



LEGISLATIVE SERVICES

TO: Council
DATE: May 11, 2021
FILE: N/A
SUBJECT: Board and Committee Term Length Review

DIVISION: All
APPLICATION: N/A

POLICY DIRECTION:

Council provided the following direction to Administration at the October 27, 2020 Council meeting:

Motion Arising:

MOVED by Councillor Boehlke that Administration be directed to investigate and bring back to Council the possibility of standardizing all council boards and committees length of term by the end of June, 2021.

Carried

EXECUTIVE SUMMARY:

The County's boards and committees have varying lengths of appointments for councillors and members at large, as well as for chairs and vice chairs. Appointments range from one year for some appointments and up to four years for others.

Council provided direction to Administration to investigate the possibility of standardizing term lengths for boards and committees. It is within the purview of Council to set term lengths as it desires, but they are set through the terms of reference or bylaw of the board or committee.

Administration reviewed the County's various terms of reference and bylaws, and determined that there are many appointments that could be standardized if Council wishes. Administration is requesting direction to prepare the following amendments to the County's boards and committees:

Chair and Vice Chair Appointments:

- Chairs must be councillors, rather than members at large
- Vice chairs may be councillors or members at large
- Chairs must be appointed by Council, rather than the board or committee
- Vice Chairs are appointed by the board or committee, rather than Council
- Chairs and vice chairs are appointed for standardized two year terms

Councillor and Member at Large Appointments:

- Councillors are appointed to boards and committees for standardized two year terms
- Members at large are appointed for standardized three year terms

Term Limits:

- Administration recommends that Council revisit the term limits established in sections 27 and 28 of the *Boards and Committees Bylaw*.

Administration Resources

Tyler Andreasen, Legislative Services



ADMINISTRATION RECOMMENDATION:

Administration recommends approval in accordance with Option #1.

BACKGROUND:

In response to the direction received by Council, Administration's review included the boards and committees provided in Attachment 'A' of this report. Before bringing numerous terms of reference and bylaws to Council for amendments, Administration is first seeking direction from Council.

Overall, Administration recommends a standardized two year appointment for councillors, chairs, and vice chairs. Administration recommends three year appointments for members at large.

COUNCILLOR AND MEMBER AT LARGE TERM LENGTHS:

Currently, appointments of councillors and members at large range from one year to four years across the County's various boards and committees. Administration reviewed the length of these appointments and is recommending that they be standardized as two years for councillors and three years for members at large.

Administration believes that two year appointments allow more time for councillors to learn the subject matter and procedures of a particular board or committee, while still allowing councillors to rotate their appointments at least once during their four year term as a councillor.

Administration recommends that members at large be appointed for three year appointments for members at large. Many of the boards and committees that members at large sit on do not meet frequently, with some only meeting a handful of times a year. Longer appointments would allow members at large to better learn the subject matter and procedures of their board or committee.

Two and three year terms between councillors and members at large would also offer an additional level of staggering, ensuring that appointments do not all expire at the same time.

In addition, the *Municipal Government Act* has been amended in recent years to require training for members of the Subdivision and Development Appeal Board and Assessment Review Boards. While the provincial government offers this training without cost, their training is not offered frequently. The County has had to pay for external training as a result. Given legislated training requirements, appointments do require an investment of time and money to ensure compliance with legislation.

It is worth noting that despite their length of appointment, members at large may be removed at the discretion of Council in accordance with the board or committee's terms of reference and the *Boards and Committees Bylaw*. Council has used this mechanism in the past.

CHAIR AND VICE CHAIR APPOINTMENTS:

Appointment Term Length

Currently, all chair and vice chair appointments are for one year across all boards and committees. This convention allows different members an opportunity to serve as a board or committee's chair or vice chair. Administration reviewed this convention and is recommending that such appointments be increased from one year to two years.

The relationship between the chair, other members, and supporting staff is important. Different chairs have different styles of running meetings or interpreting procedures. There is also a steep learning curve for chairs of the Subdivision and Development Appeal Board and Assessment Review Boards given their quasi-judicial nature, in particular.

Annual turnover of chairs disrupts this relationship. Given that councillors are elected for four years, councillors would still have an opportunity to sit on multiple different boards and committees, while



allowing them to invest more time in their role as chair. The change to two year chair and vice chair appointments would also reduce the number of appointments required at the annual organizational meeting.

Who Appoints the Chair and Vice Chair

Currently, some chair and vice chair appointments are made by Council and others are made by the board or committee itself. Administration reviewed this practice and is recommending that all chairs are appointed by Council and all vice chairs are appointed by the board or committee itself.

This would standardize the appointment of these positions and reduce the number of appointments required at the annual organizational meeting. If the chair is unable to fulfill their duties, it would also provide a member at large the opportunity to act as the chair.

Who Can be a Chair and Vice Chair

Section 15(3) of the *Procedure Bylaw* requires that councillors must be the chair and vice chair of the County's various boards and committees. However, many boards and committees have terms of reference that allow for the chair and vice chair to be members at large. When the *Procedure Bylaw* conflicts with other bylaws, the other bylaws prevail over the *Procedure Bylaw*, so the County currently has chairs and vice chairs who are members at large.

Administration is recommending that the *Procedure Bylaw* be amended to allow for vice chairs to be members at large, and to amend the various terms of reference and bylaws to reflect that the chair is to be a councillor and the vice chair may be either a councillor or member at large.

TERM LIMITS:

Sections 27 and 28 of the County's *Boards and Committees Bylaw* include term limits for members at large appointed to boards and committees. Members at large may serve for a maximum of two consecutive terms and cannot serve for one term before being eligible for reappointment. The *Boards and Committees* bylaw was only adopted in 2019, so the term limits have yet to be applied to current members at large.

Administration believes there is value in retaining motivated, reliable members at large, but also recognizes that turnover allows others an opportunity to sit on the County's boards and committees, and to bring new ideas and personalities to the table. Given the benefits of both, Administration does not have a recommendation on this matter, but instead offers it as a point of consideration for Council.

Council has the discretion to appoint or not appoint the individuals it desires, with a few exceptions under the *Municipal Government Act* and other legislation. If term limits in the *Boards and Committees Bylaw* are removed, the amount of time a member at large has sat on a board or committee is always something that Council can consider on a case-by-case basis when it is making appointments at organizational meetings.

BUDGET IMPLICATIONS:

There are no significant budget implications with this staff report, but it is worth noting that the *Municipal Government Act* has been amended in recent years to require training for members of the Subdivision and Development Appeal Board and Assessment Review Boards.

The provincial government provides this training at no cost, but their training is not always available when needed. Over the past few years, Administration has needed to pay for external training of its board members to ensure members are properly trained in accordance with legislation.



COMMUNICATIONS PLAN:

There would be no communications plan as a result of this staff report.

STRATEGIC OBJECTIVES:

There are no strategic considerations for this staff report.

OPTIONS:

Option #1: THAT Administration be directed to prepare amendments to the County's board and committee governance documents in accordance with the following direction:

Chair and Vice Chair Appointments:

- Chairs must be councillors, rather than members at large
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Term Limits:

- Administration recommends that Council revisit the term limits established in sections 27 and 28 of the *Boards and Committees Bylaw*.

Option #2: THAT alternative direction be provided.

Respectfully submitted,

Concurrence,

"Amy Zaluski"

"Kent Robinson"

Director, Legislative Services

Acting Chief Administrative Officer

TA

ATTACHMENTS:

ATTACHMENT 'A': Board and Committee Term Length Review