



City of Merritt
 2185 Voght Street
 Merritt, BC V1K1B8
 250 378-4224
 merritt.ca

Policy 1-04

CATEGORY 1.0 – Legislative	COUNCIL POLICY COUNCIL COMMITTEE Contact Department: Corporate Services
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1. Statement

To set out the procedural guidelines for establishing committees, making appointments and reporting on committee activities.

2. Background

Pursuant to the *Community Charter*, s. 141, the Mayor must establish Standing Committees for matters the Mayor considers would be better dealt with by committee and pursuant to s. 142 the Council of the City of Merritt may establish and appoint Select Committees to inquire into any matter and to report its findings and opinions to the Council.

3. Objectives

The guide the Mayor and Council in the procedure for establishment of committees, appointing Council and citizen members to the committees to provide information and recommendations for consideration by Council on issues of concern to the public and the City

4. Definitions

“**Clerk**” is the staff member who acts as the recording secretary for the committees and prepares the Meeting Agenda in consultation with the Chair and records the Minutes of the Meeting

“**Corporate Officer**” is the Corporate Officer for the City

“**Short Term Select Committee**” is a Select Committee that is established to perform a specific task within a specified period of time established by Council, after which time the Committee is disbanded unless extended by Council Resolution

“**Select Committee**” is a Committee established by Council resolution pursuant to Section 142 of the *Community Charter*, which reads as follows:

- (1) 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
- (2) At least one (1) member of a Select Committee must be a Council member
- (3) Subject to subsection (2), persons who are not Council members may be appointed to a select committee



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“**Staff Liaison**” is the staff member assigned by the Chief Administrative Officer to assist a Committee in a non-voting advisory and resource capacity

“**Standing Committee**” is an advisory body to Council, established pursuant to Section 141 of the *Community Charter*, which reads as follows:

- (1) The Mayor must establish Standing Committees for matters the Mayor considers would be better dealt with by Committee and must appoint persons to those Committees
- (2) At least half of the members of a Standing Committee must be Council members
- (3) Subject to subsection (2), persons who are not Council members may be appointed to a Standing Committee

“**Statutory Committee**” means Boards, Commissions, or Committees established pursuant to a specific enabling statute or bylaw

5. Membership

5.1 Diversity

- a) Membership of committees will be diverse, and broadly reflective of the community.
- b) The Terms of Reference for each committee may identify specific desired experience, knowledge, expertise and geographic location in the community.

5.2 Appointments

- a) Opportunities for appointment of members of the public to committees will be widely advertised so that any citizen who is interested can apply.
- b) Preference will be given to be City of Merritt residents to be appointed to committees except as identified in the Terms of Reference set out by Council.
- c) Appointments to Standing and Select Committees will be made at the beginning of each Council term when the timing of appointments may be varied by the Mayor.
- d) Organizations requested to provide representation, shall be advised that if there are various committees the organization is represented on, that the organizations shall strive to appoint different representatives to committees, in order to provide a broader range of representation.



- e) The Terms of Reference of individual committees will specify the number of members to be appointed to the committee but membership shall normally not be more than nine (9) (including members of Council).
- f) Committee members shall serve without pay at the pleasure of Council, unless otherwise provided in the enabling statute or establishment bylaw.
- g) All appointed committee members will be required to sign an "Oath of Confidentiality" as attached to this policy as Schedule "A".

5.3 Applications for Membership

- a) All applications for membership on committees shall be kept in confidence when submitted to the City.
- b) Existing members of committees whose terms have expired and who desire to be reappointed to a committee, may express this desire by submitting a letter to Council. In considering re-appointments, Council will consider the following factors:
 - i. length of time an individual has served on the committee
 - ii. number of new applications received
 - iii. mix of experience desired on the committee
 - iv. Committee stability and membership continuity

5.4 Terms of Appointment for Standing and Select Committees

- a) The term of appointment is for the current Council term unless otherwise provided for in the Terms of Reference for that committee.
- b) An individual can serve for up to two (2) consecutive terms on any one (1) committee.
- c) Notwithstanding clause 5.4(b), all Council committee appointments expire on September 30th in the year of a general local election.
- d) The term of an appointment of members to Short Term Select Committees, shall coincide with the time frame provided to the Short Term Select Committee to complete its work; after which the members' terms expire unless extended by Council resolution.



5.5 Terms and Conditions of Appointment to Statutory Committees

- a) The term and conditions of appointment of members to Statutory Committees is as provided in the enabling statute or establishment bylaw.

