

## COMMITTEES OF COUNCIL

POLICY #7

**DATE APPROVED:** May 15, 2008

**EFFECTIVE DATE:** May 15, 2008

**REVISED:**

1. This Policy is entitled "Policy on Committees of Council" and applies to committees in respect of which all of the voting members are Council Members.
2. Any power conferred by this Policy upon an employee of the Town of Yarmouth to authorize expenditures shall be exercised in a manner consistent with the By-Laws and Policies of the Town of Yarmouth.
3. Any power conferred by this Policy upon Council shall be exercised by resolution.
4. The following provisions shall apply to all Committees established by this Policy, except where the Policy specifically provides otherwise for any Committee:
  - (1) Except to the extent that Committee membership is otherwise determined by By-Law or Policy, Committee membership shall be reviewed annually by Council within 3 months following each municipal general election or election anniversary, after seeking the advice of the Nominating Committee, and Council may replace Committee members who resign or who, in Council's opinion, are unable or unwilling to discharge their duties, or who fail to attend diligently to the Committee's affairs. The Mayor shall be *an ex officio* member of any Committee to which the Mayor is not appointed, with a voice but no vote. The Chief Administrative Officer shall be an *ex officio* member of all committees of council, with a voice, but no vote.
  - (2) Except to the extent that the Chair is otherwise determined by By-Law or Policy of Council, Council may appoint a person to serve as Chair of the Committee, after seeking the advice of the Nominating Committee, but if Council does not appoint a Chair, the Committee shall elect a Chair from one of its members. The chair shall be entitled to speak and to vote on any motion. Subject to the other provisions of this Policy, the Chair shall have the powers and responsibilities at Committee meetings that are conferred upon the Chair at Council meetings pursuant to the Town's By-Laws or Policies, with any necessary modifications for context.
  - (4) Except to the extent that the Secretary is otherwise determined by By-Law or Policy of Council, the Chief Administrative Officer or his/her designate may appoint an employee of the Town to serve as Secretary, with a voice but no vote. If the Chief Administrative Officer or his/her designate does not appoint an

employee to serve as Secretary, the Committee shall elect a Secretary from one of its members, in which event the Secretary shall be a full voting member of the Committee. The Secretary shall keep minutes of the Committee meetings.

- (5) The Committee shall meet at such time and place which it sets at a preceding meeting or at such other time and place as Council, the Committee's Secretary, the Committee's Chair or a quorum of committee members may be set by providing notice of meeting to all Committee members at least 3 days in advance. The date, time and location of Committee meetings shall be posted by the Secretary by providing a copy to the Committee members and the press.
- (6) Subject to any resolution of Council, the resources which may be utilized by the Committee include:
  - (a) advice and support of the Chief Administrative Officer or his or her designate;
  - (b) use of the Town's facilities and supplies for meetings, photocopying, postage and other administrative needs, through the Chief Administrative Officer;
  - (c) use of external services reasonably necessary to discharge the Committee's mandate, through the Chief Administrative Officer;
  - (d) such other resources as may reasonably be required, through the Chief Administrative Officer.
- (7) All meetings, minutes, and records of the Committee shall be open to the public except as expressly authorized by law.
- (8) A quorum of the Committee shall be the same as that which applies to Council pursuant to provincial legislation, with any necessary changes for context.
- (9) Subject to the other provisions of this Policy, the rules of procedure, conduct and debate that apply at Council meetings pursuant to the Town of Yarmouth's By-Laws or Policies, apply at Committee meetings with any necessary modifications for context, except that no notices of reconsideration shall be permitted at Committee meetings.
- (10) Committee members may prepare and submit a minority report or recommendation to Council if they do not concur in a report or recommendation of the majority.
- (11) In the event the committee fails to provide a report or recommendation to Council within any deadline set by Council, Council may proceed with a decision

regarding a matter within the Committee's mandate without awaiting the Committee report or recommendation.

- (12) Committees of Council do not have the power to expend funds.

#### Provisions Regarding the **Nominating Committee**

5. Council hereby confirms the establishment of the **Nominating Committee** as a standing committee of Council.

- (1) At the first meeting of Council following a municipal general election, Council shall appoint **3** Council Members to serve as members of the Nominating Committee.
- (2) The mandate of the **Nominating Committee** is:
- (1) to discuss, consider, advise and make recommendations to Council concerning the nomination of persons to various committees, and boards to which Council appoints or may appoint members, in advance of Council making decisions or taking action on such matters, except where council determines that consideration by the Committee is unnecessary or inadvisable;
- (3) Council may, by resolution, accept, reject or vary a report of the Nominating Committee in whole or in part.

#### Provisions Regarding the **Audit Committee**

6. Council hereby confirms the establishment of the Audit Committee as a standing committee of Council.

- (1) Council shall appoint annually, the Chairperson of Finance Committee and 2 additional Council Members to be the Audit Committee. The Director of Finance shall be a member of the committee, with a voice but no vote.
- (2) The responsibilities of the Audit Committee are;
- (a) a detailed review of the financial statements of the municipality with the auditor;
- (b) an evaluation of internal control systems and any management letter with the auditor;
- (c) a review of the conduct and adequacy of the audit;

- (d) such matters arising out of the audit as may appear to the audit committee to require investigation;
- (e) such other matters as may be determined by the council to be the duties of an audit committee;
- (f) any other matters as may be determined by the council.

#### Provisions Regarding **Finance Committee**

7 Council hereby confirms the establishment of the Finance Committee as a standing committee.

- (1) The mandate of the Finance Committee is:
  - (a) to gather information;
  - (b) to carry out public consultation;
  - (c) to take such other steps consistent with this Policy that the Committee reasonably deems necessary to carry out its mandate;
  - (d) to advise and make recommendations to Council periodically, concerning budgets, financial reporting, appropriation of funds, provision of grants, financial policies and concerning such other matters as Council, by resolution, may direct; and
  - (e) to take action on such matters as are lawfully delegated to it by statute or by Council.
- (2) The Finance Committee consists of the Mayor and all Council Members. The Director of Finance shall be a member of the committee, with a voice but no vote.

#### Provisions Regarding **Public Works Committee**

7 Council hereby confirms the establishment of the Public Works Committee as a standing committee.

- (1) The mandate of the **Public Works Committee** is:
  - (a) to advise and make recommendations to Council periodically, concerning Public Works operational and infrastructure policies and by-laws and concerning such other matters as Council, by resolution, may direct;

- (b) to make recommendations to Finance Committee concerning the capital and operating budgets of the Operational Services Department
  - (c) to gather information;
  - (b) to carry out public consultation;
  - (c) to take such other steps consistent with this Policy that the Committee reasonably deems necessary to carry out its mandate;
  - (d) to take action on such matters as are lawfully delegated to it by statute or by Council.
- (2) The Public Works Committee consists of the Mayor and all Council Members. The Director of Operational Services shall be a member of the committee, with a voice but no vote.

#### Provisions Regarding **Dangerous and Unsightly Premises Committee**

- 7 Council hereby confirms the establishment of the Dangerous and Unsightly Premises Committee as a standing committee.
- (1) The mandate of the Dangerous and Unsightly Premises Committee is:
- (a) to carry out hearings and to issue dangerous or unsightly premises orders in instances in which an order to demolish is being considered.
  - (b) to take action on such matters as are lawfully delegated to it by statute or by Council.
- (2) Council shall appoint **3** Council Members to serve as members of the Dangerous and Unsightly Premises Committee. The person designated by the Chief Administrative Officer to be responsible for the Dangerous and Unsightly Premises provisions of the *Municipal Government Act*, shall be a member of the committee, with a voice but no vote.