
HALDIMAND COUNTY

Report CL-12-2018 Council Appointments as of December 1, 2018 and Approval of Citizen Appointment Process and Evaluation Criteria

For Consideration by Council in Committee on December 11, 2018



OBJECTIVE:

To appoint a Deputy Mayor, Chairs and Vice-Chairs of Council's Business Divisions and determine certain other Council appointees to boards and committees to November 14, 2019, or to the end of the current Council term, as applicable, and to approve a process and evaluation criteria for the appointment of citizens to various boards and committees.

RECOMMENDATIONS:

1. THAT Report CL-12-2018 Council Appointments as of December 1, 2018 and Approval of Citizen Appointment Process and Evaluation Criteria be received;
2. AND THAT Councillor _____ be appointed as Deputy Mayor, for the period from December 1, 2018 to November 14, 2019;
3. AND THAT the following appointments for Chairs and Vice Chairs for the Business Divisions of Council in Committee for Haldimand County be made, for the period from December 1, 2018 to November 14, 2019:

Public Meeting for Planning Applications	Chair Councillor _____
	Vice Chair Councillor _____
Community & Development Services	Chair Councillor _____
	Vice Chair Councillor _____
Public Works Operations	Chair Councillor _____
	Vice Chair Councillor _____
Engineering & Capital Works	Chair Councillor _____
	Vice Chair Councillor _____
Financial & Data Services	Chair Councillor _____
	Vice Chair Councillor _____
Corporate & Social Services	Chair Councillor _____
	Vice Chair Councillor _____
Corporate Affairs	Chair Councillor _____
	Vice Chair Councillor _____

4. AND THAT _____ be appointed to the Accessibility Advisory Committee for a term commencing December 1, 2018 and ending November 14, 2022;
5. AND THAT _____ be appointed to the Agricultural Advisory Committee for a term commencing December 1, 2018 and ending November 14, 2022;

6. AND THAT _____ be appointed as an alternate to the Agricultural Advisory Committee for a term commencing December 1, 2018 and ending November 14, 2022;
7. AND THAT _____ and _____ be appointed to the Business Development and Planning Advisory Committee, for a term commencing December 1, 2018 and ending November 14, 2022;
8. AND THAT the following members of Council be appointed to the respective Business Improvement Area Boards of Management for a term commencing December 1, 2018 and ending November 14, 2022, or until their successors are appointed:
- Caledonia _____
- Dunnville _____
- Hagersville _____;
9. AND THAT _____ and _____ be appointed to the Grand River Conservation Authority to represent the interests of both Haldimand County and Norfolk County (conditional on the approval of Norfolk County, if required), for a term commencing December 1, 2018 and ending November 14, 2022;
10. AND THAT _____ and _____ be appointed to the Long Point Region Conservation Authority, for a term commencing December 1, 2018 and ending November 14, 2022;
11. AND THAT _____ and _____ be appointed to the Niagara Peninsula Conservation Authority, for a term commencing December 1, 2018 and ending November 14, 2022;
12. AND THAT the following members of Council be appointed to the Court of Revision for a term commencing December 1, 2018 and ending November 14, 2022:
- _____
 - _____
 - _____
 - _____ (alternate);
13. AND THAT _____ be appointed to the Haldimand Norfolk Housing Corporation for a term commencing December 1, 2018 and ending November 14, 2022;
14. AND THAT _____ be appointed to the Hamilton Airport Noise Management Advisory Committee for a term commencing December 1, 2018 and ending November 14, 2022;
15. AND THAT the following members of Council be appointed to the Health and Social Services Advisory Committee, for a term commencing December 1, 2018 and ending November 14, 2022:
- _____
 - _____
 - _____;
16. AND THAT the Terms of Reference for Heritage Haldimand be amended to include the appointment of a member of Council as a non-voting member, acting as a liaison between the committee and Council;
17. AND THAT _____ be appointed to Heritage Haldimand for a term commencing December 1, 2018 and ending November 14, 2022;

