



TOWN OF BLACK DIAMOND POLICY

POLICY #: ADMIN-017		<i>(formerly named 12-04)</i>
TITLE: Committee Guidelines		
Approval Date: March 3, 1999	Resolution #:	
Revisions:		
Approval Date: October 19, 2005	Resolution #: 2005-333	
December 20, 2017	2017-546	
Department: Administration		

Policy Statement:

Council for the Town of Black Diamond creates committees from time to time, to involve the public in the works of the Town. Committees of Council shall operate under the guidelines established in the policy.

1. Reason for Policy

- 1.1. To define the duties and responsibilities of Committees and Committee Members.

2. Related Information

- 2.1. Municipal Government Act, RSA 2000, c M-26
- 2.2. Town of Black Diamond Procedure Bylaw (Bylaw 16-06, Office Consolidation)
- 2.3. Town of Black Diamond Code of Conduct Bylaw (Bylaw 17-13, may be consolidated)
- 2.4. Town of Black Diamond Policy FIN-002 Budget
- 2.5. Town of Black Diamond Strategic Plan

3. Definitions

- 3.1. *Chief Administrative Officer* shall mean the CAO or Town Manager appointed by the Council, or his/her designate.



- 3.2. *Committee* shall mean a committee or board, established by the Council of the Town of Black Diamond, in accordance with the Municipal Government Act.
- 3.3. *Council* shall mean the duly elected Council of the Town of Black Diamond.
- 3.4. *Establishing Bylaw* shall mean the bylaw, duly passed by the Council, which establishes a Committee and provides its Terms of Reference.
- 3.5. *Members* shall mean persons appointed, by Council, as members of a Committee.
- 3.6. *Resident* shall mean a person who lives within the boundaries of the Town of Black Diamond.
- 3.7. *Sub-Committee* shall mean a Committee requested by its “parent” Committee to accomplish a specific task or undertake a specified project. For the purposes of this Policy/Procedure, Sub-Committee shall include Ad hoc Committees, or any other type of Committee struck to accomplish the works of the parent Committee.
- 3.8. *Terms of Reference* shall mean the guidelines used to define the scope of work, project or activity.
- 3.9. *Town* shall mean the Town of Black Diamond.

4. Responsibilities

4.1. Town Council to:

- 4.1.1. Approve by resolution this policy and any amendments.
- 4.1.2. Consider the allocation of resources for successful implementation of this policy in the annual budget process.
- 4.1.3. Ensure all policies conform to the overall mission, goals and values as set out in the Town’s Strategic Plan.

4.2. Chief Administrative Officer (CAO) to:

- 4.2.1. Approve the associated Procedure document and any amendments thereto.
- 4.2.2. Ensure that this policy and procedure is reviewed every three years, and that employees working directly with Committees are able to make recommendations for amendments.
- 4.2.3. Ensure implementation of this policy by any/all Town employees working directly with a Committee.

4.3. All Committee Members to:

- 4.3.1. Understand and adhere to this policy and procedure.

5. End of Policy



TOWN OF BLACK DIAMOND PROCEDURE

Procedure #: ADMIN-017	<i>(formerly named 12-04)</i>
PROCEDURE TITLE: Committee Guidelines	
Approval Date: January 3, 2018	
Revision Date:	
Department: Administration	

1. Membership

- 1.1. No Committee shall be recognized until Council has passed the Establishing Bylaw.
- 1.2. Council appoints members, by resolution.
- 1.3. Members must be Residents of the Town of Black Diamond, unless otherwise permitted by the Establishing Bylaw. In the event that a Resident does not apply to fill a Committee vacancy, or an existing, qualified member has become a non-resident, Council may appoint a non-resident to the Committee.
- 1.4. Members cannot send alternate representatives to a meeting in their place.
 - (a) Council members appointed to a Committee may request that another Council member attend a meeting in their place.
- 1.5. Members shall be removed from a Committee if:
 - (a) the Member is absent from three (3) consecutive regular meetings of the Committee, unless the Member's absence is authorized by resolution of the Committee,
 - (b) the Member ceases to be a Resident, unless prior authorization has been received from Council,
 - (c) the Member informs the Committee in writing of their resignation, or
 - (d) Council has made resolution to expel any Member for cause, which is deemed sufficient by Council to be in the best interests of the Committee and/or the Town.
- 1.6. When a Member ceases to be on the Committee:
 - (a) the Committee shall advise Council of the resignation, including the reasons, by preparing a Request for Decision for the next available Council meeting agenda,



- (b) the Committee, in the Request for Decision, may request that Council provide for advertising of the vacancy, if suitable applications from interested parties have not already been received.

