grant, award, contract, permit or other benefit involving the member or his or her immediate relative;
- place his or herself in a position where the member could derive any direct benefit or interest from any matter about which he/she can influence decisions; and
- benefit from the use of information acquired during the course of his or her official duties which is not generally available to the public.
- Where a Board / Committee member believes he or she has a conflict of interest in a particular matter, he or she shall:
 - prior to any consideration of the matter, disclose his or her interest and the general nature thereof;
 - ii) remove themselves from the table for the duration of time that the matter is being considered and during in-closed session, remove themselves from the room;

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- iii) not take part in the discussion or the vote on any question or recommendation in respect of the matter; and
- iv) not attempt in any way whether before, during or after the meeting to influence the voting on any such question or recommendation.

Application

The Office of the Clerk shall arrange to publicly advertise vacancies of the various Boards and Committees that require appointments.

All vacancies for the Boards and Committees may be advertised in the local media and/or other media avenues as determined by the Clerk.

All applicants must complete a Committee Membership Application Form and submit same to the Office of the City Clerk in accordance with the imposed deadline date. Such applications shall be considered public documents.

Selection Process

After a vacancy has been advertised, the Clerk shall prepare an evaluation criteria matrix based on the terms of reference for the specified committee. This matrix, along with the applicants will be provided to the staff lead for the committee to provide a robust evaluation and recommendation for Council to consider the applications. The initial review by administration will provide Council a clear guideline of the strengths and assets that each applicant may bring to the committee. This matrix and recommendation will then be provided to Council with a report which will include all applications received to date in relation to the vacancy..

Where an applicant is clearly disqualified from a particular office by virtue of this Policy or other applicable law, the Clerk is authorized not to provide such applications to Council.

The selection of applicants shall be confirmed in an open Council Meeting. Nonetheless, given that aspects of the selection process may touch upon matters of a personal nature, Council shall review applications for office in a Closed Session Meeting prior to confirming appointments at an open Council Meeting.

In consideration of applications, Council may review any materials, including the applications, any references, conduct interviews with applicants and/or solicit recommendations from existing Local Boards and Committees, which is retained through the Clerk's office.

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Applicants will be selected based upon suitability, in the opinion of Council, to perform the tasks required by the office. Council shall avoid making an appointment which would create a conflict of interest or a perception of a conflict of interest relative to the activities of the Boards and Committees and the affiliation, profession or occupation of the appointee. Council shall have regard for legislation which may restrict or impinge upon Council's latitude with respect to the Boards and Committees appointments.

Unless otherwise provided for by legislation or operating procedures, the term of appointments shall be made at the pleasure of Council but said appointments shall not go beyond the term of Council making such appointments. Typically appointments commence at the beginning of the term of a newly elected Council.

Members whose term(s) of office are expiring may be considered for reappointment, subject to their desire to serve, however it is preferred that no Member of any Committee be appointed for more than two (2) consecutive terms of Council. As such Council reserves the right to override this rule as deemed necessary. All appointments must reapply at election time for reconsideration of appointment.

Notification

The Office of the Clerk notifies all applicants, in writing, of Council's decision.

The Office of the Clerk notifies all Boards and Committees, in writing, of the Council appointee(s) following ratification of such appointment(s) by Council.

Vacancies

Where a vacancy occurs as a result of resignation or other reason, the City Clerk is to be so advised and shall notify any previous unsuccessful candidates who have applied within one year of the resignation to determine whether they wish to let their name stand for appointment.

If there is no interest or no pool of candidates to draw from, the City Clerk will arrange for a public notice and advertise the applicable vacancy, which then will follow the appointment process outlined above.

Resignation, Withdrawal or Removal from Office

Members may resign from office at any time by submitting a letter of resignation to the Clerk and such resignation shall be effective upon receipt of such letter by the Clerk.

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Under special circumstances, members may temporarily withdraw from office, upon the consent by resolution of Council, for a period of time not to exceed three (3) months. Such withdrawal shall be effective upon receipt of a notice of withdrawal by the Clerk. The Clerk shall prepare a report for Council consideration and notify the member of the decision of Council.

Attendance

Members are expected to attend all meetings. Should an appointee be absent for three (3) consecutive meetings, as reflected in the minutes of the Boards and Committees, Council may, with or without a recommendation from the Boards and Committees, resolve to remove said Member from office. The Clerk's office shall prepare a report to advise Council of any Boards or Committees where membership and attendance on that Committee does not meet the policy guidelines.

Board/Committee members, including members-at-large and agency representatives, shall be deemed to have resigned their appointments if they are absent from their regular Board / Committee meetings, without the prior consent of the Municipal Council, unless they are absent for health reasons, in which case the continuation of their appointment shall be determined by the City Clerk, in consultation with the Board / Committee Chair. While alternate members are encouraged to regularly attend meetings so as to remain current with the Advisory Committee's business, the attendance rule shall only apply to absences from those meetings for which they have been requested to attend as a voting member, but have not done so.

The City Clerk shall be required to give written notice to any member who has exceeded the above absence threshold and shall invite the absentee to provide a written explanation for the absences, on the understanding that such written explanation will be reviewed with the Board / Committee Chair before a report is presented to Council for decision.

Board / Committee members shall inform the staff support of any anticipated absences from upcoming meetings and such advance notice shall be recorded in the Board / Committee's minutes.

Remuneration

Generally, Members who sit on Boards and Committees do not receive compensation; however, remuneration may be established at the discretion of Council. If Council decides by resolution to grant remuneration to Members who sit on Boards and Committees, the Terms of Reference for that Local Board or Committee shall be amended by the Clerk to reflect the change. This is not applicable to Boards or Committees that through Legislated terms remuneration is required.

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Review

In an election year of Council, the Clerk shall present a report to Council for review of all Boards and Committees of the City of Kenora to determine if changes are deemed necessary by those boards or committees and the Council members representing such. Council will give consideration to the terms of reference for each committee and review the relevancy of that board/committee and make any necessary adjustments deemed appropriate prior to the election and advertisements for new appointments.

Orientation Sessions

Following the Boards and Committee appointment process at the beginning of each Council term, the City Clerk's Office in partnership with the Integrity Commissioner, shall conduct an orientation session for new Board and Committee members and shall provide training on conflict of interest and meeting procedure for the Boards and Committees. The staff lead to each committee shall work with the Clerk on this process.