18. AND THAT _____ be appointed to the Museums Advisory Board for a term commencing December 1, 2018 and ending November 14, 2022;
19. AND THAT _____ and _____ be appointed to the Police Services Board, for a term commencing December 1, 2018 and ending November 14, 2019;
20. AND THAT _____ be appointed to the Poverty Action Partnership for a term commencing December 1, 2018 and ending November 14, 2022;
21. AND THAT _____ be appointed to the Haldimand County Public Library Board for a term commencing December 1, 2018 and ending November 14, 2022, or until their successors are appointed;
22. AND THAT _____ be appointed to the Niagara Source Water Protection Committee for a term commencing December 1, 2018 and ending November 14, 2022;
23. AND THAT _____ be appointed to the Tom Howe Citizen Liaison Committee for a term commencing December 1, 2018 and ending November 14, 2022 or until such time when the committee is dissolved;
24. AND THAT _____ be appointed to the Trails Advisory Committee for a term commencing December 1, 2018 and ending November 14, 2022;
25. AND THAT a by-law be presented to enact the appointment of the Deputy Mayor;
26. AND THAT the process and evaluation criteria for the appointment of citizens to various boards and committees, included as Attachment #3 to Report CL-12-2018, be approved.

Prepared by: Evelyn Eichenbaum, Clerk, Manager of Citizen & Legislative Services

Respectfully submitted: Cathy Case, General Manager of Corporate & Social Services

Approved: Donald G. Boyle, Chief Administrative Officer

EXECUTIVE SUMMARY:

In order to meet the requirements of Provincial legislation, County By-laws and various other Terms of Reference, Council must appoint its members to the various positions identified in this report. The responsibilities, terms and remuneration for each appointment are outlined in a spreadsheet in Attachment #1 to the report. Any changes to terms enacted through the Procedural By-law would require an amendment to the by-law.

To align with a more consistent approach to the overall administration of all County boards and committees, a process and evaluation criteria for the appointment of citizens has been developed as a tool to ensure that a standard process is used for all citizen appointments.

BACKGROUND:

At the beginning of each term of Council, it is necessary to appoint members to act in specific roles as required by the Procedural By-law, and to fulfill regulated and approved positions on numerous boards and committees. With the new Council term in place from December 1, 2018 to November 14, 2022, this report outlines appointments reflective of current legislation and by-laws. With this term of Council ending on November 14th for the first time since the Municipal Act was changed, all terms, whether for one or more years, end on November 14th to allow for consistent appointment timeframes going forward.

Based on the past term's activity, the following appointments of Council members are required at this time:

- Deputy Mayor
- Chairs and Vice-Chairs of Council Business Divisions
- Accessibility Advisory Committee
- Agricultural Advisory Committee
- Business Development and Planning Advisory Committee
- Business Improvement Area Boards of Management (3): Caledonia; Dunnville; Hagersville
- Conservation Authorities (3): Grand River; Long Point Region; and Niagara Peninsula
- Court of Revision
- Haldimand County Public Library Board
- Haldimand Norfolk Housing Corporation
- Hamilton Airport Noise Management Advisory Committee
- Health & Social Services Advisory Committee
- Police Services Board
- Poverty Action Partnership
- Source Water Protection Committees (2): Lake Erie; and Niagara
- Tom Howe Citizen Liaison Committee
- Trails Advisory Committee

Report CDP-20-2018 Update Haldimand Museums Advisory Board By-law and Terms of Reference is being considered at the December 11, 2018 Council in Committee meeting. If the report recommendation is approved, an additional appointment to the Museums Advisory Committee will be required, and is included in the recommendations above. A recommendation to appoint a Council member to Heritage Haldimand is also included above, and explained below.

Report HR-08-2018 Council Remuneration is also being considered at the December 11, 2018 Council in Committee meeting. Information regarding Council remuneration pertaining to representation on committees and boards is discussed in that report, and a recommendation on Report HR-08-2018 should be made prior to considering this report.

