

THE CORPORATION OF THE MUNICIPALITY OF SIOUX LOOKOUT

BY-LAW NO. 79-15

BEING A BY-LAW TO ESTABLISH TERMS OF REFERENCE FOR COUNCIL-CREATED COMMITTEES AND TO RESCIND BY-LAW NOS. 100-06, 06-07, 13-12, 02-13, 21-14, 26-15 and 51-15.

WHEREAS Section 10(2)(1) of the Municipal Act, 2001, as amended, states that a single-tier municipality may pass by-laws respecting the Governance structure of the municipality and its local boards; and

WHEREAS Council has created several Advisory Committees under the Municipal Act, 2001, as amended; and

WHEREAS Council deems it advisable and expedient to amend the Terms of Reference of these Committees;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF SIOUX LOOKOUT ENACTS AS FOLLOWS:

1. INTERPRETATION AND APPLICABILITY

1.1 The Council of The Corporation of the Municipality of Sioux Lookout ("Municipality" or "Council") hereby establishes the following Advisory Committees:

- Arts, Culture and Heritage Committee;
- Day Care Advisory Committee;
- Environment Committee;
- Hudson and Area Advisory Committee;
- Parks and Recreation Committee

2. MANDATE

2.1 Schedules Outline Mandate, Roles, Responsibilities

The roles, responsibilities, mandates and any unique features of each Council-created Committee are attached to, and form part of, this By-law, as follows:

2.1.1 Schedule A – Arts, Culture and Heritage Committee

2.1.2 Schedule B – Day Care Advisory Committee

2.1.3 Schedule C – Environment Committee

2.1.4 Schedule D – Hudson and Area Advisory Committee

2.1.5 Schedule E – Parks and Recreation Committee

3. GOVERNANCE AND GUIDANCE

3.1 The Committee and its members shall be governed by:

- *Municipal Act, 2001*, as amended
- *Municipal Conflict of Interest Act, 1990*, as amended
- Other applicable legislation
- The Municipal Procedure By-law
- The Municipal Purchasing and Procurement By-law
- The Committee's Terms of Reference By-law

3.2 The Committee and its members shall be guided by:

- The Municipal Strategic Plan;
- The Committee's Annual Work Plan and Budget, as approved by Council

- All other Municipality of Sioux Lookout plans which are pertinent to the Committees' mandate.

4. **MEMBERSHIP**

4.1 **Appointment – Committee Members**

Appointments shall be made in accordance with Municipal Policy. Appointees shall be eligible for reappointment by Council to a successive Term, unless they are replaced by Council. Council shall endeavour to make appointments which will foster succession and continuity. Appointees continue to serve until they are excused by Council, subject to absenteeism provisions in Municipal Policy.

4.2 **Appointment – Non-Voting Members**

The Committee may, by resolution, appoint other non-voting resources to assist the Committee, including representatives of government agencies, subject matter experts and other individuals as deemed necessary by the Committee.

4.3 **Vacancies**

Vacancies shall be filled in accordance with Municipal Policy. All vacancies, once known, shall be reported to the Clerk's Department by the Staff Resource and the Clerk's Department shall undertake advertising to fill the vacancies, in accordance with Municipal Policy.

4.4 **Number of Members**

The Committee shall consist of a minimum of three and a maximum of nine members, one of whom shall be a Member of Council. All members shall meet eligibility requirements, as per Municipal Policy. Council shall appoint all members. The Mayor shall be an Ex-Officio member of the Committee; however, s/he will only have voting privileges in the absence of a Councillor-appointee.

4.5 **Committee Leadership and Recording Secretary**

The Committee's Leadership shall consist of a Chair and a Vice-Chair, whom shall be elected at its first general meeting of the fiscal year by and from among the voting members. The Recording Secretary shall be the Municipality's appointed Staff Resource (see Schedules), or designate.

4.5.1 **List of Leadership Positions Provided to Clerk's Department:** A complete list of these key positions, including contact information, shall be provided to the Clerk's Department following the first general meeting of each fiscal year, by the Staff Resource.

4.5.2 **Role of the Chair:** *(to be assumed by the Vice Chair when the Chair is absent or unable to perform the duties)*

In addition to the duties of the Presiding Officer as identified in the applicable Procedure By-law, the Chair shall:

- preside at all meetings of the Commission;
- sign all formal documents within his/her authority to do so;
- act as official spokesperson for the Commission when communicating with Council;
- perform such other duties as are usually incident to the office of Chair of the Commission or are required by the Commission;

4.6 **Ad Hoc and/or Sub-Committees**

The Committee shall have the authority to create and appoint, subject to eligibility criteria established by Municipal Policy, members to serve on standing sub-committees, or project-specific ad hoc committees, and shall prescribe the purpose(s) of any such established sub-committees or ad hoc committees.

