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TOWN OF TECUMSEH
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Town of Tecumseh
Special Council Meeting
Tuesday, November 12, 2013
6:00 PM
Tecumseh Town Hall

MEETING:

I. CALL TO ORDER

II. ROLL CALL

III. DISCLOSURE OF PECUNIARY INTEREST

IV. INTRODUCTION AND PURPOSE OF MEETING

The purpose of the meeting is to consider 2013 Nominations for Awards and Applications for 2014 Committee Appointments.

V. DELEGATIONS

VI. COMMUNICATIONS

VII. REPORTS

- A. Director Staff Services/Clerk, Report No 35-13, November 12, 2013
Re: Awards Policy Amendments
- B. Director Staff Services/Clerk, Report No 40-13, November 12, 2013
Re: Award Nominations - 2013 Dr. Henri Breault Community Excellence and Donald "Donny" Massender Memorial Volunteer, and 2014 Senior of the Year
- C. Director Staff Services/Clerk, Report No 41-13, November 12, 2013
Re: 2014 Advisory and Statutory Committees Applications and Appointments
- D. Director Staff Services/Clerk, Report No 42-13, November 12, 2013
Re: 2014 Tecumseh Election Compliance Audit Committee Applications and Appointments

VIII. ADJOURNMENT



THE CORPORATION OF THE
TOWN OF TECUMSEH

Clerk/Staff Services Department
Report No. 35/13

4.7

PRESENTED TO
SPECIAL COUNCIL:
NOVEMBER 12, 2013

TO: Mayor and Members of Council
FROM: Laura Moy, Director Staff Services/Clerk
DATE: November 12, 2013
SUBJECT: Awards Policy Amendments

RECOMMENDATIONS

It is recommended that:

1. Policy No. 2, being the Town's Awards Policy, be amended by:
 - a. inserting a reference to "Senior of the Year Award" in Section 1.01 *Purpose*, Section 3.01 *Nomination*, and Section 6.01 *Investiture*;
 - b. inserting a definition of the Senior of the Year Award in Section 2 *Definitions*;
 - c. inserting a reference to the Senior of the Year Award Nomination Form in Section 3 *Nominations*;
 - d. inserting the annual recipient of the Donald "Donny" Massender Memorial Volunteer Award be nominated for the Provincial June Callwood Outstanding Achievement Award for Volunteerism in Ontario in Section 6 *Investiture*;
 - e. inserting the annual recipient of the Senior of the Year Award be nominated for the Ontario Senior of the Year Award in Section 6 *Investiture*; and
 - f. appending the Senior of the Year Nomination Form as Schedule "C".

BACKGROUND

Senior of the Year Award

Council approved the Awards Policy No. 2 [Awards Policy] at the Policies and Priorities Committee Meeting held on February 22, 2011 [PPC-02/11]. The Awards Policy establishes a process and timeline for submitting nominations and selecting recipients each year for the Dr. Breault Community Excellence Award and Donald "Donny" Massender Memorial Volunteer Award.

Until 2012, nominations for the Senior of the Year Award were periodically made based upon the recipient of the Corn Festival Committee's Senior of the Year Award. In 2012, responsibility for oversight of the Senior of the Year Award selection process was assigned to the Staff Services/Clerks Department to ensure that a nomination is consistently selected each year in a fair manner.

Each year the Ministry of Citizenship and Immigration [MCI] offers municipalities in Ontario an opportunity to honour one outstanding local Ontarian who, after the age of 65, has enriched the social, cultural or civic life of his or her community. The deadline for submitting nominations to the MCI for the Senior of the Year Award is April 30th each year.

The month of June has been identified by the Ministry Responsible for Seniors Affairs as "Seniors' Month". Municipalities are notified by the MCI prior to June of each year, as to the disposition of their nomination.

Donald "Donny" Massender Memorial Volunteer Award

The Donald "Donny" Massender Memorial Volunteer Award is awarded annually to recognize a person who has made exceptional contributions to the citizens of the Town of Tecumseh or the public at large and is well-known for his/her work as an outstanding fundraiser, advocate and supporter of charitable organizations.

The June Callwood Outstanding Achievement Award for Volunteerism in Ontario is awarded by the MCI, recognizing individuals and groups for superlative volunteer contributions to their communities and to the province of Ontario. Up to 20 individuals and/or groups receive this award each year. The award is named after the late June Callwood, CC, O.Ont., LL.d., a former Canadian journalist, author and social activist who committed her life to action on social justice issues. The deadline for submitting nominations is December 5th each year.

