



COMITTEE POLICY

Policy Number	P2025-03
Classification	ADM
Effective Date	2025-02-18
Approval Authority	COUNCIL
Supersedes	NA
Mandated Review	2028

1. PURPOSE

The purpose of the policy is to provide a consistent and transparent framework for the administration of committees, recruitment, committee governance, etc. and to function as a guide for committee members and support staff.

2. SCOPE

The policy applies to all committees created by Council. Where conflict occurs between the policy and other legislation, the legislation will prevail.

3. DEFINITIONS

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| (1) CAO | means the Chief Administrative Officer of the City’s administration appointed for the City of Bathurst |
| (2) CITY | means the City of Bathurst |
| (3) COUNCIL | means the mayor and councillors of the municipality |
| (4) ADVISORY COMMITTEE | means a committee established to provide advice to Council as mandated in the Terms of Reference |
| (5) AD-HOC COMMITTEE | means a committee established by recommendation of Council or established by staff to conduct specific functions with a primary focus on providing advice or assistance to staff |
| (6) INTER-AGENCY COMMITTEE | means a group comprised of representatives from two or more agencies or organizations |
| (7) TERMS OF REFERENCE | means a document outlining mandate/scope and responsibilities of a particular committee. |

4. POLICY STATEMENT

The City of Bathurst acknowledges the value of committees and the advice they provide to Council. The creation, amendment, dissolution, and administration of committees shall be conducted in a fair and equitable manner.

5. CREATION, AMENDMENT OR DISSOLUTION

a) Procedure

Council may create a new committee, amend an existing committee, or dissolve a committee based on the analysis of the following:

- i. Council approved staff report recommending establishment of a committee which shall include an assessment of the following:
 - (a) Is the existence of this committee required by legislation and regulation (Federal/Provincial/Municipal)
 - (b) Is this committee's mandate relevant
 - (c) Is this committee's mandate achievable
 - (d) Is this committee's mandate aligned with the corporate strategic plan
 - (e) Is this committee operating effectively
- ii. Public Interest, community support or feedback

b) Creation

- i. The creation of a new committee may be triggered by the following factors:
 - (a) Significant public issues or trends
 - (b) Where public input is deemed desirable
 - (c) Legislated requirement (Federal/Provincial/Municipal By-Law)
 - (d) Staff request
- ii. On Council's direction, the appropriate department shall prepare a staff report which shall include the following:
 - (a) Public and financial considerations
 - (b) Impact on other departments and users
 - (c) Consideration of the Corporate Strategic Plan and departmental goals and objectives
 - (d) Proposed Terms of Reference using the Council approved template (Appendix A)
 - (e) Recommended appointment of appropriate staff resources

c) Amendment

- i. Changes to Terms of Reference will be based on Council decisions and may be triggered:
 - (a) Following the Annual Report to Council and/or initiated by Council
 - (b) By resolution of the committee
 - (c) By a recommendation and report by staff

- ii. The following factors may be considered when amending a committee's terms of reference:
 - (a) Result of annual report which measures progress against mandate
 - (b) Lack of material purpose, function, or public interest
 - (c) New issues at Council or public pressure (could add or remove mandate)
 - (d) Changes to legislation
 - (e) New Council

- iii. A staff report addressing the proposed changes will be prepared by the relevant department and presented to Council. The report will be analytical in nature and include specifically:
 - (a) Indication of which factor led to the amendment
 - (b) Assessment of the following factors as relevant
 - i. Is the existence of this committee required by legislation and regulation (Federal/Provincial/Municipal);
 - ii. Is this committee's mandate relevant;
 - iii. Is this committee's mandate achievable;
 - iv. Is this committee's mandate aligned with the corporate strategic plan;
 - v. Is this committee operating effectively;
 - (c) Supporting information; cause/effect, cost analysis and resources required
 - (d) Impact of terms of reference

d) Dissolution

- i. Dissolution of a Committee may be triggered by one of the following:
 - (a) Expiration of term
 - (b) Completion of task or mandate
 - (c) Resolution of issues
 - (d) Legislative requirement no longer exists
 - (e) Merger with another committee
 - (f) Following the annual review process
 - (g) Recommendation by Committee by resolution
 - (h) Recommendation by Staff in Staff Report

- ii. The following steps will be taken following the dissolution of a committee:
 - (a) Committee will be removed from the active committee list
 - (b) Thank you letters on behalf of Council will be sent to committee members
 - (c) Relevant staff members will be informed