5.6 Committee Vacancy Replacement Term

- a) In the event of a vacancy, the person appointed to fill the vacancy shall hold office for the remainder of the term of the vacated office. If the vacancy is within the last four (4) months of the Council term, Council may opt to wait until the new appointments in October.

5.7 Attendance of Members at Meetings

- a) Unless otherwise provided in the enabling statute or establishment bylaw, any member who is absent from two (2) consecutive regular meetings without being granted leave of absence from the Chair or without reason satisfactory to the committee shall forthwith cease to be a member of the committee and the appointing authority shall be advised by the committee.

5.8 Removal of Member from Committee

- a) Council may, by resolution, remove or request the resignation at the request of the committee or on its own initiative any of its committee appointees at its discretion.

5.9 Resignation of Member

- a) Any member of a committee wishing to resign from the committee is requested to provide the resignation in writing to the Chair with a copy to the Clerk.

6. Council Liaison/Council Membership

6.1 The Mayor shall designate the members of Council to serve as Chair and Vice-Chair of the Standing Committees. The Chair and Vice-Chair of a Standing Committee shall be entitled to vote.

6.2 Council may appoint individual Council members to Select Committees. The committee members will elect a Chair and Vice-Chair at the first meeting held after term appointments. It is recommended that Council members do not serve as Chair.

6.3 Any member of Council not appointed to the Select Committee may attend the committee meetings as an observer but is not entitled to vote.



- 6.4** Council representatives serve for one (1) term, but may be re-appointed in accordance with the process described in article 1.3.2 of this Policy.
- 6.5** The Council representative's role on committees is:
- a) to be a voting member of the committee to which they are assigned; and
 - b) to serve as a communication channel to Council.
- 6.6** The Mayor shall be an ex-officio member of every Standing and Select Committee and as such has the same rights as other committee members, but is not obligated to attend meetings and is not counted in determining if a quorum is present.

7. Staff Support

- 7.1** A Staff Liaison may be appointed to any Standing Committee by the Chief Administrative Officer and to any Select Committee by the Chief Administrative Officer on the request of Council. The Staff Liaison is not a member of the committee and therefore is not entitled to vote. The role of the Staff Liaison includes:
- a) providing information and professional advice
- 7.2** The Clerk shall provide support to each committee as follows:
- a) prepare and circulate the committee's agenda at the direction of the Chair
 - b) arrange and attend all committee meetings to record the minutes
 - c) ensure appropriate arrangements for committee meetings including room bookings in accordance with City procedure
 - d) ensure that committee recommendations be presented to Council in the form of committee minutes being placed on regular Council meeting agendas
- 7.3** Any other projects or tasks to be assigned to the Staff Liaison require the approval of the Chief Administrative Officer.



8. Meeting Schedule

- 8.1** Standing and Select Committees will establish their own meeting schedules, pursuant to the Committee Terms of Reference at the beginning of each calendar year.
- 8.2** Statutory Committees meet as provided in their enabling statute or establishment bylaw.

9. Quorum

- 9.1** Unless otherwise provided in a committee's enabling statute or establishment bylaw, the quorum for a committee is a majority of all its members.
- 9.2** Committees failing to reach quorum for three (3) consecutive meetings will be deemed unnecessary and cease to exist.

10. Chair

- 10.1** Each committee shall, at its first regular meeting, elect a Chair and Vice-Chair if the Mayor has not already done so, who shall hold office for a period of one (1) term, to carry out the duties normally attributed to such office in conducting the business of the committee.

11. Agendas

- 11.1** The Clerk, with assistance of the Chair, is responsible for the preparation of committee agendas which are distributed to committee members, no less than forty-eight (48) hours prior to the meeting.

12. Minutes

- 12.1** Committee minutes, setting out the key discussion points of the proceedings and all recommendations to Council of all meetings of committees shall be legibly recorded by the Clerk.
- 12.2** The minutes shall be adopted by the committee and be provided to the Corporate Officer for circulation to Council on the public agenda for information.

13. Rules of Procedure

- 13.1** The committee may rely for reference upon the advice of the Staff Liaison or the Corporate Officer.



13.2 Questions of procedure which cannot be resolved by the committee shall be referred to the Corporate Officer.

14. Voting

14.1 All members of a committee, including the Chair and Vice-Chair, shall have a vote on any question before it, and in all cases in the event of a tie vote, the motion shall be defeated. Any member who abstains from voting, without having declared a pecuniary interest and leaving the meeting, shall be deemed to have voted in the affirmative. Proxy votes are not permitted.

15. Conflict of Interest

15.1 Committee members are subject to Sections 100 to 104 of the *Community Charter*.

16. Sub-committees

16.1 Committees may establish working groups (sub-committees) to review a particular task/subject and report back to the parent committee. No other members shall be added to the committee or sub-committee without permission of Council.