1.7. Committee Applications:

- (a) will be reviewed by the Committee, only when there are vacancies available,
- (b) will be reviewed and discussed only during In Camera meetings, in accordance with section 18(1) of the Freedom of Information and Protection of Privacy Regulation, or as amended,
 - (i) the Committee will reopen the meeting to the public, following the In Camera portion of the meeting to discuss applications, and make a motion to make their recommendation to Council for the appointment of an applicant, in accordance with the Town's Procedure Bylaw.
- (c) the Committee will make their recommendation to Council by preparing a Request for Decision for the next available Council meeting agenda,
- (d) if the Committee is unable to achieve quorum to review applications and make recommendations to Council, the applications will be forwarded to Council to be discussed In Camera at the next available Council meeting agenda,
- (e) Council will appoint all Members to Committees, by resolution, in an open portion of a Council meeting agenda.

2. Meetings

- 2.1. Committees shall hold as many meetings in each year as stated in their Establishing Bylaws, or if not stated, as often as required to adequately deal with the business of the Committee.
- 2.2. Committee meetings are to be held in public, in accordance with the Municipal Government Act, unless an exception exists to permit the Committee to discuss any eligible matters In Camera, in accordance with the Freedom of Information and Protection of Privacy Act.
- 2.3. Notice of Committee meetings shall be in accordance with the Municipal Government Act. Notice, including scheduling, cancelling or re-scheduling, of all Committee meetings shall be posted to the Town of Black Diamond website at least 24 hours in advance.
 - (a) In the event that a Committee has been required to cancel a meeting with less than 24 hours' notice to the public, a sign shall be placed on the front door of the meeting location.
- 2.4. Minutes shall be kept of all regular and special Committee meetings, and
 - (a) shall be in the English language, without note or comment.
 - (b) shall contain the following:
 - (i) names of the Members, those present and those absent;
 - (ii) the time the meeting was called to order, and by whom;
 - (iii) adoption or acceptance of the Agenda, as presented or as amended;
 - (iv) adoption or acceptance of the Minutes of any prior meetings;
 - (v) all motions passed or defeated by the Committee



- (vi) if the Committee discusses any matter In Camera the Minutes must state: the time that the meeting was closed to the public, the general nature of the matter discussed and the Freedom of Information and Protection of Privacy exception to permit the In Camera discussion, the names of those present for the In Camera discussion, and the time that the meeting was re-opened to the public.
 - (vii) the time that the meeting was adjourned.
 - (c) Committees may request samples or educational materials from the Legislative Services department to assist the Committee with the preparation of good Minutes.
 - (d) Minutes of all Committee meetings shall be submitted to the Legislative Services department for retention and distribution to Council. Minutes do not require to be adopted/accepted before submission.
- 2.5. Quorum must be present in order for any Committee to hold a meeting or to discuss any matter of business. The Establishing Bylaw for each Committee determines quorum.

3. Member Roles and Responsibilities

- 3.1. The Committee Chairperson's main role is to run an effective meeting. The duties of the Chairperson may include:
- (a) call Committee meetings, ensuring that public notice is given in accordance with the Town of Black Diamond Procedure Bylaw,
 - (b) prepare a meeting agenda, with input of other Members,
 - (c) adhere to the Town of Black Diamond Procedure Bylaw, to ensure effective focused and efficient meetings, with input from all Members,
 - (d) ensure Minutes are being taken,
 - (e) direct, communicate, manage and initiate Committee actions, appoint tasks as needed, follow up and report on those actions at each meeting,
 - (f) be acquainted with the Committee's assignments and ensure the Committee is carrying out its responsibilities,
 - (g) ensure that Members are welcomed, appreciated and well-informed of their roles and the Committee's progress in carrying out its responsibilities,
 - (h) ensure that Members are aware of and adhere to the Committee's Establishing Bylaw, and any other legislation, bylaw or policy that may relate to the Committee, its Members or its purposes.
- 3.2. Committee Member's role is:
- (a) be on time for meetings,
 - (b) notify the Chairperson if unable to attend the meeting,
 - (c) understand the purpose of the Committee, be aware of and adhere to the Establishing Bylaw, and any other legislation, bylaw or policy that may relate to the Committee, its Members or its purposes,
 - (d) cooperate with the requests of the Chairperson, serve actively and share in the tasks of the Committee,
 - (e) be respectful of other Members, keep discussions to the point and focused on the agenda items at hand.