6. APPOINTMENT OF MEMBERS

a) Nominations

- i. All applications received by the established deadline will be forwarded to all members of Council and relevant staff, when appropriate, who will be responsible for reviewing the applications and determining appointments. The applicant review process will be completed in camera as the process involves reviewing personal information of the applicants.
- ii. In an election year members of Council shall meet for the first time as soon as possible after the swearing in meeting of council. Appointments will be made as soon as reasonably possible at the beginning of a Council term of office.
- iii. The Clerk's Department will notify all applicants of Council's decision and retain all applications.

7. TERM OF COMMITTEE APPOINTMENTS

a) Generally Recruited Community Appointments

- i. Generally recruited community appointments will be appointed for a two-year term and will be eligible to serve for a maximum of four terms (eight years). Notwithstanding the foregoing, members will continue to serve until their successors are appointed by Council. The term of office may be longer if required by the terms of reference or provincial legislation but shall not exceed the term of Council unless an exception is granted at Council's discretion.
- ii. Staggered terms will be instituted for members of newly created committees to ensure continuity and effective governance.
- iii. Participation on a committee is voluntary and will receive no remuneration.
- iv. Mid-term appointments will not be counted in the calculation of the maximum four-term (eight-year) limit.
- v. All residents, property owners, business owners, employees of businesses in the City of Bathurst or individuals enrolled in a City of Bathurst campus of a post-secondary institution shall be eligible to serve on Committees, subject to specific legislative requirements or requirements in the Council approved terms of reference. Exceptions can be made at Council's discretion.
- vi. City of Bathurst staff are not eligible to sit as community appointments on City of Bathurst Committees.

- vii. If a member misses more than three (3) consecutive meetings or 25% of the annual meetings, the support staff must notify Council. The appointee will be deemed to have forfeited their committee position subject to an opportunity for the member to address Council in writing regarding their absenteeism and the committee Chairperson to do the same. Council reserves the right to make the final decision regarding ending committee appointments. Council also has the right to terminate the appointment of any committee member at any time, for cause.
- viii. A member may resign from a committee at any time and the resignation takes effect as of the date of resignation provided and upon notification to the Clerk's Department. Council reserves the right to change committee membership at any point during a committee term.

b) Council Appointments

- i. Council appointments will be for the term of Council.
- ii. Non-appointed council members may attend the meeting of any committee but may not vote, however, he/she may take part in any discussion or debate in the committee with the permission of the majority of the members present.
- iii. The Mayor is an ex-officio member of all City of Bathurst Committees and may vote and participate without restriction.

c) Appointment of Ad-Hoc Committees

An Ad Hoc Committee may be appointed at any time by the Mayor acting upon the instruction of Council, providing only that a motion has been adopted specifying the matters to be dealt with by the committee, and including the term of the committee.

d) Mid-term Vacancies

- i. A mid-term vacancy may occur if:
 - (a) a member informs the Clerk's Department in writing of their resignation
 - (b) a member no longer meets the eligibility requirements
 - (c) a member misses more than three (3) consecutive meetings or 25% of the annual meetings without the approval of the committee by resolution and affirmed by Council.
- ii. Mid-term vacancies for all City of Bathurst Committees will be filled in the last quarter of each year. Appointments will only be made for the remainder of the committee term. Members appointed mid-way through a committee term will be eligible to serve for a maximum of 8 years, commencing with their first full two-year term.

8. APPLICATION PROCESS

a) Generally Recruited Community Appointments

- i. Notice of the appointment process for both the beginning of a committee term or for the filling of vacancies will be published by the Clerk's Department on the City website.
- ii. The notice shall contain the name of the committee, approximate number of meetings per year, usual meeting date/time and a brief description of the committee.
- iii. All applicants must complete an application form for each committee they wish to apply for. The application form may be downloaded from the city website or obtained from the Clerk's Department. The application form for each committee will include the terms of reference of the committee and/or applicable legislation as available. The application form will require applicants to confirm they have read all documents attached to the specific application.

b) Staff Appointments

- i. Clerical/administrative or technical staff required to support a committee will be assigned by the by the CAO. Community representatives are not required or expected to provide administrative support.
- ii. Staff attendance at committees should be kept to a minimum in order to encourage member participation at meetings.

