



TOWN OF SHELBURNE

Town Council Committees Policy

Intent

This policy applies to any and all Town Council Committees listed herein. The Town Council Committees Policy will repeal and supersede any and all previous policies held by the Town of Shelburne regarding and/or governing Town Council Committees. This policy does not apply to non-Town Council committees on which members of Council may sit, for example, the RCMP Advisory Board Committee, Library Board and Arena Board.

The intention of this policy is to simplify and manage the creation and dissolution of Town Council Committees as required based on need, effectiveness and relevance. This policy will include a list of current Town Council Committees.

This policy will serve as a reference in the formation of new Town Council Committees; this Policy will provide guidelines for the organization of committees, committee membership, meeting times, roles of committee members and the requirements and criteria necessary to be designated as a Town Council Committee.

Scope

The Town Council Committee Policy *adheres by the Municipal Government Act (MGA) and* applies to all Town of Shelburne Committees of Council, at all times and without exception. Council Committees will make recommendations to Council by motion. Town Council may by motion override any decision of any Town Council Committee. The following provisions shall apply to all Town Council Committees established by this Policy, except where the Policy specifically provides otherwise.

Terms and Procedures

The following provisions shall apply to all Committees established by this Policy, except where the Policy specifically provides otherwise:

Town Council Committee: Town Council Committees are formed by motion of Council amending this policy. The purpose of every Town Council Committee is to serve the community in some meaningful and recognizable way and to make recommendations in this regard to Council. Town Council Committees must provide regular agendas and minutes to Council and staff to be made available to the public. Each Town Council Committee is responsible for the creation of its own Terms of Reference which will be included in this policy by motion of Council when approved.

Committees will submit regular written reports or minutes to Council for review and present recommendations for Council approval. This will generally take place at the first regular Council

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meeting of the month. Where a committee recommendation is urgent it can be delivered at another meeting by a member of Council serving on the committee.

Terms of Reference: Town Council Committees must develop Terms of Reference for members to promote and adhere to which are clear in purpose and easily recognizable as being for the public good. The mandate must be one which members can work toward with tangible outcomes easily recognizable by the community, on the whole, as positive and valuable. All current Town Council Committee's Terms of Reference will be included in this policy. Generally each Committee's Terms of Reference will include: Background, Committee Vision, Committee Mission and the Role of the Committee.

Membership: Town Council Committees will generally be comprised of two members of Council, one or more non-voting staff members, including the designated Committee Secretary, with the remaining membership of up to 10 members consisting of community volunteers and/or individuals with particular skill sets relative to the committee. Staff are not prohibited from serving on a committee as a voting member. The Audit Committee is an exception to this rule, being comprised of Council members, staff, and at least one member who is not a municipal employee or member of Council. Each committee will submit increases and decreases in membership to Council for approval. The majority of voting members of Town Council Committees must be residents of the Town.

Members of the public can apply to any Town Council Committee for membership at any time in the year. There is no formal application process; applicants can apply in person at a committee meeting or in writing to the Secretary or Chair of the Committee. Applications will be reviewed by the committee and applicants who meet the criteria of the committee, and where there is membership space available, will have their applications forwarded via the regular report to Council for final approval. The Committee will notify the applicant of the decision.

Role of Town Council Committee Chair: The Chair is appointed annually. Council may appoint a Chair of any committee from the membership by motion. If Council does not appoint a Chair, the Chair will be determined from the membership by the committee members. Committees may remove and appoint a Chair as deemed necessary, by way of a recommendation to Council. The Chair of a Town Committee is entitled to speak and vote on any motion. The Chair will call the meeting of the committee to order and ensure appropriate procedures are followed. The Chair will serve as the representative of the committee at official functions; however, this function can also be delegated to another member(s) of the committee as required.

Role of Town Council Committee Secretary: The Secretary is always a non-voting staff member. The Secretary will prepare the agenda and keep the minutes of the committee meetings. The Secretary will provide agendas and minutes to the membership and the *Executive Coordinator* for submission to Council and for public access. The Secretary will have the following responsibilities:

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- a) to collect agenda items and input from committee members and issue the agenda, along with any other required documents, to the committee prior to the meeting;
- b) prepare and issue minutes of meetings in a timely fashion;
- c) ensure that the activities of the committee are communicated effectively to the community, prepare any press releases and *arrange for posting to the Town's website* to ensure that pertinent information is made available to the public.

Role of Committee Members: The expectations of individual committee members are as follows:

- a) to attend committee meetings;
- b) to provide feedback and input on Town policies, procedures and practices to ensure they address issues relating to the committee's Terms of Reference;
- c) to represent the committee as required at functions and events.

