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To: Mayor and Council

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RE: 2014 – 2018 Committee Review Report

Report No.: 2018-CS-023

AIM

To provide Council with a review of the committees that operated in the Town of Kingsville during the 2014-2018 Council Term so that Council can make a decision as to which committees ought to be reestablished for the 2018-2022 Council Term and whether to continue to pay committee members a stipend for attendance at meetings.

BACKGROUND

Section 8 of the *Municipal Act, 2001*, (the “*Act*”) provides that the powers of a municipality “shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality’s ability to respond to municipal issues.” Section 9 of the *Act* reinforces this power by conferring on a municipality, for the purposes of exercising its authority, the capacity, rights, powers and privileges of a natural person.

A municipality’s sphere of jurisdiction extends to matters ranging from the governance structure of the municipality down to the health, safety and well-being of persons. Moreover, the *Act* sets out specific municipal powers in a number of areas including: highways, waste management, drainage, culture, parks, recreation and heritage, and animals.

Given the breadth of responsibilities provided for in the *Act*, and those downloaded by more senior levels of government, municipalities need a mechanism to address the needs of their communities. During the 2014-2018 Council Term, council and community members were appointed to 30 different committees and local boards (“Committees”). Many of the Committees operated in an advisory capacity providing recommendations, advice and information to Council on matters within the particular Committee’s mandate.

The Committees are a mix of local boards, advisory and ad hoc committees, quasi-judicial boards and external boards/committees. For the purposes of this report, these terms are defined below:

- **Local Boards** are generally established by legislation and Council appoints representatives to sit as members of that board. The board has the authority to address their responsibilities as determined under the relevant legislation (i.e. Police Services Board, Essex County Library Board).
- **Advisory and Ad-hoc Committees** provide advice and recommendations to Council as requested on areas within their mandates with no authority for decision-making or independent actions (i.e. Parks, Recreation, Arts and Culture Committee, Heritage Advisory Committee). An ad-hoc committee is often established for a specific purpose, which does not usually span the entire term of Council, and is dissolved once that objective is achieved (i.e. Cottam Revitalization Committee).
- **Quasi-Judicial Boards** are Statutory Committees that have a quasi-judicial function. These committees are responsible for conducting hearings or determining appeals with respect to matters that pertain to their governing legislation (i.e. Committee of Adjustment, Court of Revision).
- **External Committees/Boards** are those boards and committees which operate external to the Town of Kingsville and have the authority to address their responsibilities. These boards/committees may be regulated by a higher level of government (i.e. Kingsville Historical Park Inc., Pelee Island Transportation Services Advisory Committee).

Regardless of which category a Committee falls under, there may be legislation mandating the establishment of the Committee (i.e. Court of Revision, Accessibility Advisory) or permitting its creation (i.e. Heritage Advisory Committee). In those situations, the Committee functions as specified in that piece of legislation.

DISCUSSION

The Town is committed to community engagement through participation of volunteers and council appointees to Committees. In addition to engaging residents, Committees function to assist the Town to meet the needs of its community. As mentioned above, Council made appointments to 30 Committees during the 2014-2018 Council Term. Appendix A sets out the various Committees to which appointments were made during the 2014-2018 Council Term.

Remuneration

Table 1 – Committee Remuneration, breaks down the amounts paid to Committee members, exclusive of applicable statutory payments (Canada Pension Plan and Employer Health Tax), in the 2017 budget year and to the end of September in 2018. The totals listed in Table 1 only account for the meeting attendance stipend paid to members and does not include the cost of the administrative support personnel assigned to the

committee, nor does it include any amounts expended for committee member training or the funds associated with an event that the Committee may host/attend.

Table 1 - Committee Remuneration

	2017 Budget Year	2018 Budget Year (to September 30, 2018)
Volunteer Members	\$40,371.20	\$28,753.40
Council Members	\$37,311.68	\$28,008.76
Total Spent	\$77,682.88	\$56,762.16

With the exception of the Committee of Adjustment/FenceViewers/Property Standards ("Committee of Adjustment") and the Police Services Board, members of paid Committees receive a stipend of \$100 per meeting, regardless of the length of the meeting. Members of the Committee of Adjustment and Police Services Board receive a pre-determined amount for their appointment to those Committees regardless of the number of meetings called. Of the 30 Committees to which appointments were made, the Town paid a meeting stipend to the members of 23 of those Committees (Please refer to Appendix A for more detailed information).