Council received a communication from the MCI [RCM-348], calling for nominations for the June Callwood Outstanding Achievement Award for Voluntarism in Ontario, and passed the following motion [RCM-349] at the Regular Council Meeting held on October 22, 2013:

***THAT** the 2013 recipient of the Donald "Donny" Massender Memorial Volunteer Award be nominated for the June Callwood Outstanding Achievement Award for Volunteerism in Ontario.*

COMMENTS

In order to formalize the selection process and investitures for the Donald "Donny" Massender Memorial Volunteer Award and the Senior of the Year Award as approved by Council, it is recommended that the Town's Awards Policy be amended as indicated below:

The amendments recommended to the Awards Policy are:

- a. insert a reference to "Senior of the Year Award" in Section 1.01 *Purpose*, Section 3.01 *Nomination*, and Section 6.01 *Investiture*;
- b. insert a definition of the Senior of the Year Award in Section 2 *Definitions*;
- c. insert a reference to the Senior of the Year Award Nomination Form in Section 3 *Nominations*;
- d. insert the annual recipient of the Donald "Donny" Massender Memorial Volunteer Award be nominated for the Provincial June Callwood Outstanding Achievement Award for Volunteerism in Ontario;

- e. insert the annual recipient of the Senior of the Year Award be nominated for the Ontario Senior of the Year Award; and
- f. append the Senior of the Year Nomination Form as Schedule "C".
[Attachment 1]

CONSULTATIONS

None.

FINANCIAL IMPLICATIONS


There are no financial implications to amending the Awards Policy.

LINK TO STRATEGIC PRIORITIES

This report is linked to the Town's 2013 Strategic Priority of providing excellent services to residents, businesses and visitors.


This report has been reviewed by senior Administration as indicated below and recommended for submission by the CAO.

Prepared by:



Laura Moy
Director Staff Services/Clerk

Recommended by:



Tony Haddad, MSA, CMO, CPFA
Chief Administrative Officer

Attachment(s):

1. Awards Policy No. 2 with proposed amendments
2. Ministry of Citizenship and Immigration Correspondence *Re: June Callwood Outstanding Achievement Award for Voluntarism in Ontario*, dated October, 2013

LM/ad



The Corporation of the Town of Tecumseh

POLICY MANUAL

POLICY NUMBER: 2	EFFECTIVE DATE: February 22, 2014 <u>November 12, 2013</u>
SUPERCEDES: <u>PPC 02/11 – February 22, 2011 n/a</u>	APPROVAL: PPC 02/11 – February 22, 2011 RCM <u>November 12, 2013 [RCM-XXX/213]</u>
SUBJECT: Awards Policy	

PURPOSE:

- 1.01 The general purpose of this Policy is to establish a process and timelines for submitting nominations and selecting recipients each year for the Dr. Breault Community Excellence Award, ~~and~~ Donald “Donny” Massender Memorial Volunteer Award and Senior of the Year Award.

DEFINITIONS:

- 2.01 **Dr. Henri Breault Community Excellence Award** shall mean an award established to recognize a person who has displayed continued dedication and perseverance to a cause or causes that have ultimately benefited the citizens of the Town of Tecumseh and the general public at large.
- 2.02 **Donald “Donny” Massender Memorial Volunteer Award** shall mean an award established to recognize a person who has made exceptional contributions to the citizens of the Town of Tecumseh or the public at large and is well-known for his/her work as an outstanding fundraiser, advocate and supporter of charitable organizations.
- 2.03 **Senior of the Year Award** shall mean an award established to recognize one outstanding local Ontarian who after the age of 65 has enriched the social, cultural or civic life of the Town of Tecumseh without thought of personal or financial gain.
- ~~2.034~~ **Volunteer Recognition Event** shall mean an event held annually to recognize members of the community appointed by Council to various Committees and to express the Town’s appreciation the Committee members for their service.