Meeting Procedures: The Committee shall meet at such a time and place as set out at the preceding meeting or at such other time and place as Council, the Committee Chair, or a quorum of committee members decides, with at least three (3) days advance notice. Committees which meet on a monthly basis will endeavor to keep a regular meeting day, e.g., the third Monday of the month. *Lack of agenda items will lead to the cancellation of the meeting.* The date, time and location of committee meetings shall be posted by the Secretary by providing a copy of the agenda to committee members and the *Executive Coordinator*.

Quorum at a meeting of a Town Council Committee shall be the same as quorum at a Town Council meeting pursuant to provincial legislation.

Subject to the other provisions of this Policy, the rules of conduct and debate that apply at Council meetings apply at committee meetings. Committees are encouraged to develop their own conventions to facilitate committee business.

Agenda Items: To ensure their inclusion on meeting agendas all items must be forwarded to the Secretary at least five (5) working days prior to the next scheduled meeting. The committee agenda, along with the meeting package, will be distributed to committee members at least three (3) working days prior to the next scheduled meeting.

Resources/Accounts: Where applicable, Town Council Committees will be allotted funds as a component of the Annual Operating Budget for purposes directly related to their Terms of Reference; committees are generally expected to submit an annual plan to Council outlining

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how these funds will be used. Individual committee members, with the exception of staff members, do not have the power to expend funds on behalf of the Committee.

Subject to motion(s) of Council, the resources which may be utilized by the Committee, in addition to expense claims for committee business through the CAO, include:

- a) use of the Town's facilities and supplies for meetings, including photocopying, postage and other administrative needs as approved by the CAO;
- b) use of external services necessary to discharge the Committee's Terms of Reference, e.g., advertising, as approved by the CAO;
- c) such other resources are reasonably required, through the CAO.

The members of the committee shall serve without remuneration but may be paid such expenses as are necessarily incurred by each member in the discharge of duties approved by the committee.

Code of Conduct : Volunteer members of any Town Council Committee will follow all applicable Town of Shelburne policies and/or by-laws while serving in the community and/or representing the Town as part of a Town Council Committee.

Conflict of Interest: Any member of a Town Council Committee with a conflict of interest related to motions or actions of the committee, must acknowledge the conflict and follow the same procedures as those followed by Council; have the conflict recorded in the minutes and be excused from participation in the meeting during the time which the topic is under consideration. *Please refer to the Municipal Conflict of Interest Act.*

Annual Review: In the event that a Town Council Committee ceases to function as described by this policy or as described in the committee's Terms of Reference, or ceases to meet for three or more successive meetings, or is unable to meet with quorum for three or more successive meetings, Council may proceed with a review of the viability of the committee and determine whether to dissolve. Town Council Committees can only be dissolved through motion of Council amending this policy; Town Council Committees dissolved by motion of Council, can be so dissolved without consultation with the Committee members. In the instance that a Committee is dissolved, the dissolution will be posted on the Town website and all the Committee members will be notified prior to the next scheduled meeting.

Current Town Council Committees List:

Port Authority Committee

Asset Management Committee

Audit Committee

Source Water Protection Committee

Heritage Advisory Committee

Approved by Council: December 6th, 2017

Amendments by Council: February 3rd, 2025

Mayor, Stan Jacklin

Shelburne Port Authority Committee Terms of Reference

Background

The Committee was established by the Town to provide advice to Council concerning the development of the Shelburne Marine Terminal. The Committee plays an important oversight role with regard to the Terminal, receiving updates from the Port Manager and Town staff and making recommendations to Council. The priority of the Committee is to see the Shelburne Marine Terminal develop into a successful commercial operation capable of operating independently from the Town.

Committee Vision

We envision the Shelburne Marine Terminal as a lynchpin in the Town's infrastructure, capable of playing a significant role in the long term growth of the local economy.

Committee Mission

To recommend to Council the establishment or amendment of policies, programs and practices for the Shelburne Marine Terminal designed to improve and enhance the capacity of the Terminal to serve as a significant economic driver, and to monitor and report on the effects of any such recommendations as are adopted by Council; recommendations to Council concerning the long-term maintenance of Marine Terminal infrastructure necessary to support the Committee's Vision are deemed to be central to this Mission. To assist in the marketing and promotion of the Shelburne Marine Terminal where such efforts by the Committee support the Committee's Vision.

Role of the Committee

To research and investigate issues relating to the Committee Mission, to receive and consider representations by any individual, organization or delegation of citizens on these issues, to review issues referred to the Committee by Council or Staff, and to make recommendations to the Shelburne Town Council to address these issues.