Such committees shall have the power to make recommendations to the Committees. Sub-committee and/or ad hoc committee members, unless already appointed as Committee members, shall have no voting privileges on the Committee.

4.7 **Remuneration**

Committee members shall serve without remuneration and shall not receive, either directly or indirectly, any pecuniary benefit from their position as such.

4.8 **Reasonable Expenses**

Notwithstanding Section 4.7 herein, Committee members shall be entitled to reimbursement for out-of-pocket expenses related to their duties as Committee members, in accordance with Municipal Policy, and any such expenses shall be approved, by Resolution, by the Committee prior to a Committee member incurring such expenses.

5. **CONDUCT**

All Committee members shall adhere to the following framework respecting conduct:

- Comply with the *Municipal Conflict of Interest Act, 1990*, as amended
- Declare pecuniary interest, pursuant to *The Municipal Conflict of Interest Act* and the applicable Procedure By-law
- Adhere to the Municipality's Code of Conduct
- Maintain confidentiality, in accordance with Closed Meeting provisions of the *Municipal Act, 2001*, as amended, and the applicable Procedure By-law

6. **DECISION MAKING AND OPERATIONAL FRAMEWORK**

6.1 **Decision Making**

All Committee decisions shall be informed by, and be in accordance with, Section 3 herein, "Governance and Guidance".

6.2 **Agendas and Minutes**

6.2.1 **Agendas:** All Committee Meetings shall be conducted in accordance with the Agenda developed for that meeting. Agendas shall be prepared by the Staff Resource and circulated to all members one week prior to the meeting date. Agendas shall include all pertinent background materials, reports and a copy of the previous meetings' draft Minutes.

6.2.2 **Minutes:** All of the Committee's meeting proceedings shall be recorded, in writing, by the Recording Secretary, and these Minutes shall be presented to the Committee at the subsequent meeting (or as soon as possible) for review and approval. Once approved by the Committee, the Recording Secretary (Staff Resource) shall forward the approved Minutes to the Clerk's Department for circulation and filing. The Staff Resource shall post the approved Agendas and approved Minutes to the Commission's page on the Municipal website.

6.3 **Meetings**

6.3.1 **Meeting Frequency:** Committee meetings shall be held monthly, and more or less often, as required and as determined by the Committee, by Resolution.

6.3.2 **Meeting Notice:** The Committee shall cause to have published on the Municipal website, as a minimum, a listing of its monthly meetings. This list shall be published following the first general meeting of each fiscal year, and shall be updated, as required, to reflect additional meetings, cancellations, and changes to dates, times and/or venues, and such changes shall be approved by Resolution, and in accordance with the applicable Procedure By-law.

6.3.3 **Meetings Open to the Public:** All Committee meetings shall be open to the public, except those portions of meetings which are held in Closed Session, in accordance with the *Municipal Act, 2001*, as amended, and the applicable Procedure By-law.

6.3.4 **Quorum:** Quorum shall consist of a simple majority (50% + 1) of currently appointed Commissioners.

6.3.5 **Attendance and Absenteeism:** Committee members shall endeavour to attend all meetings to ensure the business of the Committee moves forward in a timely fashion. Should a member be unable to attend, notice ("regrets") shall be communicated to the Staff Resource within 24 hours of receiving the Agenda. The Committee shall determine, by Resolution at each meeting, whether to excuse a Commissioner's absence. In accordance with Municipal Policy, should a member have three consecutive "unexcused" absences, s/he shall be deemed to have resigned. The Staff Resource shall communicate this to the Clerk's Department and the Clerk's Department shall advise Council, and request that Council remove the member from the Committee. Applicable procedures to fill the vacancy shall be undertaken.

6.4 **Reporting to Council**

6.4.1 **Annual Work Plan and Budget Request:** The Committee shall, via a Report authored by the Staff Resource on behalf of the Commission, at or before the February Regular Council Meeting, provide an Annual Work Plan and associated Budget request for Council's review and approval. The Annual Work Plan and Budget Request shall be accompanied by a synopsis of the previous year's Work Plan and Budget, outlining and explaining any deviations from the Council-approved Work Plan and Budget.

6.4.1.1 **Adherence to Council-approved Work Plan and Budget:** Should the Committee wish to deviate from the Council-approved Work Plan and Budget, the Committee shall pass a Resolution at a duly called meeting, outlining the reasons why and other (if any) alternative initiatives it wishes to undertake, and the Committee shall cause the Staff Resource to bring that Resolution forward to Council, in the form of a Staff Report, at a subsequent Council Meeting. No deviation from the Council-approved Work Plan or budget shall be undertaken prior to Council's approval.