NOMINATIONS:

- 3.01 Nominations for the Dr. Henri Breault Community Excellence Award, ~~and~~ Donald "Donny" Massender Memorial Volunteer Award and Senior of the Year Award will be called annually in September by the Clerk.
- 3.02 Notice of the call for nominations for each of the Awards will be posted to the Town's website and Facebook page, advertised in the local media, delivered to local charitable and non-profit organizations; displayed on the Town's LED sign, as well as posted in prominent locations in the Town's facilities (ie: Town Hall, Tecumseh Arena and Cada Library Complex);
- 3.03 Persons wishing to submit a nominee for the Dr. Henri Breault Community Excellence Award must complete the Nomination Form, appended as Schedule "A".
- 3.04 Persons wishing to submit a nominee for the Donald "Donny" Massender Memorial Volunteer Award must complete the Nomination Form, appended as Schedule "B".
- 3.05 Persons wishing to submit a nominee for the Senior of the Year Award must complete the Nomination Form, appended as Schedule "C".
- 3.056 Original and complete Nomination Forms are to be submitted to the Clerk on or before October 31st annually, together with the following supporting materials:
- Detailed contact information about the person being nominated;
 - Detailed contact information about the person submitting the nomination;
 - A summary (maximum 100 words) indicating how long the person submitting the nomination has known the nominee and the reasons believed the nominee is a worthy candidate;
 - A detailed description of the nominee and his/her achievements including background/history;
 - Written testimonials (original and signed) from at least two (2) additional persons who can attest to the value and impact of the nominee's achievements;
 - Additional information and material in support of the nomination (ie: other testimonial letters that add substance to the nominee's achievement, publications, media stories, tributes, etc.) The additional materials should provide new information and insight into the nature of the nominee's achievements.
- 3.076 Nominees must be a resident of the Town of Tecumseh, or have lived in the Town.
- 3.087 No person shall receive an Award posthumously.
- 3.098 All personal information will be treated in confidence and protected pursuant to the *Municipal Freedom of Information and Protection of Privacy Act*.

SELECTION:

- 4.01 All nominations will be considered by Tecumseh Council or a Committee appointed and comprised of Members of Council.
- 4.02 A Special Meeting of Council (or a Committee comprised of Members of Council) will be held on the second Tuesday of November each year, either before or after the Regular Meeting of Council, in order that the members may review the nominations and select the award recipient for each of the awards.
- 4.03 In the year of an election, the current Members of Council (or a Committee comprised of the current Members of Council) will select the respective Award recipients.
- 4.04 Don Massender's wife will be consulted on the selection of the Donald "Donny" Massender Memorial Volunteer Award.

NOTIFICATION TO AWARD RECIPIENTS:

- 5.01 The Award recipients and the respective persons submitting their nominations will be notified within five (5) working days of Council's decision by phone and in writing

INVESTITURE:

- 6.01 The Dr. Henri Breault Community Excellence Award, ~~and~~ Donald "Donny" Massender Memorial Volunteer Award and Senior of the Year Award will be presented at the annual Volunteer Recognition event.
- 6.02 Each of the annual Award recipients will receive a personalized plaque in recognition of their bestowment.
- 6.03 The name of the annual recipient of the Dr. Henri Breault Community Excellence Award will be placed on the Dr. Henri Breault Memorial prominently displayed at the Tecumseh Arena.
- 6.04 The name of the annual recipient of the Donald "Donny" Massender Memorial Volunteer Award will be placed on the Don Massender Memorial prominently displayed at Tecumseh Town Hall.
- 6.05 The recipient of the Donald "Donny" Massender Memorial Volunteer Award will be nominated for the Provincial June Callwood Outstanding Achievement Award for Volunteerism in Ontario.
- 6.06 The recipient of the Senior of the Year Award will be nominated for the Ontario Senior of the Year Award.

Approved: ~~February 22, 2014~~ November 12, 2013

Ministry of Citizenship
and Immigration

Minister

6th Floor
400 University Avenue
Toronto ON M7A 2R9
Tel.: (416) 325-8200
Fax: (416) 325-8195

Ministère des Affaires civiles
et de l'Immigration

Ministre

6^e étage
400, avenue University
Toronto ON M7A 2R9
Tél. : (416) 325-8200
Télééc. : (416) 325-8195



October 2013

Dear friends,

It is my pleasure to send out the call for nominations for the **June Callwood Outstanding Achievement Award for Voluntarism in Ontario**.

Volunteers play a significant role in leading and supporting services in their communities; they lay the foundation for a strong and dynamic province. This award recognizes exceptional leadership, innovation and creativity in voluntarism and community service. Recipients of this award can include individual volunteers, volunteer groups, businesses and other organizations which have made outstanding contributions to their communities and the province.