c) Council Appointments

- i. Members of Council will be given the opportunity to serve on committee(s) of their choice by self-nomination. Council appointments shall be deliberated and discussed by all members of Council present at a public meeting of Council and shall not be discussed or considered in a closed meeting unless authorized by the *Local Governance Act*.
- ii. A minimum of one councillor must be appointed to each City of Bathurst committee.
- iii. Unless specifically required by the Council approved Terms of Reference, no City of Bathurst committee shall have more than one Councillor appointed.

d) Declaration of Office

Committee members appointed by Council must sign a Declaration of Office. (**Appendix B**)

9. ROLES

a) **Role of Generally Recruited Community Representative Members:**

- To provide needed skill/knowledge areas
- To provide desired representation of interests in the community

b) **Role of Committee Chairperson or Acting Chairperson:**

- To facilitate and chair the committee meetings
- To bring committee decisions forward to Council as required and speak as the official representative of the committee on committee approved statements

c) **Role of Council Representatives:**

- To function as an informal liaison between the committee and Council
- To communicate Council's perspective or Council matters where appropriate
- To provide committee reports to council during a Public Meeting

d) **Role of Staff:**

- To provide clerical, administrative and/or technical support to the committee as required including the preparation and distribution of minutes and agendas
- To communicate the Corporate Strategic Plan, committee related policies and information items, departmental goals and objectives as required
- To provide guidance regarding timelines, workplan initiatives
- To incorporate formal committee comments and resolutions into Staff Reports where appropriate or where committee advice has been sought

Note:

Staff are not formal members of committees and have no voting privileges, unless otherwise provided in the Council-approved Terms of Reference.

Committee members are appointed to provide advice to Council and/or to make decisions as permitted by by-laws or other legislation. Members are not employees or representatives of the City of Bathurst and may not communicate on behalf of the corporation nor bind the corporation and shall not utilize City of Bathurst business cards or the like.

Committee members do not direct members from City Administration, nor can they direct other staff resources. Requests for staff resources must go through the CAO.

10. RULES OF PROCEDURE

The Rules of Procedure for Committees shall be same as Council as set out in the *By-Law Regulating Proceedings for the Municipal Council of the City of Bathurst*.

11. CONFLICTS OF INTEREST

Committee members should avoid being or knowingly placing themselves in situations that may lead to a conflict of interest or that put their personal interests or those of their relations in conflict with the sound execution of their duties, tasks, and functions.

12. FREQUENCY OF MEETINGS

The meeting frequency will be dictated in the Council approved Terms of Reference. Meeting dates and times shall be advertised during recruitment and can be changed upon unanimous vote of the Committee, during the next recruitment or upon direction of Council.

13. QUORUM

A quorum of consisting of 50% voting members plus one is required for a committee meeting.

14. FIRST MEETING

At the first meeting of a committee term, support staff shall provide a brief orientation session. Following the orientation, the committee will elect a Chairperson and Acting Chairperson. The Chairperson shall preside at every meeting. The Acting Chairperson will act in the stead of the Chairperson, when required, due to the Chairperson's absence or resignation mid-term. Unless otherwise specified in the Council approved Terms of Reference, the Chairperson and Acting Chairperson will be **Generally Recruited Community Representative Members**, not members of City of Bathurst staff or nominees of other committees or organizations. If Terms of Reference require a city staff member to chair a committee, the most senior staff member on the committee will serve as Chairperson.

15. AGENDA ITEMS

- a) Committees may meet to discuss matters pertinent to their Council approved Terms of Reference or as referred to the committee by Council. The agenda will be developed in conjunction with the support staff and Chairperson of the committee.
- b) Committees shall not consider personnel matters but shall forward any such concerns to the relevant department head or the CAO as appropriate.
- c) Committees shall not provide advice or information to external boards, committees, agencies, organizations, or other government bodies without the prior approval of Council.

16. AGENDAS AND MINUTES

Agendas, minutes, and relevant discussion items shall be distributed to all committee members at least three (3) days in advance of the meeting. Committee agendas shall be posted on the City of Bathurst website in advance of the meeting and Minutes shall be posted within 14 days of being approved.