A separate report is being prepared for consideration at the January 15th Council in Committee meeting to deal with citizen appointments to various boards and committees, some of which are the same as those addressed in this report. A Process and Evaluation Criteria to be Applied to Citizen Appointments to Boards and Committees is included with this report (Attachment #3) to provide a consistent approach for the appointment of citizens to boards and committees.

ANALYSIS:

Recommended Council appointments are described and grouped below according to the nature of the appointments. Attachment #1 to this report includes a table outlining the scope and term for each appointment, along with requirements of the appointment and legislative references.

Procedural By-law

Haldimand County's Procedural By-law requires that a Deputy Mayor be appointed to act, from time to time, in place of the Mayor when the Mayor is absent. In recent years, this appointment has been made annually, for a one year term. The Procedural By-law also requires the appointment of Chairs and Vice-Chairs for each Business Division for a one year term. The Chairs or Vice-Chairs will preside over the relevant section of each Council in Committee meeting for the open session.

Sections 5.1 and 19.6.2 of the Procedural By-law require that these appointments be made within the first month of a new Council term. While the one-year terms allow for members of Council to be

appointed to different positions and garner broader experience, Council may determine that it is expedient to lengthen the term of these appointments to two years or even for the full four-year term of Council. If this is the case, the Procedural By-law will need to be amended.

Terms of Appointment

The terms for Board and Committee appointments will depend on the applicable by-law, approved terms of reference or provincial legislation. Where there is a maximum of a four-year appointment, Council may appoint for the full four-year term or for a shorter period so as to align with the appointment process for the Deputy Mayor, Chairs and Vice-Chairs in order to equitably share the responsibilities amongst Council members.

Traditionally the Police Services Board appointment has been a one year term. The recommendation remains at a one year appointment; however, Council may choose to appoint for the full four year term.

In regards to the Agricultural Advisory Committee, in past years, the Council appointee has been appointed for a period of 1 year, however, in reviewing the Terms of Reference, the term for all committee appointees is for a 4-year term and there is no other report or motion that indicates a 1-year appointment for the Council appointee, so the report recommendation indicates a 4-year term for the Council appointee and the alternate for the Agricultural Advisory Committee.

Business Improvement Areas – Boards of Management

The Municipal Act, 2001 allows for the designation of Business Improvement Areas (BIAs). The Board of Management for each area must include at least one director appointed by the municipality. Past practice has been to appoint the local councillor to each BIA Board of Management.

Conservation Authorities

It should be noted that Haldimand County has historically appointed two members to the Grand River Conservation Authority, and those members have also represented Norfolk County's interests since their watershed area is too small to justify a single member. Accordingly, Haldimand County's recommended appointment has historically received the concurrence of Norfolk County. The Clerk for Norfolk County has indicated that their Council will be considering a motion to delegate the appointment of the two GRCA members to Haldimand County at their December 18, 2018 Council meeting. If their motion is passed, no request for approval will be forwarded to them. However, if no such motion is passed, approval on the appointments will be sought from Norfolk Council.

In previous years, Haldimand County appointed one member to the Niagara Peninsula Conservation Authority (NPCA). Up until November 2018, the NPCA board consisted of 15 members: 12 from Niagara Region, 2 from the City of Hamilton and 1 from Haldimand County. In recent weeks, there has been some discussion taking place about the composition of the board and whether the appointment process should follow an Order in Council from 1994. Subsequently, a letter has been sent out by the Ministry of the Environment, Conservation and Parks (Attachment #4) clarifying that the Order in Council is no longer applicable and that members shall be appointed in accordance with the numbers set out in subsection 2 (2) of the *Conservation Authorities Act*. As the County's population is 10,000 or more but less than 50,000, two representatives are required. The NPCA has also confirmed through correspondence that the board will consist of 11 members going forward: 5 from Niagara Region, 4 from City of Hamilton and 2 from Haldimand County (Attachment #5).

Heritage Haldimand

As Heritage Haldimand is legislated as a mandatory committee under the Ontario Heritage Act, it is recommended that the committee's Terms of Reference be amended to include the appointment of a member of Council as a non-voting member of the committee. As this committee is required to report to Council on certain heritage matters as determined by legislation, having a member of Council act as

liaison between the committee and Council will facilitate the oversight of heritage matters and will provide consistency with other County advisory committees.