17. Reporting

17.1 Establishment and Authority

- a) Members will not misrepresent themselves as having any authority beyond that delegated by Council.
- b) Standing and Select Committees must refer recommendations to Council for authority to act.
- c) Short Term Select Committees must conduct their task within the time prescribed by Council, and as soon as possible afterwards, report their findings and recommendations to Council for consideration.
- d) Statutory Committees conduct their business in accordance with the terms of their enabling statute, establishment bylaw and the policies of the authority which established the committee.



17.2 Reporting on Issues

- a) When responding on an issue referred by Council Standing and Select Committees will submit reports to Council in accordance with Council policy and the Council Procedure Bylaw. If deemed appropriate by the Chief Administrative Officer, committee reports will be accompanied by a staff report.
- b) Committees shall not reconsider a decision of Council.

17.3 Timing of Reports and Minutes to Council

- a) Reports and minutes from committee meetings will be submitted for the agenda for the next Council meeting as soon as reasonably possible.

17.4 Annual Reports

- a) All committees must provide an annual report, in accordance the Terms of Reference for that committee.

18. Authority

- 18.1** Except as may be provided in their Terms of Reference, enabling statute or establishment bylaw, committees do not have the authority to communicate with other levels of government, authorize financial commitments of the City, or to authorize any expenditures to be charged against the City.

19. Budget

- 19.1** Unless otherwise provided in their Terms of Reference, enabling statute or establishment bylaw, committees may request budget funds from Council in accordance with the City budget preparation schedule and procedure.
- 19.2** Any solicitation of funds from other organizations requires the prior approval of Council.
- 19.3** The committee shall have reasonable use of City miscellaneous services such as photocopying, paper supplies, meeting areas, etc. which are primarily provided through the Clerk.



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20. Personal Liability

20.1 No member of a committee shall be liable in his or her personal capacity for any debt or liability of the committee. It is the responsibility of the City to ensure the members of committees against all liabilities related to fulfilling their responsibilities as a member of the committee.

21. Orientation

21.1 All committee members shall be provided with a copy of this policy and the committee's Terms of Reference as orientation.

22. New Committees

22.1 In considering the formation of a new Select Committee, Standing Committee, or Statutory Committee, Council will request staff to prepare a Terms of Reference for consideration by Council prior to establishing the committee.

23. Meetings Open to Public

23.1 All meetings of Council committees are open to the public and no person shall be excluded except for improper conduct, or where the committee is considering an item where, in accordance with Section 90 of the *Community Charter*, the exclusion of the public is permitted.



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APPENDIX "A"

Committee Meeting Guidelines

The Agenda

- Stick to the agenda.
- The agenda package should include supporting material which all members should read in advance.

Rule of the Clock

- Start on time and end on time.
- Keep the meeting to under two (2) hours.

Handling the Business of the Meeting

- Focus on issues that are up for discussion or decision.
- Remember, good decision-making requires:
 - ⇒ background information
 - ⇒ options and recommendations
 - ⇒ attendance and participation
 - ⇒ preparation before the meeting



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Role of Chair

- The role of the Chair is critical for effective meetings. The Chair should be a:
 - ◆ leader ⇒ willing to give up personal interests, and willing to work with the whole group
 - ◆ facilitator ⇒ able to encourage people to participate, help people to listen to each other, and to reflect back the common threads of the discussion
- The Chair's duties are:
 - ⇒ check if a quorum is present and open the meeting at the prescribed time
 - ⇒ announce the business in the proper sequence (as outlined on the agenda)
 - ⇒ recognize members entitled to speak, in the order in which they request to speak
 - ⇒ state and put the questions (resolutions which have been moved and seconded) to a vote
 - ⇒ enforce the rules of decorum
 - ⇒ expedite business
 - ⇒ decide questions of order and respond to parliamentary enquiries
 - ⇒ declare the meeting adjourned

Decision-making

Committees should strive for consensus in their decision-making. However, final decisions are made by resolution adopted by a majority vote.

Voting and Debating Rights

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



Motions and Amendments

A **main motion** is a proposal to take action or give direction. The steps of handling a main motion are:

1. A member makes a motion:

“I move that

2. Another member seconds the motion:

“Second” or “I second the motion”

3. The Chair states the motion or moves directly to debate:

“It is moved and seconded that” AND/OR “Is there any discussion?”