Do you know an individual or group that makes an outstanding contribution? Nomination forms and additional information are available on the Ministry of Citizenship and Immigration website at www.ontario.ca/honoursandawards or by phone at 416 314-7526, toll free 1 877 832-8622, TTY 416 327-2391. Deadline for nominations is **December 5 2013**.

I hope you will take this opportunity to ensure that volunteers receive the recognition they deserve.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Coteau".

Hon. Michael Coteau
Minister

RECEIVED

OCT 03 2013

Town of Tecumseh



THE CORPORATION OF THE
TOWN OF TECUMSEH

Clerk/Staff Services Department
Report No. 40/13

4.7

PRESENTED TO
SPECIAL COUNCIL:
NOVEMBER 12, 2013

TO: Mayor and Members of Council

FROM: Laura Moy, Director Staff Services/Clerk

DATE: November 12, 2013

SUBJECT: Award Nominations – 2013 Dr. Henri Breault Community Excellence and Donald “Donny” Massender Memorial Volunteer, and 2014 Senior of the Year

RECOMMENDATIONS

It is recommended:

1. That the Award Nominations be considered and direction given on the nominees selected for each of the of the Dr. Henri Breault Community Excellence Award, Donald “Donny” Massender Memorial Volunteer Award and Senior of the Year Award; and that
2. Following the direction of the Members at the November 12, 2013 Special Council Meeting, the selected nominees be informed of their respective Awards and invited to attend the Volunteer Appreciation Night.

BACKGROUND

Council approved the Awards Policy No. 2 [Policy] on February 22, 2011. The Policy establishes a process and timelines for submitting nominations and selecting recipients each year for the Dr. Henri Breault Community Excellence Award and Donald “Donny” Massender Memorial Volunteer Award.

Each year the Ministry of Citizenship and Immigration (Ministry) offers municipalities in Ontario an opportunity to honour one outstanding local Ontarian who after the age of 65 has enriched the social, cultural or civic life of his or her community. The deadline for submitting nominations to the Ministry for the Senior of the Year Award is April 30th each year.

Municipalities are notified by the Ministry prior to June of each year, as to the disposition of their nomination. The month of June has been identified by the Ministry Responsible for Seniors as “Seniors’ Month”. In 2012, responsibility for oversight of the Senior of the Year Award was assigned to the Staff Services/Clerks Department. The recipient of the Senior of the Year Award is also recognized at the Annual Corn Festival.

At the Regular Council Meeting held on October 22, 2013, Council approved the nomination of the recipient of the Donald “Donny” Massender Memorial Volunteer Award for the Provincial June Callwood Outstanding Achievement Award for Volunteerism in Ontario.

In accordance with the Policy, an advertisement was placed in the Shoreline Week on September 6, 2013 requesting nominations for the Awards. A notice was placed on the Town's Website and linked to the Tecumseh Facebook page calling for nominations for each of the Awards, on the prescribed Nomination Forms. Additionally, letters were sent to local organizations inviting nominations for each of the Awards and a Media Release was broadcast on October 3, 2013 about the opportunity to nominate an award recipient.

COMMENTS

The Policy establishes a deadline for submitting Nominations to the Clerk as October 31st annually.

The following Tables provide a list of the past recipients of the Dr. Henri Breault Community Excellence Award, Donald "Donny" Massender Memorial Volunteer Award and Senior of the Year Award, along with a summary of the nominees for the 2013 or 2014 Awards.

Dr. Henri Breault Community Excellence Award

Past Recipients		2013 Nominations
1998	John Staley	John McGivney
2000	Don Lappan	Jan Wright
	John Poole	Jeff Cada
	George Rocheleau	
2004	William Onslow	
	Anne Rigo	
	Michael & Kathleen Rocheleau	
2005	Anthony P. Toldo	
2006	Tony J. Azar	
2007	Dr. Albert Schumacher	
2008	Michael G. Solcz	
2009	Louis Gouin	
2010	Robert Waronchak	
2012	Bernarda Camello-Doctor	

Donald 'Donny' Massender Memorial Volunteer Award

Past Recipients	2013 Nominations
2010 Natalie Lapointe 2011 Ricardo Tonial 2012 Kate Shaw Andre Le Tarte	Al Baillargeon Jan Wright Daniel Lemay

Senior of the Year Award

Past Recipients	2014 Nominations
2009 Madeline Bonham 2010 Louis Gouin 2012 Richard Nosella 2013 Andy Roy	Doreen Ouelette

Nomination forms and supporting materials for each of the nominees are available, in advance of the November 12, 2013 Special Council Meeting, for review in the Staff Services/Clerks Department.