Source Water Protection Committees

Haldimand County has representation on two source water protection committees – Lake Erie and Niagara. The Ontario Clean Water Act states that a member of these committees cannot be a conservation authority appointee.

The past several Councils approved the appointment of Jim Oliver to the Lake Erie Source Water Protection Committee, with this appointment being shared with Norfolk County. Mr. Oliver has retired as councillor for Norfolk County and a related letter from the Lake Erie Source Protection Region is included as Attachment #2. Norfolk County will be considering Council appointments at its December 18, 2018 meeting. It is recommended that the past practice of Norfolk County appointing a member to the Lake Erie Source Protection Committee to represent the interests of both Haldimand and Norfolk Counties be continued.

Tom Howe Citizen Liaison Committee

This Committee is required as a condition of the Environmental Compliance Approval (ECA), issued for the site by the Ministry of the Environment, Conservation and Parks. In addition, the ECA for the site also forms part of the agreement between the Mississaugas of the New Credit First Nation and the former Regional Municipality of Haldimand-Norfolk, now Haldimand County and Norfolk County. The Ministry recommends keeping the site open until the leachate treatability study is completed, and the liaison committee will continue to operate until completion of the study.

Citizen Appointments to Boards and Committees

Previously, at the beginning of each term of Council, a recruitment ad for citizen members of boards and committees was placed in local newspapers and on the County website to solicit applications from interested individuals to sit as members of local boards and committees. Once applications were submitted, staff from each division responsible for the boards and committees reviewed applications and made recommendations to Council in regards to appointments. Some appointments were made based on the application itself, and in other cases, interviews were held prior to recommending appointments.

As the County is looking to provide more consistency with the administration of boards and committees, an appointment process and evaluation criteria are being presented with this report (included as Attachment #3). The process will involve members of Council in their roles as Business Division Chairs, as well as staff, in the initial screening process. Some boards and committees have criteria for membership included in their terms of reference. The evaluation criteria outlined in Attachment #3 provides broad criteria for all members that will be applied, in addition to technical or committee-specific criteria outlined in the Terms of Reference.

Once the citizen appointments are complete in early 2019, staff will review the efficacy of the process and evaluation criteria, suggest any necessary adjustments, and will draft a policy for future recruitment.

FINANCIAL/LEGAL IMPLICATIONS:

Members of Council who are appointed to the position of Deputy Mayor and the Police Services Board have received remuneration up to November 30, 2018, in addition to that received as Mayor or a Councillor and this remuneration has been reflected in the County's annual operating budget. Members appointed to the Board of Directors for the Conservation Authorities receive remuneration from those respective bodies; therefore, these amounts are not reflected in the County's budget. There is no additional remuneration for the Chair and Vice Chair positions of the Business Divisions, or for serving

on any Boards and Committees other than what is noted above. Out of pocket expenses, however, have typically been reimbursed.

Consideration of Report HR-08-2018 and the resulting recommendation will determine the remuneration framework for Council appointees to boards and committees going forward as of January 1, 2019.

The Municipal Act requires that the Treasurer produce an annual report, by March 31st of the following year, identifying the remuneration and expenses paid to Council members and all citizen appointees to Boards and Committees.

STAKEHOLDER IMPACTS:

Not applicable.

REPORT IMPACTS:

Agreement: No

By-law: Yes

Budget Amendment: No

Policy: No

ATTACHMENTS:

1. Council Representation on Haldimand County Boards and Committees
2. Letter dated September 5, 2018 from the Lake Erie Source Protection Region re: Member Nomination
3. Process and Evaluation Criteria to be Applied to Citizen Appointments to Boards and Committees
4. Letter from the Assistant Deputy Minister, Ministry of Environment, Conservation and Parks, received December 5, 2018 re: NPCA board appointments
5. Letter dated December 5, 2018 from NPCA re: NPCA board appointments