6.4.2 **Annual "In-Person" Reporting to Council:** The Committee shall meet with Council annually, on the second Wednesday of November, beginning at 5:30 p.m., along with all other Council-created Boards, Commissions and Committees, at a Special Meeting designated exclusively for this purpose.

6.5 **Municipal Support**

6.5.1 **Administrative Costs:** Routine administrative costs associated with the work of the Commission shall be paid by the Municipality of Sioux Lookout, from the Department's budget within which the Committee is housed.

6.5.2 **Staff Resource:** See Schedules A, B, C, D and E for the Municipally-assigned Staff Resource for each Committee. The Staff Resource shall be the sole point of contact between the Committee and the Municipality/Council, and all requests for documentation, reports, support materials, advice/information from other staff (including requests for other staff to attend a Committee Meeting) and other such support shall be funneled through the Staff Resource.

7. **FINANCIAL ARRANGEMENTS**

7.1 **Purchasing and Procurement By-law**

The Committee shall follow the Municipality's Purchasing and Procurement By-law.

7.2 Expenditures

Notwithstanding Section 7.1 herein (the applicable Purchasing and Procurement By-law), all Committee expenditures shall be approved by the Committee, by Resolution, prior to making the expenditure. The Staff Resource (or other designated Municipal staff person) shall be the Purchasing Agent for the Committee. No Committee member shall incur debt on behalf of the Committee or the Municipality.

8. APPROVAL AND REVIEW OF TERMS OF REFERENCE

8.1 Approval

The Terms of Reference, and any requested amendments thereto, require the approval of Council.

8.2 Review

The Terms of Reference shall be reviewed by the Committee and Council once per year after the first general meeting following the installation of each new Council, or more frequently, as required. Council or the Committee may initiate the review of the Terms of Reference at its discretion; however, the Committee shall undertake a review upon the request of Council.


9. RESCIND PREVIOUS BY-LAWS

By-law Nos. 100-06, 06-07, 13-12, 02-13, 21-14, 26-15 and 51-15 and any other By-laws that establish or amend the Terms of Reference for the Council-created Committees identified in Section 1.

10. EFFECTIVE DATE/ENACTMENT:

This By-law shall come into force and take effect on the date of its final passing.

READ A FIRST TIME THIS SIXTEENTH DAY OF SEPTEMBER, 2015.

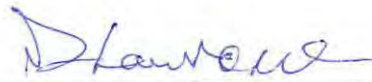


Doug Lawrance, Mayor



Mary L. MacKenzie, Clerk

READ A SECOND AND THIRD TIME AND PASSED THIS SIXTEENTH DAY OF DECEMBER, 2015



Doug Lawrance, Mayor



Mary L. MacKenzie, Clerk

**Schedule A:
Arts, Culture and Heritage Committee-specific Provisions**

1. **MANDATE**

- 1.1 To provide leadership, education and to recommend action on the advancement of arts, culture and heritage initiatives within the Municipality of Sioux Lookout;
- 1.2 to advise and assist Council in maintaining its cultural commitment, including spearheading the development of a Municipal Cultural Plan and to assist with its implementation and ongoing updates;
- 1.3 to provide recommendations on policy to Municipal Council for the ongoing operation of the Sioux Lookout Community Museum;
- 1.4 to provide education and recommendations on museum operational and service delivery best practices; and
- 1.5 to ensure the collection is maintained, preserved, researched and exhibited in a way that best serves to represent the community's heritage.

2. **RESPONSIBILITIES**

- 2.1 Ensure arts, culture and heritage in the Municipality of Sioux Lookout remain an active, important and dynamic force.
- 2.2 Ensure that the cultural vision, goals and objectives as well as the promotion and preservation of the community's rich heritage are maintained and communicated thoroughly to all stakeholders.
- 2.3 Be responsive to community needs and priorities in the areas of arts, culture and heritage.
- 2.4 Liaise with community groups in creating projects, pursuing initiatives and applying for funding to promote arts, culture and heritage in the community.
- 2.5 Encourage a diversity of high quality cultural initiatives, programs and services and assist in their promotion within the Municipality of Sioux Lookout.
- 2.6 Provide advice and support on the formulation of policies and procedures for the Sioux Lookout Community Museum.
- 2.7 Raise the profile of cultural (including arts and heritage) activity in community planning and development and demonstrate the value of its unique quality of life and economic contributions to the community.
- 2.8 Ensure best practices are met when bringing together corporate and community cultural agendas.
- 2.9 Increase the visibility of the community's artists and arts organizations.
- 2.10 Increase the accessibility of the community's history via innovative programming and engagement initiatives.
- 2.11 Assist with the implementation of the Municipality of Sioux Lookout's Public Art Policy.