CONSULTATIONS

None

FINANCIAL IMPLICATIONS

The cost of the 2013 Awards is included in the 2013 Budget.

LINK TO STRATEGIC PRIORITIES

This report is linked to the Town's Communication Plan and 2013 Strategic Priority of providing excellent services to residents, businesses and visitors.

This report has been reviewed by senior Administration as indicated below and recommended for submission by the CAO.

Prepared by:



Laura Moy
Director Staff Services/Clerk

Recommended by:



Tony Haddad, MSA, CMO, CPFA
Chief Administrative Officer

LM/ad



THE CORPORATION OF THE
TOWN OF TECUMSEH

Clerk/Staff Services Department
Report No. 41/13

4.7

PRESENTED TO
SPECIAL COUNCIL:
NOVEMBER 12, 2013

TO: Mayor and Members of Council
FROM: Laura Moy, Director Staff Services/Clerk
DATE: November 12, 2013
SUBJECT: 2014 Advisory and Statutory Committees Applications and Appointments

RECOMMENDATIONS

It is recommended:

1. That the Applications to each of the Committees be considered and direction provided on the Applicants selected for appointment to each of the Committees [for the term ending December 1, 2014 or until such time as new members are appointed]; and that
2. Any changes to the Members of Council appointed to the Committees for the Year 2014 be given to Administration; and further that
3. Following the direction of the Members at the November 12, 2013 Special Council Meeting:
 - a. applicants be notified of Council's decisions; and that
 - b. by-laws be prepared for the Members to adopt and formally appoint members to the 2014 Advisory and Statutory Committees, at the next regular meeting of Council.

BACKGROUND

Council approved the Committee/Local Board Application & Appointment Policy No.4 [Policy] on February 22, 2011. The Policy establishes timelines for calling and receiving applications for Committees/Local Boards and a process for reviewing the applications, as well as selecting persons to be appointed to the respective Committees/Local Boards.

In accordance with the Policy, an advertisement was placed in the Shoreline Week on September 6, 2013 requesting Applications from residents desirous of contributing their time and knowledge to serve on the following Advisory Committees: Corn Festival Committee and Cultural & Arts Advisory Committee. The advertisement also sought Applications from residents interested in serving on the following Statutory Committees: Tecumseh Accessibility Advisory Committee [TAAC] and Heritage Committee.

A notice was placed on the Town’s Website and linked to the Tecumseh Facebook page calling for Applications for each of the above-mentioned Advisory and Statutory Committees, along with a description of each Committee. Letters were sent to the current Committee Members expressing appreciation for their service and inviting them to submit an Application for a 2014 Committee. Emails were sent to all current Committee Members, and a Media Release was broadcast on September 6, 2013 as a reminder about the opportunity to volunteer for a Town Committee.

COMMENTS

The Policy establishes a deadline for submitting Applications to the Clerk as October 31st annually.

The Applications for each of the Committees establishes the *Eligibility Criteria* for applying to a Committee as: resident/owner of lands in the Town, Canadian Citizenship, at least 18 years old, not an employee of the Town and not prohibited by law from voting in a municipal election. Additional Eligibility Criteria for the Tecumseh Accessibility Advisory Committee included being a person with a disability.

Copies of the Applications received for each of the Committees are available in the Staff Services/Clerks Department for viewing.

A summary of the Applications received for each of the Committees is given below. The following Tables provide a list of the current Committee Members, alongside a list of the names of Applicants for each of the 2014 Advisory and Statutory Committees.

