

Terms of Reference

Advisory Committees of the Village Commission

BACKGROUND

The Village of Baddeck (“Village”) is committed to being an engaged, connected and innovative community. Advisory Committee volunteers play a significant role in building a strong vibrant community that honours our heritage and celebrates our diversity.

Advisory Committee volunteers are public members who are appointed by the Village Commission (“Commission”) and provide recommendations to the Commission. The work of Advisory Committees aligns with the Commission’s strategic plans.

To ensure many people have the opportunity to serve as volunteers on Advisory Committees, members of the public may only be appointed to serve on one Advisory Committee at a time.

A. COMMITTEE ELIGIBILITY

1. Advisory Committee members must be

- a resident, tenant or owner of land in the village of Baddeck; and
- 18 years of age or older
- as identified in Section K

2. Advisory Committees of the Commission must consist of no fewer than 5 members and must not exceed 9 members, plus a maximum of two (2) Village Commissioners.

3. All Advisory Committee members, including Village Commissioners are appointed to an Advisory Committee by the Commission. The Commission may rescind the appointment of an Advisory Committee member at any time.

4. Employees of or contractors for the Village are not eligible to serve on an Advisory Committee unless provided for in legislation.

5. On or before August 1 of each year, the Village Manager, on behalf of the Village Commission, will send out an expression of interest call to the public for all open positions on Advisory Committees. Those expressions of interest will be examined by the Commission and appointments will be made at the regular September meeting of the Village Commission.

B. TERM

The term of all Advisory Committee members is 3 years. An Advisory Committee member may be appointed to successive terms at the discretion of the Commission. Terms should be staggered when possible.

C. COMMITTEE MEETING FORMAT

1. Advisory Committee meetings, including sub-committee group meetings, may be held in-person, virtually or as a hybrid meeting that allows both in-person and virtual attendance.

2. If meetings are held virtually or in a hybrid format, they must comply with the Village By-law related to virtual meetings.

3. All Advisory Committee meetings must be in an open and transparent format which allow public attendance.

D. GENERAL CONDUCT AND ETHICS

1. Advisory Committee members must comply with the *Municipal Government Act* and the *Municipal Conflict of Interest Act*. Where, in the opinion of the Commission, an Advisory Committee member does not comply with the applicable legislation, the Commission may rescind the member's appointment.
2. It is the responsibility of Advisory Committee members to identify and disclose any conflict of interest as defined under the *Municipal Conflict of Interest Act*. Members must disclose pecuniary interest at the opening of a meeting, prior to any discussion on the matter, and if declared, must not take part in discussion or vote on such matter. Members must not in any way attempt to influence the voting on such matter before, during or after the meeting. All disclosed conflicts of interest must be recorded in the meeting minutes and in the Village's Conflict of Interest Declaration Registry.
3. Advisory Committees must not undertake any direct fundraising activities or fundraising on behalf of the Village or on behalf of a third party without approval from the Commission at a regular monthly meeting. Official donation receipts must be issued by the Village, the qualified donee.
4. Advisory Committees must not use their allocated budgets to provide donations or grants to other organizations or third parties other than contributing personal volunteer hours to a cause. All donation, grant and/or fundraising requests must be approved by the Commission.

E. PROCEDURE AND OPERATIONS

1. Advisory Committees are subject to the control and direction of the Commission and the strategic plan.
2. Each Advisory Committee will review the Commission approved Committee Mandate at least once per year unless otherwise directed by the Commission. Revisions or alterations to the Committee Mandate must be approved by the Commission.

3. Each Advisory Committee will review the *Municipal Conflict of Interest Act* at least once per year.
4. A quorum is the minimum number of members of a body required to be present at a meeting for a body to exercise its power or authority. For the purposes of this Terms of Reference, quorum means a majority of Advisory Committee members constituted by fifty percent plus one unless otherwise specified within the Committee Mandate.
5. Each Advisory Committee must develop yearly action plans that conform with the Village's strategic plan and the Committee Mandate. The yearly action plans must be presented in a report to and approved by the Commission. Where applicable, the Advisory Committee budget must be approved by the Commission annually.
6. All Advisory Committee recommendations to the Commission must be through resolutions passed with a majority vote at and recorded in the Advisory Committee minutes.
7. All Advisory Committee members must complete any required training as deemed necessary by the Commission or as otherwise prescribed.
8. The Commission will receive minutes of Advisory Committees through the Commission agenda at monthly, public Commission meetings.
9. Advisory Committees must indicate that action is required by the Commission by passing a resolution. Where possible, resolutions will be made by way of consensus. When a formal vote is necessary, a resolution must be moved and seconded prior to voting. A resolution is deemed to be carried if the majority of members present vote in the affirmative.
10. Advisory Committee members may submit items for inclusion on the Advisory Committee agenda by giving notification to the Chair in writing a minimum of one week prior to the meeting. The Chair will accommodate member requests for the inclusion of agenda items, whenever possible, but the Chair has the final decision about which items are included on the agenda.
11. Despite any of the above, Advisory Committees must not:
 - Undertake or direct the daily operations or administrative matters of the Village;

- Review staff structure, staff compensation, or other staffing related matters;
- Prepare, approve or deliver the Village's annual budget and capital projects;
- Approve expenses, except for items purchased through the Advisory Committee budget as approved by the Commission;
- Perform project and program implementation, unless assigned by the Commission;
- Review any matter that may be subject to the Village's closed meeting provisions; and
- Act as a forum to debate decided matters of the Commission, or a forum to organize political advocacy for the Commission to reconsider decided matters.