Asset Management Committee Terms of Reference

Background

The establishment of the Asset Management Committee follows from the Town of Shelburne's participation in the provincial Asset Management Pilot Project 2017-18 as one of five pilot municipalities (along with the Town of Lockeport by joint application to the Province). The pilot project will provide the Town with the assistance of provincially-contracted consultants in developing an up-to-date asset inventory to support future asset management decisions and the development of a draft Asset Management Plan. The Committee was established to assist the Town Council in developing policies for the management of Town-owned assets, including the draft Asset Management Plan. Committee meetings are expected to begin following the completion of the pilot project with Committee members undergoing Asset Management training and reviewing the consultant's reports.

Committee Vision

We envision Shelburne as a community where public assets are developed and maintained in accordance with the requirements and capacities of all residents.

Committee Mission

To develop a draft Asset Management Plan and associated draft policies for recommendation to the Shelburne Town Council and to regularly review these documents, proposing amendments as required. The Committee will make recommendations concerning service levels for municipal assets and engage in sessions to assess risks/opportunities and prioritize capital spending, building on prior work by Council and staff. Additional considerations could include maintenance requirements, risk management, innovative technologies, energy efficiency, climate adaptation, use of natural infrastructure, accessibility, associated staff certifications, fair service principles, tourism promotion and impacts on the local economy, among others to be determined by the membership.

Role of the Committee

To research and investigate issues relating to the Committee Mission, to receive and consider representations by any individual, organization or delegation of citizens on these issues, to review issues referred to the Committee by Council or Staff, and to make recommendations to the Shelburne Town Council to address these issues.

To pursue its Mission the Committee – supported by Town staff at the direction of the CAO – will conduct public sessions and surveys concerning various asset categories, policies, rankings, options for setting service standards, etc. to collect additional public input for Council. The Committee will work to provide Council with solid background to support recommendations and will obtain Council authorization to fund additional technical studies as required, through the Town's annual budget process.

**Audit Committee
Terms of Reference**

Background

The Audit Committee was established in 2013 to satisfy the requirements of the Municipal Government Act:

Section 44

- (1) The council shall annually appoint an audit committee.
- (2) The responsibilities of the audit committee include:
 - (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. 1998, c. 18, s. 44.

Committee Mission

The mission of the Audit Committee is to ensure that the Town of Shelburne is operating in compliance with the Section 44 of the Municipal Government Act.

Role of the Committee

The role of the Audit Committee is to review the financial statements of the Town.

**Source Water Committee
Terms of Reference**

Background

The Town of Shelburne's Source Water Protection Committee is an advisory committee established by Council to make recommendations to Council on water protection matters, in accordance with the adopted Terms of Reference. Members are bound by this Terms of Reference and are ultimately responsible to Town Council. Source Water Protection Plans require annual review and the Department of Environment prescribes the use of an Advisory Committee for this purpose.

Goal

To develop and maintain a source water protection plan and provide the municipality of utility with advice on matters concerning land-use issues, water quality, levels and flows in the Source Water Protection areas.

Objectives

The Committee's objective is to provide advice to the Town and water utility:

1. That will attempt to satisfy the water quality and quantity concerns of stakeholder groups;
2. About the sources of contamination in the source water supply area;
3. About the protection options available; and
4. About the success of the protection plan.

The Committee will review and make recommendations in a timely manner, to Council, on all activities or policy issues affecting the water quality, levels and flows in the Source Water Protection area.

The Committee will review and comment on water quality and monitoring programs and other studies related to the Source Water Protection areas. All water quality information available from member agencies shall be made available to the Committee.

The Source Water Protection areas are defined by the Source Water Protection Plans to which the Committee provides input.

Membership

1. The Committee shall be comprised of the following voting members (5):
 - a) One member of Council to chair the meeting (Town of Shelburne)
 - b) One member to act as vice-chair
 - c) Two customers of the Water Utility (one from the source water protection area preferred)
 - d) Town Planner – Municipal Planner
 - e) EMO member

- f) Water Plant Operator
2. The Committee will strive to have the following non-voting technical representation (4):
 - a) Secretary – Town of Shelburne
 - b) 1 Lands and Forest Representative
 - c) 1 Transportation Integration & Renewal Representative
 - d) 2 Department of Environment Representatives
 - e) 1 Municipal Bylaw Officer / Town Fire Chief
 - f) 1 Municipality of Shelburne CAO
 - g) 1 Town of Shelburne CAO
 3. Bodies or agencies appointing representatives may name an alternate. Alternates of voting members may vote when the appointed representative is absent.

Terms

Council members will serve a minimum of a two-year term along with other voting membership.

Upon expiration of terms, staff will seek and facilitate appointments by Council or the respective agency.

Quorum

Quorum constitutes a majority of the total number of advisory committee members. Voting cannot take place with less than three voting members.