3. **STAFF RESOURCE**

The Recreation and Culture Manager (or designate) shall be the Staff Resource for the Arts, Culture and Heritage Committee.

**Schedule B:
Day Care Advisory Committee-specific Provisions**

1. MANDATE

- 1.1 To ensure quality Child Care in Sioux Lookout and area to meet present and future needs; and
- 1.2 to recommend policies to Municipal Council for the ongoing operations of the Sioux Lookout Municipal Child Care Centres.

2. COMMITTEE'S RESPONSIBILITIES

- 2.1 Liaise between the Municipal Child Care Centres and Council.
- 2.2 Establish a strong community relations program between the Municipal Child Care Centres and community stakeholders in cooperation with the Staff Resource.
- 2.3 Support and assist the Municipal Child Care Centres' professional staff with program development, as requested.
- 2.4 Formulate and evaluate budgetary needs for each fiscal year, in conjunction with the Staff Resource.
- 2.5 Monitor income sources, including funding from the Kenora District Services Board, the Day Care Fee Structure, Municipal funding (through the budget) and fundraising, to ensure the continued operation of the Municipal Child Care Centres' programs.
- 2.6 Discuss and monitor enrollment statistics regularly.
- 2.7 Maintain confidentiality in accordance with the Closed Meeting provisions of the Municipal Act, 2001, as amended, the applicable Procedure By-law, policy, and pursuant to the "Day Care Advisory Committee Confidentiality Commitment," attached as Appendix "A".

3. STAFF RESOURCE RESPONSIBILITIES TO THE COMMITTEE

- 3.1 Consult with the Committee on any issues that affect the operation of the Municipal Child Care Centres.
- 3.2 Submit monthly Activity Reports, including staffing updates, major purchases and funding information.
- 3.3 Submit a Yearly Report to the Committee outlining the status of the Municipal Child Care Centres at year-end.
- 3.4 Provide and expend funds in accordance with approved plans and budgets.

4. STAFF RESOURCE

The Day Care Manager and/or the Day Care Supervisor shall be the Staff Resource for the Day Care Advisory Committee.

**Appendix "A" TO Schedule B
(DAY CARE ADVISORY COMMITTEE-SPECIFIC PROVISIONS)**

Day Care Advisory Committee Confidentiality Commitment

The Corporation of the Municipality of Sioux Lookout acknowledges and protects, to the best of its ability, children enrolled in Municipal Child Care Centres (and their family's) right to privacy.

All information, whether written, verbal or otherwise, related to an identifiable individual must be treated as confidential. Personal information about identifiable individuals, including the fact that a child is enrolled in the Municipal Child Care Centre's programs, shall not be volunteered or acknowledge to members of the general public or any other third parties.

PLEDGE OF CONFIDENTIALITY:

I, the undersigned, understand and agree that in the performance of my duties as a citizen-appointee to the Day Care Advisory Committee I may be privy to personal information about an identifiable, and I shall maintain such information in the strictest of confidence.

I acknowledge and accept that either intentional or inadvertent disclosure of such personal information may result in punitive, including dismissal as a Committee member.

Name (print): _____

Signature: _____

Witness: _____

Date: _____

**Schedule C:
Environment Committee-specific Provisions**

1. **MANDATE**

- 1.1 To provide leadership, education and action on environmental best practices, with emphasis on identifying local aspects of adaptation to and mitigation of climate change; and
- 1.2 to make recommendations to Council on attaining the goal of Environmental Sustainability for the Municipality of Sioux Lookout.

2. **RESPONSIBILITIES**

- 2.1 Research best practices of sustainable environmental policies and practices and funding sources for all areas of concern, with specific application to municipalities.
- 2.2 Make recommendations to Council concerning related policies, practices and By-laws.
- 2.3 Provide leadership and informational/educational opportunities for Council, Municipal staff, business, industry and the public at large.
- 2.4 Advocate for sustainable environmental policies at the municipal level of government, and provide advice to the Municipality on advocacy to other levels of government.
- 2.5 Form partnerships with community groups and government agencies, both within and outside the Municipality, for the creation of a sustainable environment.

3. **STAFF RESOURCE**

The Chief Administrative Officer (or designate) shall be the Staff Resource for the Environment Committee.

**Schedule D:
Hudson and Area Advisory Committee**

1. CATCHMENT AREA AND MEMBERSHIP

1.1 Catchment Area

The area served by the Hudson and Area Advisory Committee (“catchment area”) shall include Ward 1 and property owners in the developed areas of Bernier Beach Road and Wren Way Road.