12. All Advisory Committees must elect a Chair and a Vice-Chair at or soon after the first meeting of the Advisory Committee term. The Chair and Vice Chair are elected for the term of the Advisory Committee.

13. Advisory Committees must not hold closed meetings.

F. ISSUING OF PUBLIC STATEMENTS

No public statements are to be made by members of Advisory Committees without approval via a motion from the Village at a monthly public meeting, or with unanimous from the majority of the Village Commissioners via email if timeline does not allow for presentation at a regularly scheduled public meeting.

G. COMMITTEE MEMBER GENERAL COMMITMENTS

In applying to the Village for an Advisory Committee member position, members of the public commit to:

- The time required to work on the Advisory Committee and attend all scheduled and special Advisory Committee meetings;
- Attend Advisory Committee orientation and training sessions provided by the Village;
- Understand the Committee Mandate, including its relationship to the Commission;
- Understand their role and expectations, including applicable policies;
- Understand the role and expectations of the Advisory Committee chair and members;
- Prepare for meetings by reading agendas and any background information supplied;
- Actively participate in the discussion and recommendation process;
- Undertake any work assigned, including special projects and research, in between meetings;
- Be open-minded and allow for a variety of opinions to be heard;
- Respect the individual worth and dignity of other Advisory Committee members, and maintain a high degree of professionalism;
- Recognize limitations on participation and inform the chair and staff when these limits are unreasonable;
- Ask questions, and seek clarification through the chair and the staff;
- Respect that actions taken, and ensure recommendations to the Commission reflect the majority view of the Advisory Committee;
- Respect the decisions and finality of the Commission; and
- Clearly identify any items of pecuniary interest in accordance with the *Municipal Conflict of Interest Act* before they are discussed, and refrain from discussion and voting on the same.

H. SUB-COMMITTEES

1. An Advisory Committee may establish a Sub-committee by approved motion which includes the following information:

- a) The mandate and purpose of the Sub-committee, including specific tasks that are within the Committee Mandate of the Advisory Committee;

- b) The start and end date of the Sub-committee term;
 - c) The reporting structure of the Sub-committee to the Advisory Committee:
and
 - d) Members of the advisory committee assigned to the Sub-committee.
2. Sub-committee members must comply with all requirements established in this Terms of Reference for Advisory Committees and are subject to the same principles of accountability and transparency as prescribed by the Village.
 3. The maximum number of Sub-committee members is less than the total quorum of the Advisory Committee.
 4. Sub-committees are responsible for the preparation of their meeting notes. Meeting notes must be submitted to the next regular committee agenda for consideration and approval of the Advisory Committee.
 5. Staff and commissioners are not required to attend sub-committee meetings.

I. ATTENDANCE

1. Where an Advisory Committee member will be absent from a regular or special meeting of the Advisory Committee, the member must contact the Chair or their designate prior to or reasonably soon after a non- attendance at the meeting.
2. If three regular or special scheduled meetings are missed, the Advisory Committee member must review non- attendance with the Chair.
3. Where non-attendance is related to the position of Chair then the Chair must review non-attendance with the Commission.

J. VACANCIES

Vacancies on Advisory Committees are created when a member resigns or vacates the position, effective:

- a) The date of resignation;

- b) The date the member is removed by Commission resolution;
- c) The date the member no longer qualifies for the position; or
- d) The date of the death of the member.

K. FILLING POSITIONS WHERE SPECIALIZED KNOWLEDGE IS REQUIRED

Through the Committee By-law, the Village may identify one or more positions in an Advisory Committee composition designated to a stakeholder group(s) with a specialized knowledge, experience or representation.

The Commission may determine the need to fill the position in the following manner:

- 1) by invitation;
- 2) by seeking the assistance of a recruitment agency; or,
- 3) outreach to specific organizations or other means deemed appropriate by the Commission.

Activities with respect to filling Committee positions where specialized expertise is required will be coordinated by the Village Manager, in consultation with applicable staff and then recommendations will be brought to the Commission.

L. ROLE OF STAFF

The Village Manager or designated staff person may, at the discretion of the Village Commission, support the Advisory Committees in the following ways:

- Assist the chair in determining if quorum was met;
- Record when the meeting started and adjourned;
- Record the advisory committee members present;
- Record without note or comment, including the names of the movers and seconders of motions;

- Note any disclosures of pecuniary interest, including the general nature thereof;
- Review and correct any errors in the minutes of previous meetings;
- Assist the chair and Advisory Committee members in preparing administrative components of any reports and/or presentations to the Commission;
- On a regular basis, assist the Advisory Committee to review goals and objectives, and ensure their work plan is realistic and up to date;
- Offer procedural and process advice to the chair and Advisory Committee; and
- Prepare the Advisory Committee minutes, and ensure they are included on the next Commission agenda.