Conflicts of Interest

Members shall declare possible conflicts of interest before agenda items are presented and leave the meeting or part of the meeting during which the matter is under consideration.

Meetings

The committee shall meet as necessary, but not less than two times per year (Fall / Spring).

The committee shall endeavor to conduct business by consensus, but should voting be necessary, all motions will require support from a majority of the voting members present in a meeting where a quorum has been met.

Members who miss three (3) consecutive meetings may forfeit their position to which the committee will seek a replacement.

Role & Responsibility of Town of Shelburne Staff

Town staff shall provide research support to the committee. This includes preparing reports for the committee, providing statistical information, and submitting a committee reports to Town Council.

HERITAGE ADVISORY COMMITTEE Terms of Reference

Introduction

The Heritage Advisory Committee (HAC) serves as an advisory body to the Town of Shelburne Council (Council) in matters pertaining to heritage protection and conservation. This committee provides guidance on development and conservation activities related to heritage properties within the Town, functioning as an Advisory Committee of Council.

Scope of Work

The HAC may make recommendations to Council on the following matters:

- a) Inclusion of buildings, streetscapes, and areas in the Town Registry of Heritage Property;
- b) Applications for substantial alterations or demolition of Town Heritage Properties;
- c) Building and other regulations affecting the Heritage Property Act's intent and purpose;
- d) Any other matters conducive to the effect of carrying out the intent and purpose of Heritage Property Act.

Membership

The HAC consists of six members, structured as follows:

- a) Two members appointed from within Council.
- b) Two members from the Shelburne Historical Society or individuals who have otherwise demonstrated active concern for the preservation of buildings of historic significance.
- c) Two members from the public.

All members are appointed by Council. All members are residents of the Town. One member from each of the three categories will be appointed for a period of two years. The remainder for a period of one year. All members are eligible for reappointment by Council for up to a maximum of four years.

Committee positions will be advertised following current Town procedures. Prompt appointments will be made by Council to fill committee vacancies. The members of the Committee serve without remuneration but may be reimbursed for necessary expenses. No member of the Committee has any power to pledge credit of the Town or to authorize any expenditure to be charged to the Town.

Role of Committee Members

The expectations for individual committee members are as follows:

- a) Attend committee meetings.
- b) Provide feedback and input on Town policies, procedures and practices to ensure they address issues relating to the Committee scope of work.
- c) Represent the Committee as required.

Role of the Chair

The Chair will be appointed by the Committee from among the voting members on an annual basis; the Chair will be considered as having a vote. The Chair ensures timely delivery of all Committee agendas and minutes and will serve as the Chair of the Committee meetings. The Chair will call the meeting to order and ensure appropriate procedures are followed. The Chair will also be responsible for ensuring the delivery of Committee reports and recommendations to Council. The Chair will serve as the representative of the Committee at official functions, but the Committee may delegate this role as required.

Role of the Secretary

The Chief Administrative Officer or an appointed staff member acts as the Secretary of the Committee and will not be considered as having a vote.

The Secretary will have the following responsibilities:

- a) Collect agenda items and issue the agenda and any required papers
- b) Prepare and issue minutes in a timely fashion
- c) Gather input from Committee members and issue documents in a timely fashion
- d) Coordinate with the Town website manager to ensure access to pertinent information is available to the public
- e)

As per Section 30 (4) of the Municipal Government Act, no council member, committee or member of a committee established by Council shall instruct or give direction to, either publicly or privately, an employee of the municipality.

Meeting Procedures

The Chairperson calls meetings of the Committee on a bi-monthly basis unless there are no items to be reviewed in a particular month. Typically, meetings will be held on the first Thursday in the Town Hall. Alternate dates may occur where special circumstances demand. Meetings are open to the public unless the nature of a committee business (dealing with issues specified in the Municipal Government Act) requires a closed meeting. Public notification of meeting dates and changes are provided on the Town of Shelburne's website.

The order of business is set out in an agenda package and provided to Committee members in advance of the meeting date. Items for the agenda, including presentation materials, will be forwarded electronically to the Committee Secretary at least five working days prior to the meeting date for agenda preparation and posting for the public on the Town's website. Additional items may be discussed under "other business" if time permits.

Minutes of the meetings are prepared by the Secretary and signed by the Committee Chair or Acting Chair for the meeting for which the minutes pertain. Originals of the minutes will be forwarded to the Committee Secretary for safekeeping. Once adopted, minutes will be posted for public viewing on the Town's website.

Reporting to Council

The Committee reports regularly to Town Council. Recommendations require majority support, and absent members may provide formal approval through electronic communication, as decided by the Committee.

Endorsed by Council : 01/02/2024