In comparison to our counterparts across the County of Essex, the Town of Kingsville appears to be the only municipality that pays the vast majority of its members. Based on information received from the Clerks of the surrounding municipalities, the following Committees are paid in their municipalities: Committee of Adjustment, Police Services Board, and Property Standards. As for the Accessibility Committees, members are paid in Amherstburg and Lakeshore, but not in Leamington, Tecumseh, or Chatham-Kent.

The Town spends a considerable amount of money on its volunteer committees, which funds can be directed to other municipal programs and/or services. Based on this fact and the information received from the surrounding municipalities, Administration recommends the following with respect to continuing the practice of committee member remuneration¹:

- That members selected to serve on the following Committees are recognized as volunteers and are provided with some form of non-monetary recognition from the Town in appreciation for their services:
 - 55+
 - Drainage Advisory
 - Fantasy of Lights
 - Heritage Advisory
 - Migration Festival
 - Parks, Recreation, Arts and Culture ("PRAC")
- That remuneration be maintained for the following statutorily mandated Committees:
 - Accessibility Advisory
 - Committee of Adjustment/Fenceviewers/Property Standards

¹ This recommendation assumes that there is no change to the number of Committees to which Council will make appointments.

- Compliance Audit Committee
- Planning Advisory Committee
- Police Services Board
- That remuneration be maintained for the following Committees in which there is only a Council appointee:
 - Business Improvement Association (BIA)
 - Erie Shores Community Transit Committee
 - Essex Region Conservation Authority
 - Joint Management Board of the Union Water Supply System
 - Kingsville Historical Park Inc.
 - Kingsville Leamington Animal Control Committee
 - Marina Committee
 - Migration Community Hall Board of Directors
 - Pelee Island Transportation Services Advisory Committee
 - Personnel Committee
 - Port of Kingsville Co-Tenancy Management Committee
 - Striking Committee

If Council accepts Administration's recommendation, it will have to determine whether the Council appointee to the unpaid Committees remains unpaid or whether Council members will receive a stipend. There are obviously benefits and drawbacks to this decision. If Council members are expected to sit on the various Committees listed in Appendix A, then his/her appointment is not voluntary and therefore a modest stipend can be justified. Moreover, paying Council appointees will likely lead to a fair distribution of "committee work" amongst Council Members. The drawback to this approach is the potential perception of unfairness between the volunteer members on the Committee and their Council counterparts.

Table 2 – Committee Remuneration Savings, outlines the amounts the Town could redirect to other municipal programs or services if the recommendations from Administration are accepted by Council. Although no recommendation has been offered regarding the stipend paid to Council appointees, Table 2 includes the savings that would be realized from eliminating the stipend paid to Council for Council's information and consideration. Although Council compensation is not a subject of this report, Council may want to consider conducting a compensation review whereby the amounts paid to Council members is adjusted to reflect the appointment to Committees.

Table 2 - Committee Remuneration Savings

	2017 Budget Year	2018 Budget Year (to September 30, 2018)
Volunteer Members	\$27,200	\$19,300
Council Members	\$10,000	\$6,300
Total Saved	\$37,200	\$25,600

Committee Function

Many of the Town-established Committees are formed to assist the Town in meeting a need in the community. These Committees provide advice and recommendations to Council to enable it to make decisions for the betterment of the community. Attached at Appendix C are the Terms of Reference for the various Committees in operation during the 2014-2018 Council Term.

During the summer, a survey was prepared and distributed to all Town Committees. The survey contained a number of questions asking its members and the staff support person a series of questions to assess: (a) the committee composition, (b) the understanding of the functions of the individuals appointed to the Committee, and (c) its productivity.

Appendix B lists the number of surveys returned by the members of those Committees. In some instances, not enough surveys from the members were completed to draw any sort of conclusion about the Committee's functioning or the members' understanding of their roles and responsibilities. In other instances, the views and opinions of the members as compared to the administrative support personnel was markedly different. One can conclude from such results that either the persons appointed/assigned to the Committee were not entirely forthcoming in their responses, or that those persons didn't have a clear understanding of a) the Committee's purpose or function, or b) the expectation of the roles and responsibilities of the members and administrative support personnel.

The issue regarding the discrepancy in the views and opinions described above, may stem from the fact that the roles and responsibilities of committee members and the administrative support have not been clearly conveyed. The Town does not have a policy document or procedure manual to provide guidance on the function and operation as it relates specifically to Committees.

Committee members are expected to be prepared for and attend meetings, abide by the Town's policies and procedures, undertake any work that may be necessary between meeting (i.e. research, special projects), and assist with and participate in the events hosted by their Committee. Likewise, the staff support (or liaison) is expected to prepare and provide the agenda to committee members in accordance with the Procedure By-law, provide guidance and advice to the members, prepare the necessary Council reports, and ensure that any recommendations from the Committee do not contravene the Town's budget, its by-laws or its policies and procedures.

Overall, members and the staff support felt that the number of Committee members for each Committee was adequate to achieve that Committee's objective. Both the members of the Committee of Adjustment and Heritage Advisory Committee suggested that more learning opportunities be provided to members. With respect to PRAC and the Committees that report to it², it is suggested that if Council wishes to continue these Committees that the meeting frequency in the Terms of Reference be adjusted to require a minimum of 4 meetings annually and as needed thereafter. This would provide a minimum meeting expectation to the Committees but give them the flexibility to meet as often or as little as may be necessary to achieve their mandate. This concept could be extended to

² Communities in Bloom, Migration Festival, 55+ Committee, and Fantasy of Lights

other Committees, such as the Heritage Advisory Committee or the Tourism and Economic Development Committee.

With respect to the Planning Advisory Committee and Committee of Adjustment, the Manager of Planning has a separate report to discuss their function and composition in more detail and obtain Council's direction in this regard.

With respect to the Drainage Committee, it is worth noting that *Drainage Act* provides a mechanism whereby landowners can initiate a procedure to obtain a solution to their drainage problems. Likewise, when drainage issues arise throughout the municipality, the Town can initiate the requisite statutory procedure to resolve that issue. The Terms of Reference state that the Committee is to provide recommendations regarding:

- steps that Council and/or Administration may take to reduce the impacts of agricultural drainage regulation on the Town's farmers either by changing internal procedures or lobbying other levels of government; and
- funding opportunities to reduce the costs associated with environmental aspects of major drainage works.

It does not appear that this Committee has entirely fulfilled its mandate. Accordingly, Administration recommends that Council allow the term of this Committee to expire and that it does not reconstitute this Committee for the start of the 2018-2022 Council Term. If a need for this Committee is demonstrated during the Term of Council, it can be formed at that time.

Based on the foregoing and regardless of whether Council chooses to maintain the current complement of advisory and ad hoc committees, Administration recommends that a conscious effort is made to clearly communicate the roles and responsibilities of all persons involved in a Committee. Communicating these expectations may prove to enhance the effectiveness and efficiency of the Committees at all levels.

LINK TO STRATEGIC PLAN

Effectively manage corporate resources and maximize performance in day-to-day operations.

FINANCIAL CONSIDERATIONS

In 2017, the Town paid \$77,682.88 in remuneration to its committee members. This amount does not include the Canada Pension Plan and Employer Health Tax remittances that the Town must also pay on top of those amounts. To September 30, 2018, the Town paid \$56,762.16 to its committee members.

These amounts are strictly for attendance at meetings, regardless of whether the meeting lasts 20 minutes or 2 hours, and does not include any additional amounts for training, conferences, or events. Further, these amounts do not consider the cost of the municipal staff that provides administrative support to that particular committee.

CONSULTATIONS

Town of Kingsville Committees

RECOMMENDATION

That Council maintain the remuneration payment for the following statutorily mandated Committees: Accessibility Advisory, Committee of Adjustment/Fenceviewers/Property Standards, Compliance Audit Committee, Planning Advisory Committee, and Police Services Board;

And That remuneration be maintained for the following Committees in which there is only a Council appointee (if these Committees will be reestablished for the 2018-2022 Council Term): Business Improvement Association (BIA), Erie Shores Community Transit Committee, Essex Region Conservation Authority, Joint Management Board of the Union Water Supply System, Kingsville Historical Park Inc., Kingsville Leamington Animal Control Committee, Marina Committee, Migration Community Hall Board of Directors, Pelee Island Transportation Services Advisory Committee, Personnel Committee, Port of Kingsville Co-Tenancy Management Committee, and Striking Committee;

And That Council discontinue the stipend paid to all other Committees and ensure that the volunteers and are provided with some form of non-monetary recognition from the Town in appreciation for their services;

And that Council provide direction to Administration regarding which Committees should be advertised for the upcoming Council Term;

And that Council provide direction to Administration with respect to amending the Terms of Reference for various advisory Committees, by mandating a minimum of 4 meetings per year without establishing a maximum number of meetings.

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