Corn Festival	
2013 Members	2014 Applicants
<p>Executive: Mayor Gary McNamara Deputy Mayor Cheryl Hardcastle(Vice-Chair) Councillor Joe Bachetti (Chair) Councillor Marcel Blais Councillor Tania Jobin Emily Bondy Anthony Corona Chelsae Durocher David Lozinsky Kathleen Rocheleau Melanie Turner</p> <p>Directors: Chris Janisse Loretta (Laura) Janisse Joan Guignon</p>	<p>Emily Bondy Anthony Corona Chelsae Durocher David Lozinsky Kathleen Rocheleau Melanie Turner</p> <p>Chris Janisse Loretta (Laura) Janisse Joan Guignon</p>

Cultural & Arts	
2013 Members	2014 Applicants
<p>Councillors: Mayor Gary McNamara Deputy Mayor Cheryl Hardcastle Councillor Marcel Blais Councillor Rita Ossington Councillor Tania Jobin</p> <p>Residents: Jerome Baillargeon Nadine Divinecz Rhonda Dupuis Ian Froese L. Frank Maceroni</p>	<p>Jerome Baillargeon Nadine Divinecz Rhonda Dupuis Ian Froese L. Frank Maceroni Stephen Willetts</p>

Heritage	
2013 Members	2014 Applicants
<p>Councillors: Mayor Gary McNamara Deputy Mayor Cheryl Hardcastle Councillor Guy Dorion Councillor Tania Jobin Councillor Rita Ossington</p> <p>Residents: Jerome Baillargeon Rhonda Dupuis Joan Guignon Stephen Willetts</p>	<p>Jerome Baillargeon Rhonda Dupuis Joan Guignon Stephen Willetts</p>

Summarized in the Table below is the TAAC for which there is a vacant position. This Statutory Committee is appointed for the term of Council [ending December 1, 2014] or until such new appointments are decided upon by the Council elect. The TAAC currently meets its membership requirement that 50% of TAAC members must be persons with a disability. Although the vacant position was advertised, no applications were received.

Accessibility Advisory Committee	
Appointed Members	Committee Applicants
Mayor Gary McNamara Deputy Mayor Cheryl Hardcastle Councillor Tania Jobin Mary Anne Askin Linda Brownlie Bernie Campbell Ron Doherty Ken Lemire Robert Ramsay Sherry Richardson Linda Stanczak	
Vacancy	

November 12, 2013

For information purposes and ease of reference, summarized in the Table below are other Committees to which Members of Council have been appointed, including the term of the appointment.

Committee	Term Ending:
BIA	
Mayor Gary McNamara	Dec. 1, 2014
Deputy Mayor Cheryl Hardcastle	Dec. 1, 2014
Councillor Joe Bachetti	Dec. 1, 2014
Councillor Guy Dorion	Dec. 1, 2014
Councillor Rita Ossington	Dec. 1, 2014
Court of Revision	Dec. 1, 2014
Mayor Gary McNamara	Dec. 1, 2014
Deputy Mayor Cheryl Hardcastle	Dec. 1, 2014
Councillor Joe Bachetti	Dec. 1, 2014
Councillor Marcel Blais	Dec. 1, 2014
Councillor Tania Jobin	Dec. 1, 2014
Dog Pound	
Deputy Mayor Cheryl Hardcastle	Dec. 1, 2014
Essex County Agricultural Liaison Committee	
Councillor Tania Jobin	Dec. 1, 2014
Essex County Library Board	
Mayor Gary McNamara	Dec. 1, 2014
Essex Power Board of Directors	
Mayor Gary McNamara	Dec. 1, 2014
Essex Region Conservation Authority	
Councillor Joe Bachetti	Dec. 1, 2014
Councillor Rita Ossington	Dec. 1, 2014
Police Services Board	
Mayor Gary McNamara	Dec. 1, 2014
Councillor Marcel Blais	Dec. 1, 2014

CONSULTATIONS

None.

FINANCIAL IMPLICATIONS

There are no financial implications.

LINK TO STRATEGIC PRIORITIES

This report is linked to the 2013 Strategic Priority of providing excellent services to residents, businesses and visitors.

It is also linked to the priority actions of maintaining and developing current and planned services, as well as to reviewing policies and procedures in order to promote an understanding of easy, accessible communication.

November 12, 2013

This report has been reviewed by senior Administration as indicated below and recommended for submission by the CAO.

