

## **Terms of Reference**

### **Name: Fenelon Landfill Public Review Committee (PRC)**

Date: Established by Council: 2018 (Revised December 11, 2018)

### **Mission:**

The Fenelon Landfill Public Review Committee is established to provide advice and recommendations to Council on dissemination, consultation, review and exchange of information regarding the operation of the Fenelon Landfill Site. This includes environmental monitoring results, site operation and maintenance, complaint resolution and new approvals or amendments to existing approvals for the Site.

The PRC is a landfill citizens group made up of individuals who commonly represent the broader public on issues dealing with landfills and waste management. The Environmental Assessment Board sees landfill groups as an important mechanism for assuring that the conditions of the landfill site's Environmental Compliance Approval are met.

The establishment of the Fenelon PRC is outlined in Condition 2 (12) of the Fenelon Landfill's Environmental Compliance Approval (ECA) #A321206 as follows:

"The Owner shall forthwith take all reasonable steps to establish, maintain and participate in a landfill Public Review Committee (PRC), which is to function within terms of reference for the PRC, as prepared by the Owner, and as amended from time to time according to appropriate amending procedures. A copy of the terms of reference shall be provided to the District Manager. The PRC shall serve as a focal point for dissemination, consultation, review and exchange of information regarding the Site."

### **Roles and Responsibilities:**

1. To provide a forum for the public to evaluate and provide feedback in decisions respecting the operation, environmental monitoring and complaint resolution for the Fenelon landfill site.
2. The open sharing between the City and members of the PRC of copies of all reports or other submissions required by the conditions of the Environmental Compliance Approval.
3. To develop and implement a program that will provide the public with information and a forum in which to express their views with respect to the Fenelon landfill site.

4. To help people find early and convenient opportunities to make positive recommendations to the planning processes and decision making.
5. To build a good working relationship between all involved.

It is the responsibility of all appointed members to comply with:

- the City Code of Conduct for Committee/Board Members
- the City Procedural By-law
- Other applicable City by-laws and policies
- Municipal Act
- Municipal Freedom of Information and Protection of Privacy Act
- Municipal Conflict of Interest Act

No individual member or the Committee as a whole has the authority to make direct representations of the City to Federal or Provincial Governments.

Members shall abide by the rules outlined within the Municipal Conflict of Interest Act and shall disclose any pecuniary interest to the Secretary and absent himself or herself from meetings for the duration of the discussion and voting (if any) with respect to that matter.

The Committee will abide by any terms and conditions which may be set out by the City's Council, CAO, City Clerk, City Solicitor, Auditor and/or Insurer for any activities relating to Committee business in keeping with the Committee's Terms of Reference and established Policies.

**Activities:**

The following represent the general activities of the Committee:

- a) To prepare an annual written report to Council by the end of Q1 each calendar year to outline the Committee's achievements from the previous year in line with their approved work plan and to present to Council their current year work plan to include details on promotion of public education programs, review of other government reports, programs and legislation for any impacts on the City or its programs, and future City policy direction all with the view of advancing the City's adopted strategic priorities and the proposed budget.

1. To act in a review capacity to the City of Kawartha Lakes, it's consultants and the Provincial Ministry of Environment, Conservation and Parks.
2. To have opportunity to evaluate and monitor the operation of the Fenelon landfill site, including but not limited to the leachate monitoring program, the groundwater monitoring program, surface water monitoring program and gas monitoring program.
3. To review the annual monitoring reports.
4. To review all complaints and the landfill's operation and action taken by the City to address the concern that was identified.
5. To have opportunity to accompany City staff and/or it's consultants for tours at the landfill site, scheduled dates and times.
6. To disseminate information to the public and to assist the public in participating in the waste management process for the landfill site, through correspondence approved by the City.
7. To implement the objective of the PRC and to advise the PRC of the waste management planning for the Fenelon landfill site.
8. To review and evaluate material distributed to the public where reasonably possible and provide comment to the City of reports prepared by the City or it's consultants, including technical documents and reports on the site's operation, maintenance, closure and end use.
9. To communicate regularly and openly with the public, the City, the City's consultants and government agencies, through correspondence approved by the City.
10. To encourage the public to be involved in waste management planning and to assist new participants in bringing themselves up to date.
11. To prepare other supporting material as the committee deems necessary such as mailing lists, information files, resource material, newsletters, facts sheets, slide presentations, etc.

**Composition:** The Committee shall be comprised of a maximum of seven (7) members consisting of up to six (6) members of the public and one (1) Council representative(s) all of whom will have full authority to debate and vote. The Committee shall consist of a minimum of three (3) members including two (2) members of the public and one (1) Council representative, The Council representative shall be the Councillor for the Ward in which the landfill is located. If the Ward Councillor declines the appointment, then another member of Council

shall be appointed. Committee members will be appointed by Council in accordance with established policy.

**Appointment of Officers:**

The Committee shall, at its first meeting in each year, elect from its membership a Chair, and Vice-Chair. It is acknowledged that there are no per diems for any Committee positions and it is acknowledged that none of the above positions shall be paid for their services. All Committee members are considered volunteer positions.

