

Terms of Reference

Name: Kawartha Lakes Cemetery Board

Date Established by Council: December 11, 2018

Mission:

The mandate of the Kawartha Lakes Cemetery Board is to provide advice and recommendations to Council on City of Kawartha Lakes cemetery services such as Decoration Days, the sale of cemetery services and the provision of cemetery maintenance.

Roles and Responsibilities:

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

- the City Code of Conduct for 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
- Ontario's Funeral, Burial and Cremation Services Act, 2002 and its Regulations.

No individual member or the Board 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 Recording Secretary and absent himself or herself from meetings for the duration of the discussion and voting (if any) with respect to that matter.

The Board 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 Board business in keeping with the Board's Terms of Reference and established Policies.

Activities:

The following represent the general activities of the Board:

- a) To prepare an annual written report to Council by the end of Q1 each calendar year in line with the Board's achievements from the previous year in line with the 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 proposed budget.
- b) To provide advice and guidance to City Council, through the Community Services Department, on matters pertaining to policies, practices and programs related to municipal cemeteries.

Composition:

The Board shall be comprised of a maximum of 6 members consisting of up to 5 members of the public and 1 Council representative all of whom will have full authority to debate and vote. The Board shall consist of a minimum of 3 members. Board members will be appointed by Council in accordance with established policy.

Appointment of Officers:

The Board 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 Board positions and it is acknowledged that none of the above positions shall be paid for their services. All Board 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 Community Services Department 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 Board.

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 Board meetings for the purpose of taking Minutes; and prepare and publish in an accessible format acceptable to the City Clerk's Office.

The Recording Secretary shall ensure that a current Terms of Reference for the Board 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 Board or at the call of the Chair.

Location of Meetings:

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

Meetings:

The Board shall hold a minimum of four (4) 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 Board 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 Board. No meeting shall proceed without quorum.

At the first meeting of each year, an Orientation Session shall be held for new members.

Working meetings throughout the year to advance the efforts of the work plan shall be held at the call of the Chair with the Chair providing notice of the working meetings to all members of the Board a minimum of three (3) business days prior to the date of each meeting. No formal minutes are required to be taken at working meetings; however, notes shall be taken.

Procedures:

Procedures for the formal business meetings of the Board 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 Board 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 Board 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 Board 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 Community Services Department 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 Board Agendas and Minutes are posted to the City website at the same time as they are circulated to the City Clerk's Office.

Reports:

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

If there are recommendations of the Kawartha Lakes Cemetery Board 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 Board Chair to provide a memo to the liaison department identifying the Board recommendations for final preparation of the report.

Purchasing Policy:

This Board 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 Board and its members. The applicable insurance policies extend to Board 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 Board 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.

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

Any member of the Board may be removed from the Board 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

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**.

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The Recording Secretary shall ensure that a current Terms of Reference for the Board 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 Board 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.

At the discretion of Council the Board may be dissolved by resolution of Council.