1.2 Membership

The Hudson and Area Advisory Committee shall deal with matters of interest and concern to the residents of Ward 1 and its catchment area, and of its stakeholders (i.e., businesses and organizations conducting business or activity in Hudson, but not necessarily living in the community).

2. MANDATE

- 2.1 To advise, comment on, recommend to, and assist Council with specific reference and focus on policies, procedures, programs, operations and communications initiatives relating to the Committee’s catchment area.

3. RESPONSIBILITIES

- 3.1 Bring Hudson and area (“catchment area”) issues forward to Council.
- 3.2 Recommend policies, programs and procedures to Council for implementation in the catchment area.
- 3.3 Identify and recommend opportunities for operational and/or capital improvements.
- 3.4 Coordinate special community events and activities.
- 3.5 Coordinate fundraising efforts for special projects.
- 3.6 Recommend to Council the names of representatives to serve on the Hudson and Area Advisory Committee, in the event appointments are required.
- 3.6 Serve as a community group to address specific community issues that do not fall within Council’s purview.

4. STAFF RESOURCE

- 4.1 The Municipal Clerk (or designate) shall be the Staff Resource for the Hudson and Area Advisory Committee.

Schedule E: Parks and Recreation Committee

1. MANDATE

- 1.1 To advise Council and make recommendations on the development of parks, recreation and trails programming.
- 1.2 To be a two-way sounding board for the community with regard to the development of parks, recreation and trails programming.
- 1.3 To assist with the preparation and implementation of the Recreation Asset Assessment and Program/Services Review.

2. RESPONSIBILITIES

- 2.1 Address and make recommendations to Council with regard to short-term and long-term planning for the parks, recreation and trails needs of Sioux Lookout, including programming.
- 2.2 In conjunction with the Staff Resource, identify parks, recreation and trails program funding sources.
- 2.3 Advise on volunteer development, including recruitment, recognition and support of those involved in the delivery of parks, recreation, and trails opportunities and programs.
- 2.4 Promote public relations with all sectors of the community, including development of partnerships within and outside of the community, and coordinate such efforts in order to avoid overlap or duplication.
- 2.5 Assist with fundraising for a new Arena/Fitness Centre, and all other Municipally-owned recreational facilities, either by undertaking fundraising efforts itself, creating a fundraising sub-committee, or by enlisting and working with a community group to spearhead such fundraising.

3. STAFF RESOURCE

- 3.1 The Recreation and Culture Manager (or designate) shall be the Staff Resource for the Arts, Culture and Heritage Committee.

THE CORPORATION OF THE MUNICIPALITY OF SIOUX LOOKOUT

BY-LAW NO. 18-19

**BEING A BY-LAW TO AMEND BY-LAW NO. 79-15, BEING A BY-LAW
TO AMEND BY-LAW NO. 79-15, BEING A BY-LAW TO ESTABLISH
TERMS OF REFERENCE FOR COUNCIL-CREATED COMMITTEES**

WHEREAS Section 10(2)1. of the Municipal Act, 2001, c25, as amended, states that "A *single-tier municipality may pass by-laws respecting...Governance structure of the municipality and its local boards*"; and

WHEREAS the Council of The Corporation of the Municipality of Sioux Lookout has established a series of Advisory Committees to provide advice to Council on a variety of programming and service needs of the community; and

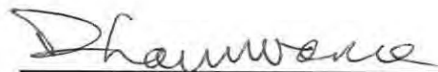
WHEREAS Council has adopted Terms of Reference to set out the responsibilities and to govern the operations of the Advisory Committees; and

WHEREAS Council deems it advisable and expedient to further amend the Terms of Reference for the Environment and Parks & Recreation Committees;

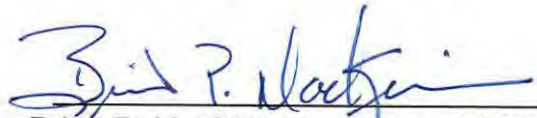
**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE
MUNICIPALITY OF SIOUX LOOKOUT ENACTS AS FOLLOWS:**

1. THAT Section 4.4.1 be added to By-law No. 79-15, and shall provide as follows:
 - 4.4.1 *Notwithstanding Section 4.4 herein to the contrary, the Sioux Lookout Environment Committee and the Sioux Lookout Parks and Recreation Committee shall have up to two Councilor-appointees*

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS
TWENTIETH DAY OF MARCH 2019.



Doug Lawrance, Mayor



Brian P. MacKinnon, Municipal Clerk