**Term of Appointment:**

Unless exempted by legislation, members will be appointed for a term of either two or four years with terms expiring at either the mid-term or full term of Council. Members shall continue to serve beyond the end of their term until the appointments of their successors have been approved by Council.

**Resources:**

The Waste Management Division will provide support in the form of advice, day-to-day liaison with the City, updates on program and promotional ideas and initial assistance in their implementation to the degree resources are available. The liaison department will also assist in the preparation and submission of budget recommendations/grant submissions, if needed and attend meetings of the Committee.

A member of staff shall be designated as Recording Secretary by the liaison department. The Recording Secretary shall prepare and publish agendas; attend all formal business Committee Meetings for the purpose of taking Minutes; and prepare and publish minutes in an accessible format acceptable to the City Clerk's Office.

The Recording Secretary shall ensure that a current Terms of Reference for the Committee has been provided to the City Clerk's Office and is posted on the City website.

**Timing of Meetings:**

Meetings will be held on a set day and time as may be determined by the Committee or at the call of the Chair.

**Location of Meetings:**

The location of the meetings will be set by the Committee and must be held in an accessible City facility.

**Meetings:**

The Committee shall hold a minimum of two (2) meetings in each calendar year. The Chair, through the liaison department, shall cause notice of the meetings, including the agenda for the meetings, to be provided to members of the Committee and posted to the City website a minimum of three (3) business days prior to the date of each meeting through the Recording Secretary. Quorum for meetings shall consist of a majority of the members of the Committee. No meeting shall proceed without quorum.

**Procedures:**

Procedures for the formal business meetings of the Committee shall be governed by the City's Procedural By-law and Legislation or, where both of these are silent, by Robert's Rules of Order.

**Closed Meetings:**

The Committee shall not be permitted to hold Closed Meetings.

**Agendas and Minutes:**

A copy of the Agenda shall be provided to the City Clerk's office at the same time it is provided to Committee Members. The City Clerk's office will distribute the agenda to Council members as per established procedures.

Minutes of all formal business meetings and notes from working meetings of the Committee shall be forwarded to the liaison department, and to the City Clerk's Office, not later than two weeks after the meeting. Action items requested of staff and/or Council will be brought to the attention of the Waste Management Division at that time. The City Clerk's Office will electronically circulate the formal business meeting minutes to all members of Council for their information. The City Clerk's Office will maintain a set of printed minutes on file for public review.

The Recording Secretary shall ensure that all Committee Agendas and Minutes are posted to the City website at the same times as they are circulated to the City Clerk's Office.

**Reports:**

One written report to Council is required per year from the Committee, being the work plan/budget and the previous year's annual report.

If there are recommendations of the Fenelon Landfill Public Review Committee that fall outside of this report, they are to be forwarded to Council, through the liaison department in a formal written report on the City report template. It will be the responsibility of the Committee Chair to provide a memo to the liaison department identifying the Committee recommendations for final preparation of the report.

**Purchasing Policy:**

This Committee has no purchasing or procurement responsibilities.

**Insurance:**

The City of Kawartha Lakes' General Liability Policy and Errors and Omissions Liability Policy will extend to this Committee and its members. The applicable insurance policies extend to Committee members while in the performance of his/her duties and to those activities authorized by the City of Kawartha Lakes and Council. Members must adhere to the policies and procedures of the City of Kawartha Lakes and Council, including the Terms of Reference.

The Committee must provide, via the liaison department an annual updated listing of all members, including member positions, to the City of Kawartha Lakes to ensure the applicable insurance coverage remains in force.

Committee members are not entitled to any benefits normally provided by the Corporation of the City of Kawartha Lakes, including those provided by the Workplace Safety and Insurance Board of Ontario ("WSIB") and are responsible for their own medical, disability or health insurance coverage.

**Expulsion of Member:**

Any member of the Committee who misses three consecutive formal business meetings, without being excused by the Committee, may be removed from the Committee in accordance with adopted policy.

Any member of the Committee may be removed from the Committee at the discretion of Council for reasons including, but not limited to, the member being in contravention of the Municipal Act, the Municipal Freedom of Information and

Protection of Privacy Act, the Provincial Offences Act, The Municipal Conflict of Interest Act or the Code of Conduct for Committee/Board Members; disrupting the work of the Committee; or other legal issues. The process for expulsion of a Committee member is outlined in the City's **Council Committee, Board and Task Force Policy**.

**Terms of Reference:**

The Recording Secretary shall ensure that a current Terms of Reference for the Committee has been provided to the City Clerk's Office and is posted on the City website.

Any responsibilities not clearly identified within these Terms of Reference shall be the responsibility of the City of Kawartha Lakes. Council may, at its discretion, change the Terms of Reference for this Committee at any time. Any changes proposed to these Terms of Reference by the Committee shall be recommended to Council via the liaison department through a report to Council.