- 3.3.** Committees generally have one or more Council Members appointed to them. Their duties are those of any Committee Member, as well as:
- (a) in the event that the Council Member is unable to attend a meeting, it is their responsibility to find an alternate Council Member to attend in their place,
 - (b) act as a liaison between Council and the Committee. The Council Member will be expected to address questions of Council about the Committee's submission, plans or concerns,
 - (i) the Council Member may also report on matters of the Committee in their monthly Council Committee Report, or may bring a time-sensitive matter before Council in accordance with the Town of Black Diamond Procedure Bylaw,
 - (c) the Council Member, if no employee Member has been appointed, shall ensure that the Minutes of the Committee have been submitted to Legislative Services for retention and distribution to Council,
 - (d) if there is not an employee appointed to the Committee, the Council Member shall assist the Chairperson in ensuring that all matters of governance and process are being addressed in accordance with legislation, bylaws and policy,
 - (e) the Council Member is to contact the CAO with any Committee requests to have regular employees' time for projects, plans, etc.,
 - (f) the Council Member shall not be the Chairperson of a Committee, but may sit on a Sub-Committee at his/her discretion. This section does not apply to any Committee comprised wholly of Council Members,
 - (g) the Council Member **cannot** speak on behalf of Council (ex. "Council will approve that").
- 3.4.** Some Committees have Town employees appointed to them to assist the Committee in a defined capacity. The employee's role will be to:
- (a) serve the Committee in the capacity defined by the Establishing Bylaw,
 - (b) ensure that all new Members receive an appropriate orientation, and are made aware of the Committee's Establishing Bylaw, and all other legislation, bylaws and policies that may relate to the Committee, its Members or its purposes,
 - (c) ensure that the Committee is operating in accordance with its Establishing Bylaw, this policy/procedure and any other legislation, bylaw or policy that relates to the Committee, its Members or its purposes.

Any Town employee appointed to the Committee as a Member in a volunteer capacity is not subject to the employee role set out in this procedure, but is subject to the role of a Member or Chairperson, as applicable.

4. Sub-Committees

- 4.1.** A Committee may request that a Sub-Committee be authorized.
- 4.2.** The Committee shall draft the Terms of Reference for the Sub-Committee and provide a Request for Decision for the next available Council meeting agenda, requesting that Council accept the Terms of Reference and authorize the Sub-Committee.
- (a) The Terms of Reference shall include the scope of the requested Sub-Committee.



- 4.3. Sub-Committees must abide by this Policy and Procedure, as well as all other relevant legislation, bylaws and policies.
 - (a) Sub-Committees are, therefore, not exempt from the requirements to provide open meetings, with notice to the public, agendas and Minutes. Minutes must be submitted to the governing Committee to be accepted as Correspondence and to the Legislative Services department for retention and distribution to Council.
- 4.4. Members of the Committee may be appointed to the Sub-Committee by resolution of the Committee.
 - (a) If membership on the Sub-Committee is open to the general public, then application must be submitted to the Committee for review and recommendation to Council for appointment, as per Section 1 of this Procedure.

5. Powers and Duties

- 5.1. The Chairperson and every Member present shall vote on every matter before the Committee, unless they are subject to a declared reason of pecuniary interest.
 - (a) All matters related to voting shall be in accordance with the Town of Black Diamond Procedure Bylaw.
- 5.2. The powers and duties of the Committee and any specifically titled Members shall be in accordance with the Establishing Bylaw.
- 5.3. No Committee, nor any Member, has the power to borrow funds, enter into contracts, or to pledge the credit of the Town of Black Diamond.
- 5.4. Any Committee requiring a grant application to be submitted on their behalf shall provide any required information to the employee appointed, or to the CAO. Grant applications shall only be signed and submitted by authorized Town employees, after obtaining any required resolutions of Council.
- 5.5. The Committee shall, at least annually, review the Committee's Establishing Bylaw, and any other bylaws or policies applicable to the Committee, including the Town of Black Diamond Strategic Plan.
 - (a) The Committee may make recommendation for amendments to such documents by submitting a Request for Decision to Council at the next available Council meeting agenda, specifying the suggested amendments.
 - (b) The Committee is requested to review their recommendations with the Legislative Services team prior to submitting a Request for Decision to Council, to ensure that the suggested amendments do not conflict with any other legislation, bylaw, policy or procedure.
- 5.6. The Committee, and its Members, shall assist in developing or maintaining positive relationships with the community, Council members and Town employees.
- 5.7. The Committee may develop a Value/Belief Statement (*what does the Committee stand for, what values/beliefs should guide the Committee?*), a Mission Statement (*what does the Committee do?*) and a Vision Statement (*what is the preferred future of the Committee?*) and review them annually.
- 5.8. Annually, in accordance with the Town of Black Diamond Budget Policy, the Committee shall submit to the Finance Manager, written operating and capital budgets, as required by the Municipal Government Act. Budgets shall show, in reasonable form



and detail, expenditures to be made by the Committee during the time period(s) required, with respect to all matters over which the Committee has jurisdiction.

- (a) If there is an employee provided to assist the Committee, it will be their responsibility to ensure that the Committee budget is prepared, reviewed by the committee and submitted to the Finance Manager, according to policy.

6. End of Procedure

APPROVAL

Sharlene Brown, CAO

Date

REVIEW

Procedure reviewed, no changes required:

CAO Signature	CAO Name (<i>print</i>)	Date Reviewed/Approved
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