



Staff Report

Report To: Dan Best, Chief Administrative Officer
From: **Rebekah Msuya-Collison, Municipal Clerk**
Date: July 16 2018
Report: 18-2018
Subject: Committee Reporting Structure

Recommendations:

That South Huron Council receives the report of Rebekah Msuya-Collison, Clerk re Council Committee Reporting, for consideration and direction.

Purpose:

Direction.

Background and Analysis:

Presently South Huron Council receives reports, approved minutes and committee recommendations brought forward by the Committee to Council under this section of the Regular Council agenda. Without the review of information from Committees that relate to mandate given by term of references, Council may not receive information in a timely manner.

Draft minutes may be published on an agenda prior to adoption by the Committee. The *Municipal Act*, 2001 section 253 (1)(b) allows access for anyone to have a copy of any of the records under the control of the clerk, including minutes and proceedings of committee meetings of the council or local board, whether the minutes and proceedings have been adopted or not. Section 270 (1)(5) of the *Municipal Act*, 2001 currently states that municipalities shall adopt and maintain policies with respect to the manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public.

All Committees must conform to the rules governing the procedures of a meeting of Council as outlined in the South Huron Procedural By-Law 79-2015, as amended. Section 17 of the Procedural By-Law outlines procedures, establishment, description and terms of references for Committees of Council.

Section 4.2.5.1 of the Procedural By-Law outlines the Agenda for each Regular Council meeting and provides under (g) for "Councillor Board and Committee Reports". Section 17.12 provides that the minutes of all Council Committees shall be forwarded to Council to be received as information and does not specifically refer to Committee reporting structure to Council. The Procedural By-Law provides for minutes to be forwarded to Council as well allows for committee reporting on the agenda.

Section 17.5 under Council Advisory Committees provides that the duty of the Advisory Committees created by Council shall be to report and to make recommendations to Council on all matters relating to their terms of reference or that have been referred to them. Terms of reference for committees also include the requirement for reporting to Council. Presently most committees do their reporting by submitting approved minutes for the agenda package.

A balance that provides consistency, transparency, as well as sufficient flexibility would ensure that members of Council are kept abreast of the issues and concerns dealt with at the Committee. This will ensure that staff are directed to take action as deemed appropriate and necessary without being unduly process-heavy or inflexible.

Option 1: In addition to the requirement of providing approved minutes to Council, a summary or report of the meeting and recommendations of the board or advisory committee shall be prepared by the recording secretary following each meeting and forwarded to Council.

Option 2: The Committee would forward draft minutes to the Council agenda for consideration and the approved minutes will be filed with the Clerk, if no amendments. Amended approved minutes will be presented to Council. The Committee would forward time sensitive recommendations to Council.

Option 3: Providing approved minutes to Council and forwarding time sensitive recommendations to Council.

Option 1 provides for timely summary of the meeting and recommendations but the minutes will not be forwarded until approved. Option 2 provides for timely reporting through the draft minutes but minutes may be amended at

the next meeting as they are not approved by the Committee. Option 3 is the current reporting structure.

Periodic audits of municipal procedures are undertaken to determine whether they exhibit a commitment to the Transparency and Accountability Policy and to proactively prepare and establish protocols. One of the key themes of Bill 68 is Accountability and Transparency and staff will undertake a review of the policies, procedures and by-laws that are impacted.

Operational Considerations:

Draft minutes if provided in the Agenda should have "Draft" marked to indicate the minutes have not yet been approved by the board/committee and may contain errors.

South Huron's Strategic Plan:

Section 6.2.2 of the Municipality of South Huron 2015- 2019 Strategic Plan identifies key priorities and strategic directions. The following elements are supported by the actions outlined in this report:

- ✓ Administrative Efficiency and Fiscal Responsibility
- ✓ Increased Communications and Municipal Leadership
- ✓ Transparent, Accountable, and Collaborative Governance

Financial Impact:

There are no financial implications outlined in this report.

Legal Impact:

There are no legal implications outlined in this report.

Staffing Impact:

There are no staffing implications outlined in this report.

Policies/Legislation:

Municipal Act, 2001

Modernizing Ontario's Municipal Legislation Act, 2017

Procedural By-Law 79-2015

Accountability and Transparency Policy By-Law 15-2016

Consultation:

D. Best, CAO/Deputy Clerk

Related Documents:

Respectfully submitted,

Rebekah Msuya-Collison, Municipal Clerk