4. Debate, and amendment if any, takes place.

5. The Chair puts the motion to a vote:

“We are now voting on the motion to, Those in favour? [Those voting in the affirmative indicate by raising a hand.] Opposed? [Those voting against indicate by raising a hand]”

Members should always clearly indicate their vote by raising their hand at the appropriate time. Those who do not vote by raising a hand are counted as voting in the affirmative.

6. The Chair announces the result:

“Motion passes.” “Motion defeated.” “Tie Vote - motion defeated.”



- ***Amending Motions***

An amendment is a motion to change the wording of another motion before voting on it. An amendment is always dealt with before adoption of the original motion. In effect, the amendment temporarily sets aside the motion which it proposes to modify. A motion to amend a motion is debatable and requires the same steps as a main motion.

⇒ ***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

“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 (2) levels of amendment are allowed. A main motion can be amended (primary amendment) and an amendment can be amended only once (secondary amendment). No amendment is permitted to a secondary amendment.

- ***Debate on 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).

- ***Motions Permitted While Matter Under Debate***

During debate on a motion, there are a limited number of other motions which would be considered to be in order. These are: a motion to adjourn or recess the meeting, a motion to withdraw if made by the original mover, to amend, to refer to a sub-committee, or to defer to a certain day. Questions of privilege and points of order may also interrupt proceedings.



- ***Substitute Motion***

A substitute motion is like an amendment in that it sets aside the motion which it proposes to modify. If a substitute motion passes, there is no need to call the question on the original motion - the original motion is in effect gone.

“I move to amend the motion by striking out the main motion and substituting: ...”

- ***Motion to Withdraw a Motion***

A motion which has been duly moved and seconded may only be withdrawn with the consent of the original mover and seconder. Once a motion to withdraw a motion has been carried, there is no record made in the minutes of the original motion having existed. It will not appear in the minutes.

- ***Motion to Refer:***

A motion to send a main motion to a sub-committee or to staff for further study and report back (within the authority of the committee).

“I move that the foregoing motion be referred to staff for review and report back to the committee by”

- ***Motion to Defer Indefinitely:***

A motion to decline to take a position on an issue or motion. (Note: with the limited authority of committees, such an action could require endorsement by Council.)

“I move that this item be deferred indefinitely”

OR

“I move that no action be taken on this issue at this time.”

- ***Motion to Defer to a Specific Date:***

A motion to stop debate and postpone consideration of an issue or motion to a specific future date.

- ***Division of a Question:***

A motion to divide a main motion into separate motions if each part can stand on its own.



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- ***Adjourn***

When a motion to adjourn is made, it means the meeting stops and will reconvene at another date and time. A motion to adjourn is not required if the agenda is completed - the Chair simply declares the meeting “closed” or “concluded”.

- ***Recess***

A motion to take a break in the meeting. A motion or call for a recess should specify the amount of time to be taken for the recess.

- ***Point of Order***

A statement that a rule of the committee is being violated. It is ruled on by the Chair whose decision may be appealed to the committee and decided by committee resolution.

- ***Question of Privilege***

Raising a request or motion relating to the rights or comfort of the committee or an individual is decided by the Chair.

- ***Point of Information***

A request for information, e.g. from staff during debate.

- ***Reading of Motions***

A member may require the motion under consideration to be read. The Clerk or person recording the minutes would then read the motion.



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- ***Rules of Decorum and Debate***

Committee meetings tend to be more informal than a Council meeting. The Chair of the committee has the duty and authority to allow the level of informality he or she feels would best facilitate the work of the committee.

Here are some meeting rules which may be helpful and may be used by the committee:

- ⇒ the maker of a motion has a right to speak first to their motion
- ⇒ 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 not engage in personal attacks of 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
- ⇒ there are no limitations on the number of times a member may speak, or the length of speeches
- ⇒ motions should be phrased concisely and to the point
- ⇒ a decision to close debate can be made by unanimous general consent, by resolution or by the Chair

Amendments

January 27, 2009: Adopted (Resolution 018/09)
January 24, 2012: Amended (Resolution 013/12)
November 06, 2012: Amended (Resolution 231/12)
December 20, 2016: Amended (Resolution 271/16)
January 23, 2018: Amended (Resolution 013/18)



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SCHEDULE "A"

OATH OF CONFIDENTIALITY

I, _____, of the _____ Committee,
do promise and swear that I will, to the best of my knowledge and ability, fulfill the terms
of my position with the City of Merritt and will respect and maintain the confidentiality of
the information that I become aware of through my appointment to this Committee of
Council.

Sworn/Affirmed by me, at Merritt, B.C. on this _____ day of _____, 20____

(Signature of person swearing/affirming oath)

(Signature of person administering oath)