17. REPORTING TO COUNCIL

- a) Committee minutes will be placed on the Council agenda for information only.
- b) The decisions in committee which are to be recommended to council for approval shall be in writing and reported as consensus decisions.
- c) The name of the Chairperson shall appear upon all reports and recommendations made by the committee.
- d) No report or recommendation to do with any matter or thing shall be recognized as emanating from any committee of council members unless it is in writing, nor unless it bears the name of the Chairperson or Acting Chairperson and has been certified correct by the Clerk.
- e) Advisory Committees will submit an annual report to Council at a special annual “Committee Night” to be established in the annual Council/Committee schedule.
- f) The annual report will include:
 - i. An overview of the activities of the committee during the previous year.
 - ii. Their intended direction or projects for the upcoming year.
 - iii. Recommended revisions, as necessary, to their terms of reference.
- g) Council, upon receiving the annual reports, may provide direction to the committee, determine if amendments to the Terms of Reference are required or determine the advisability of the committee continuing.
- h) An additional committee networking and information sharing event shall be held once a year targeted at sharing information amongst committees on projects or initiatives to date.
- i) The committee through the Committee Chairperson may elect to address Council as a delegation or provide communication to Council on behalf of the Committee at any point throughout the year. Unless mandated by Council, Committees will not speak on behalf of the City or make representations on behalf of the City without Council approval.

18. BUDGET

Funding for Committees will be established as part of the City of Bathurst budget process when applicable.

19. EXTERNAL BOARDS AND COMMITTEE APPOINTMENTS

- a) From time-to-time Council is requested to provide representation on External Boards and Committees. All appointments to external boards and committees

including those of a provincial or national scope, must be approved by Council resolution.

- b) To the extent possible, members of Council and staff serving on external boards, committees, project teams, etc. will follow and abide by the principles and procedures set out in this policy.
- c) When serving on external boards, etc. members of Council and staff acknowledge that they represent the City, and the views expressed may be perceived as the views of the City.

20. COMPLIANCE

In cases of policy violation, the City may investigate and determine appropriate corrective action.

21. RELATED POLICIES

- *Workplace Diversity, Equity, Inclusion and Belonging Policy*
- *Purchasing Policy*

22. RELATED LEGISLATION

- *A By-Law Regulating Proceedings of Municipal Council for The City Of Bathurst*
- *By-Law Establishing a Code of Conduct for Elected Officials*

23. RELATED DOCUMENTS

- *Terms of Reference*
- *Declaration of Office*

24. REVISION HISTORY

Date (mm/dd/yyyy)	Description of Change	Sections	Person who Entered Revision (Position Title)	Person who Authorized Revision (Position Title)

**Appendix A
Terms of Reference Template**

[Insert Advisory Board or Committee Name] Terms of Reference

Date Approved by Council:

Mandate:

[Insert High Level Overview of Purpose of Committee]

Goals/Objectives:

[Insert high level overview of how mandate will be achieved]

Reporting to Council:

[Insert how the Committee reports to Council, for example through the Annual Committee Night or through Audit Committee Memo's to Council, circulation of decisions etc.]

Meeting Procedures

[Insert how meetings will be conducted, requests to appear, how to make presentations, etc.]

Enabling Legislation, By-Law, or Staff Report:

[Insert Legislation or By-Law that requires Committee or the Staff Report Number and the date to Council]

Committee Composition:

[Bullet List of Membership, indicate how many general members to be recruited, how many members of Council and if there are specific representatives of external organizations being sought]

Skills Requested:

[Insert Skills that would be considered an asset for the recruitment of the general committee members]

Administration Section

Department Linkage: [Insert name of Department that is aligned/administers this Committee]

Support staff: [Insert how many staff will attend to provide support and what role]

Meeting Frequency: [Insert estimated meeting frequency]

Code of Conduct: [to be inserted by City Clerk]

Legislative Services Review Date: [to be completed by City Clerk]

Conforms to the City Policy: [to be completed by City Clerk]

**Appendix B
Declaration of Office**

I _____ do solemnly promise and declare that I will truly, faithfully and impartially, to the best of my knowledge and ability execute the position of Committee member, to which I have been appointed in this City, that I have not received and will not receive any payment, or promise thereof, as a result of my appointment, and that I will disclose any pecuniary interest, direct or indirect. I will abide by the relevant Code of Conduct, the Committee Policy, Workplace Diversity, Equity, Inclusion and Belonging Policy, the Regulating Proceedings of Municipal Council for the City of Bathurst By-Law, Purchasing Policy and any other relevant policies or by-laws.

Signature:

Date: