

# North Cowichan Committee Handbook

January 23 2017

## NORTH COWICHAN COUNCIL

North Cowichan Council is comprised of one Mayor and six Councillors who are elected for a four year term. The last General Local Election was held on November 15, 2014 and the next Election will be held in October 2018.

The current Mayor and Councillors are as follows:

Mayor: Jon Lefebure

Councillors: Joyce Behnsen  
Rob Douglas  
Maeve Maguire  
Kate Marsh  
Al Siebring  
Tom Walker

Council is a legislative (law making) body with responsibility for exercising all legislative and administrative authority conveyed upon the Municipality of North Cowichan by the Provincial Government, primarily through the *Local Government Act* and the *Community Charter*. The Mayor is the head of Council and, as per the *Community Charter*, is the chief executive officer of the Municipality.

## NORTH COWICHAN COMMITTEE STRUCTURE

There are a number of different committees that exist at the Municipality of North Cowichan. Each one differs based on its function, the members appointed to the Committee and its meeting schedule.

### ***North Cowichan Advisory Committees***

Section 142 (1) of the *Community Charter* states that "A council may establish and appoint a select committee to consider or inquire into any matter and to report its findings and opinion to the council".

Council has adopted, through its Select Committees Bylaw, terms and conditions for its select committees. The purposes (also known as terms of reference or mandate), composition, term, and procedures specific to each committee are set out in this bylaw. North Cowichan's select committees are advisory in nature.

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Council has established the following select (advisory) committees:

- Agricultural Advisory Committee;
- Audit Committee;
- Chemainus Advisory Committee;
- Community Planning Advisory Committee;
- Environmental Advisory Committee;
- Forestry Advisory Committee;
- Parks and Recreation Advisory Committee;
- Sports Wall of Fame Nomination Committee;
- Quamichan Lake Water Quality Task Force.

## ***Standing Committees***

Standing committees are established by the Mayor pursuant to s. 141 of the *Community Charter* and deal with matters the Mayor considers would be better dealt with by committee. At least half of all members of a standing committee must be members of Council.

The Mayor has established the following standing committees:

- Joint Utilities Board;
- Protective Services Committee;
- Public Works Committee.

In general, committees are established to:

- Provide information and well-considered advice to Council on issues of concern to Council;
- Provide recommendations for consideration by Council;
- Undertake work referred by Council and work within the direction provided by Council.

The specific purposes assigned to each select committee are set out in the Schedule attached to the Select Committees Bylaw. The purposes of standing committees are set by the Mayor. Committees can only consider issues within those areas specified in these purposes.

Once a committee has submitted its recommendation to Council, it is Council's decision on how to proceed with the recommendation (i.e. approve, amend, defer, refer or decline the recommendation). Committees should not revisit their recommendations unless requested by Council.

Committees require approval from Council before initiating projects or requesting the significant use of staff resources. If a committee requires staff to undertake work, the staff liaison will advise the Committee whether or not staff can undertake the work or if authority is required from Council or the CAO.

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## THE ROLE OF COMMITTEE CHAIR, COMMITTEE MEMBERS AND MUNICIPAL STAFF

### ***Role of the Committee Chair***

North Cowichan's committees are typically comprised of Council members and residents. The Select Committees Bylaw establishes that a select committee chair is the member of Council appointed to the committee. In the absence of the committee chair, the members must select a member present at the meeting to chair that meeting. The duties of the chair include the following:

- Lead the committee;
- Call meetings;
- Review the draft committee agenda with staff;
- Meet with staff liaison as necessary;
- Keep the committee on track;
- Encourage all members to participate;
- Preserve order during meetings;
- Rule on points of order;
- Review and sign minutes of meetings you chair.

### ***Role of committee members***

Committee members are urged to:

- Actively participate on the committee;
- Learn and follow the established rules of order;<sup>1</sup>
- Keep the committee's purposes in mind as they prepare and attend meetings;<sup>2</sup>
- Review upcoming committee agenda packages thoroughly;
- Arrive on time or let the committee secretary know if they will be late or absent;
- Come prepared to actively contribute to collective decision-making;
- Consider all relevant facts and opinions before making decisions;
- Treat committee members, staff and the public with patience, courtesy, and respect;
- Reserve debate with committee members for the actual meeting so the public can observe committee's deliberations;
- Consider business in open meetings unless the subject matter permits otherwise;<sup>3</sup>
- Not speak on behalf of the committee unless authorized to do so;
- Support committee decisions, even if not in agreement with the committee's decision;
- Accept Council's right to accept or reject the committee's recommendation;
- Not revisit recommendations to Council unless requested to do so by Council;

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<sup>1</sup> See the Council Procedure Bylaw and the Select Committees Bylaw.

<sup>2</sup> See Select Committees Bylaws for the purposes of select committees. The purposes of *standing* committees are set by the Mayor.

<sup>3</sup> See section 90 of the *Community Charter*.

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- Avoid conflicts of interest and recuse yourself in such cases;<sup>4</sup>
- Not use committee membership for personal benefit;
- Use a separate and private email account for all committee business;
- Keep confidential information confidential;
- Be aware that all records relating to committee business are subject to disclosure under the *Freedom of Information and Protection of Privacy Act*.

### ***Role of the Staff Liaison***

A staff liaison is assigned to assist the committee in a non-voting advisory and resource capacity. The staff liaison:

- Provides information and professional advice;
- Supports the chair in developing agendas and supporting materials;
- Drafts some committee reports;
- Provides updates to the committee on committee business.

The staff liaison will advise the committee if a recommendation to Council is required before staff can expend time and resources on an issue. For example, committees will need to seek Council approval for new initiatives and projects requiring a significant amount of staff time or costs to determine if the resources can be allocated to the committee's request.

Individual committee members cannot direct the work of staff. Staff will act on the collective decisions of the Committee or Council.

### ***Role of the Secretary***

The Corporate Services Department provides administrative support to committees. This includes:

- Scheduling meetings;
- Preparing agendas, based on the tasks identified in approved work plans and reports submitted;
- Assembling agenda packages;
- Distributing agenda packages;
- Attending meetings and recording minutes;
- Assisting with process and procedural matters;
- Preparing, certifying and preserving minutes;
- Handling meeting logistics, and providing other administrative support as necessary.

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<sup>4</sup> See part 4 division 6 of the *Community Charter*.

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## COMMITTEE TERMS OF APPOINTMENT

The appointment terms of committee members are for up to three years and usually expire in April or November. Council may re-appoint a member. Council may also rescind an appointment at any time.

## ATTENDANCE OF COMMITTEE MEMBERS

Members appointed to a committee are expected to attend all of the committee's meetings. The committee secretary should be notified well before a meeting if a member cannot attend.

Any member who is absent from three consecutive meetings is deemed to have resigned, unless a leave of absence has been granted by the committee.

Committee members are reminded that attendance is vital. Without quorum, the committee is unable to hold a meeting.

## RESIGNATION OF A MEMBER

Any member of a committee wishing to resign from a committee is requested to do so in writing by delivering a letter to the committee chair with a copy to the Director of Corporate Services.

## COMMITTEE VACANCY REPLACEMENT

In the event that there is a vacancy on an advisory committee, Council may, at its discretion, appoint a new member to fill the vacancy.

## TIME AND LOCATION OF COMMITTEE MEETINGS

Advisory Committee meetings are typically held in the Council Chambers or large committee room at the Municipal Hall, located at 7030 Trans-Canada Highway, Duncan, BC.

A calendar prepared by the Corporate Officer, setting out the proposed committee meeting dates and times for all advisory committees for the year, will be recommended to each committee at the first meeting of the year. Depending on the amount of business, the Committee meetings may also be held at the call of the chair or cancelled due to lack of business or absence of a quorum.

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## QUORUM

A quorum of committee members for an advisory committee meeting is the majority of all members (i.e. quorum is achieved when 4 of 7 members are present). The Mayor is an ex-officio member of advisory committees and, when present at a committee meeting, must be counted in determining whether quorum is present (i.e. quorum is achieved when the Mayor and 3 of 7 members are present).

Where a quorum is not present within 30 minutes of the scheduled start time for the meeting, the committee secretary will record the names of those members present and those members absent and adjourn the meeting until the next scheduled meeting. If quorum is lost during the meeting, the meeting should promptly adjourn. If the remaining members continue to meet, they cannot transact business and no record of their discussion is kept. All unfinished business must be placed on the next committee meeting agenda.

## RULES OF PROCEDURE

The rules of procedure are set out in North Cowichan's Council Procedure Bylaw and the Select Committees Bylaw. Appendix A to this Committee Handbook also sets out Committee Meeting Guidelines. Committees follow these guidelines provided the guidelines are not inconsistent with the *Community Charter*, *Local Government Act*, Council policy, Select Committees Bylaw, or the Council Procedure Bylaw. The Committee may also seek the advice of the committee secretary for procedural guidance.

## VOTING

All members of a committee, including the Chair and the Mayor (when present), may vote on any question before it. No one else may vote. Proxy votes are not permitted, nor are non-appointed Council members allowed to vote at committee meetings.

In the event of a tie vote, the motion is considered defeated. Any member present who abstains from a vote is deemed to have voted in the affirmative. Negative votes will only be recorded in the minutes upon request of the member who voted in the negative.

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## CONFLICT OF INTEREST

Committee members are urged to comply with the conflict of interest requirements set out in sections 100 to 104 of the *Community Charter*.

A committee member who thinks they may have a conflict of interest with a topic being discussed, is urged to declare the nature of the conflict and leave the room during any discussions and voting thereon.

The committee secretary must note in the minutes the committee member's declaration of a conflict of interest and the committee member's exit from, and return to, the meeting. Once excusing themselves because of a conflict of interest, members with a conflict must not seek to influence the outcome of the matter.

## WORKING GROUPS

There are many ways in which committees may provide feedback to Council. In some cases there are specific topics which may require further investigation. Committee members should keep in mind the need for public accountability and reserve their deliberation for formal committee meetings. Committees may establish working groups of up to 3 of their members. Members of committee working groups may work on their own or in partnership with staff and should report back to the committee at the first opportunity.

## REPORTING TO COUNCIL

Advisory committees provide advice and recommendations to Council through written recommendations in staff reports or recommendations that have been crafted at the meeting. Recommendations should be worded in a concise, action-oriented manner and should stand on their own in the sense that they contain all of the salient points necessary to understand the recommendation.

The Advisory committee's recommendations will be forwarded to Council for consideration at the earliest opportunity. In some instances, committee recommendations do not need to go to Council, such as when the committee directs staff to provide a report on a matter Council has referred to the committee. Council is kept apprised of all committee activities through regular distribution of committee minutes.

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## **AUTHORITY**

Advisory committees do not have the authority to communicate on behalf of the Municipality, to pledge the credit of the Municipality or authorize any expenditure on behalf of the Municipality. The authorized spokesperson for advisory committees is the Chair.

## **MEETINGS OPEN TO THE PUBLIC**

All committee meetings are open to the public, unless closed where required or permitted under s. 90 of the *Community Charter*.

Any member of the public may be asked to leave a meeting due to improper conduct as identified in the Council Procedure Bylaw.

The public may request an opportunity to make a brief presentation to a committee on matters that come within the committee's mandate.

## **SPECIAL COMMITTEE MEETINGS**

Special committee meetings may be held outside of the regular schedule at the call of the Chair.

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## APPENDIX A COMMITTEE MEETING GUIDELINES

### MINUTES

Minutes provide a general overview of the meeting and record committee decisions. Minutes are not verbatim. Advice and recommendations made at the meeting are recorded in the minutes and then forwarded to Council, usually to the next regular Council meeting. Committees adopt their own minutes at their next Committee meeting.

### THE AGENDA

The deadline to receive agenda items and approved reports is one week prior to the meeting. Agendas are posted online, at the municipal hall and distributed via email at least 72 hours before the meeting.

#### *Recommended Timeline*

##### Four weeks before the meeting date:

- The committee chair and staff liaison should meet to plan what business to cover at the next meeting.

##### Three weeks before the meeting date:

- The committee secretary will email the previous minutes to committee members, staff liaison, and supporting staff with a meeting invitation and request for agenda items.

##### Two weeks before the meeting date:

- Staff must submit all reports and supporting material (through eScribe) for management review and approval.

##### One week before the meeting date:

- All approved reports and supporting material for agenda items must be received by the committee secretary;
- The committee chair and staff liaison should review the draft agenda and reports and confirm the agenda.

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## **LATE ITEMS**

Late items should be the exception. Before a committee member requests a late item be added to the agenda, members should consider if there is an element of urgency. If there is no urgency, it is usually best to circulate supporting material and consider the matter at a subsequent meeting.

Late items must be proposed for addition to the agenda at the time the agenda is approved. Late items would then be taken up during new business. Committee members should not wait until later in a meeting to bring up new business that was not added to the agenda at the start of the meeting.

Late items should be accompanied by supporting material and reports, as applicable.

## **HANDLING THE BUSINESS OF THE MEETING**

Good decision making requires, at a minimum

- Background information;
- Options and recommendations through discussion;
- Preparation before the meeting;
- Regular attendance;
- Full participation in the meeting;
- Cooperation by all meeting members;
- Consideration of others' ideas and opinions.

## **VOTING AND DEBATING RIGHTS**

Each member of a committee, including the Chair and Mayor, may make or second motions, debate motions and may vote.

## **MAKING MOTIONS - COMMITTEE RECOMMENDATION**

A committee recommendation to Council is a motion made by the committee to ask for a formal action by Council. These motions or recommendations are recorded in the minutes and forwarded to Council.

The steps of handling a main motion are:

1. A committee member makes a motion:

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"I move that..."

2. Another committee member seconds the motion:

"I second the motion"

3. The Chair of the committee then states the motion:

"It is moved and seconded that..."

4. The Chair then opens the floor to debate:

"Is there any discussion?"

5. The Committee members debate the motion

6. Once the debate is completed, the Chair puts the motion to a vote (also known as "calling the question"):

"We are now voting on the motion to..... Those in favour?" [those voting in favour raise their hands] "Those opposed?" [Those voting against indicate by raising their hands.]

7. The Chair announces the result:

"Motion passes."; "Motion defeated"; or "Tie vote – motion defeated."

### **AMENDING MOTIONS**

An amendment is a motion to change the wording of a motion that is currently being debated. An amendment is always dealt with before the original motion. In effect, the amendment temporarily sets aside the main motion which it proposes to modify.

Three Methods of Amending a motion:

1. By inserting or adding words

"I move that the motion be amended by inserting the word[s]... between the word ... and the word..."

OR

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"I move that the motion be amended by adding the word[s]....."

### 2. By striking out words

"I move that the motion be amended by deleting the words ..."

### 3. By striking out words and inserting replacement words

"I move that the foregoing motion be amended by deleting the words .... And inserting the words .... in their place."

Only two levels of amendments are allowed. A main motion can be amended (primary amendment) and an amendment can be amended only once (sub-amendment). No amendment is permitted to a sub-amendment.

## **DEBATING MOTIONS AND AMENDMENTS**

When an amendment is made, discussion is allowed on the amendment only, not on the main motion. Once the vote on the amendment is taken, discussion proceeds on the motion (as amended if the amendment passed).

## **MOTION TO WITHDRAW A MOTION**

A motion may not be withdrawn by the mover and seconder of a motion. Once moved and seconded, the motion belongs to the entire committee and must be disposed of by voting, or through the effect of a subsidiary motion.

## **POINT OF ORDER**

A point of order may be raised if there is a question as to whether correct procedure is being followed. It is ruled on by the Chair whose decision may be appealed to committee and decided by committee resolution.

## **READING OF MOTIONS**

A member may require the motion under consideration to be read aloud by the committee secretary. Sometimes the committee secretary will ask to read a motion in order to understand the exact motion being considered.

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## **RULES OF DECORUM AND DEBATE**

Although less formal than Council meetings, Committee meetings still require rules of decorum and debate, including the following:

- The maker of a motion has the right to speak first to their motion;
- In order to speak a second time, a member should wait until all those who wish to speak have done so for the first time;
- Members must remain courteous and avoid personal attacks on each other and staff;
- Remarks must be confined to the motion before the committee;
- Remarks are always directed “through the Chair”;
- Members should not interrupt another speaker;
- Motions should be phrased concisely and to the point.

## **MEETING CODE OF CONDUCT**

The following code of conduct, posted in Council Chambers, applies to Committee meetings:

“Council is committed to fostering a safe, respectful and orderly environment for the public to observe, and where permitted participate in, its local government meetings. Please adhere to the following code of conduct in order to help us meet this commitment:

1. Respect other members of the public, Council and staff.
2. Refrain from disruptive behavior that would impede proceedings.
3. Comply with directives from the Mayor in a prompt and orderly fashion.
4. Restrict comments and questions to the appropriate time on the agenda.”

## **WHAT TO INCLUDE AS AN ITEM OF BUSINESS**

The purpose of all North Cowichan committees is to assist Council. Agenda items should clearly fall within the scope of work and subject matter assigned to the committee and should further the business of the committee, rather than being provided for information purposes only.

## **INFORMATION ONLY ITEMS**

If the purpose of an item is for information only, it is preferable that this information be provided to committee members via email for their individual review and not included as an agenda item. If the information needs to be discussed by committee members and a decision made, then it should be added as an agenda item.

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## REPORTS AND SUPPORTING MATERIAL

All items of business proposed for consideration at a meeting should be accompanied by some form of written documentation (a staff report, a delegation application, or a brief agenda item summary setting out the purpose for bringing the item before the committee, relevant background information on the item, and a recommendation, if applicable).

## FURTHER INFORMATION

Committee members can obtain further information from the committee chair, the staff liaison, or the Corporate Services Department. For further information, please contact:

Alyssa Meiner  
Deputy Director of Corporate Services  
[alyssa.meiner@northcowichan.ca](mailto:alyssa.meiner@northcowichan.ca)  
(250) 746-3116

***Most importantly... thank you for the time and effort you dedicate to North Cowichan Council and the community through your work on North Cowichan's Advisory Committees!***