Prepared by:



Laura Moy
Director Staff Services/Clerk

Recommended by:



Tony Haddad, MSA, CMO, CPFA
Chief Administrative Officer

LM/ad



THE CORPORATION OF THE
TOWN OF TECUMSEH

Clerk/Staff Services Department
Report No. 42/13

4.7

PRESENTED TO
SPECIAL COUNCIL:
NOVEMBER 12, 2013

TO: Mayor and Members of Council
FROM: Laura Moy, Director Staff Services/Clerk
DATE: November 12, 2013
SUBJECT: 2014 Tecumseh Election Compliance Audit Committee Applications and Appointments

RECOMMENDATIONS

It is recommended:

1. That Brian Cowell, Jerry Marion, and Tim Fuerth be appointed to the Tecumseh Election Compliance Audit Committee [TECAC] for the term of Council commencing December 1, 2014; and that
2. A meeting per diem of \$200 be paid to each member of the 2014 TECAC, to be funded from the Municipal Election Lifecycle Reserve.

BACKGROUND

The *Municipal Elections Act, 1996, S.O. 1996, c.32* as amended [MEA] requires every Council to establish a Compliance Audit Committee for the purpose of Section 81 of the MEA, which entitles an elector to apply for a compliance audit of a candidate's election campaign finances, on or before October 1st of an election year.

The Terms of Reference for the TECAC [Appendix 1] requires that it be composed of three (3) members.

The Terms of Reference for the TECAC states that membership will be preferably drawn from applicants with the following experience:

- a) accounting and audit - accountants or auditors with experience in preparing or auditing the financial statements of municipal candidates;
- b) academic - college or university professors with expertise in political science or local government administration;
- c) legal; and/or
- d) other individuals with knowledge of the campaign financing rules of the *Municipal Elections Act, 1996*.

The Terms of Reference also states that members will be selected on the basis of the following:

- a) demonstrated knowledge and understanding of municipal election campaign financing rules;
- b) proven analytical and decision-making skills;
- c) experience working on a committee, task force or similar setting;
- d) availability and willingness to attend meetings; and
- e) oral and written communication skills.

Council approved the Committee/Local Board Application & Appointment Policy No.4 [Policy] at the Policies and Priorities Committee Meeting held on February 22, 2011 [PPC-03/11]. The Policy establishes timelines for calling and receiving applications for Committees/Local Boards and a process for reviewing the applications, as well as selecting persons to be appointed to the respective Committees/Local Boards.

In accordance with the Policy, an advertisement was placed in the Shoreline Week on September 20, 2013 requesting Applications from residents desirous of contributing their time and knowledge to serve on the TECAC. A notice was placed on the Town's website and linked to the Town's Facebook page as well. Emails were also sent to all current TECAC members, inviting them to apply for the 2014 TECAC.

COMMENTS

The Policy establishes a deadline for submitting Applications to the Clerk as October 31st annually.

The Application Form for the TECAC establishes the *Eligibility Criteria* for applying to the Committee which restricts employees or officers of the Town of Tecumseh, Members of Tecumseh Council, or any candidates in the 2014 municipal election and any by-elections during Council's term, from being members of the TECAC.

Copies of the Applications received are available for viewing before the November 12, 2013 Regular Council Meeting in the Staff Services/Clerks Department.

The three applicants, Brian Cowell, Jerry Marion and Tim Fuerth, being recommended meet the majority of the selection criteria established in the Terms of Reference.

CONSULTATIONS

Chief Administrative Officer
Director Financial Service/Treasurer

FINANCIAL IMPLICATIONS

The Town is responsible for any costs resulting from the review of applications submitted to the TECAC, including:

- a) Committee members' per diems;
- b) Auditor's costs to perform the audit;
- c) costs related to the TECAC operation and activities (ie: copying, postage, mileage, etc.);
- d) legal fees related to an appeal to the Ontario Court of Justice with respect to a decision of the TECAC; and
- e) legal fees related to the undertaking of action against a candidate for violation of the elections finance provisions of the MEA.

While the Town is responsible for paying the Auditor's costs to perform the audit, and all costs in relation to the CAC's operations and activities, should the Auditor's report indicate that there was no apparent contravention and the TECAC finds that there were no reasonable grounds for the application, the Council is entitled to recover the Auditor's costs from the applicant.

Any costs incurred for a compliance audit during the term of Council would be charged to the Municipal Election Lifecycle Reserve. These costs are difficult to estimate in the absence of having previously received an application for a compliance audit and the unforeseen number of applications which may be experienced.

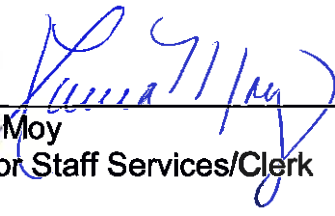
It was previously recommended that a meeting per diem of \$200 be paid to each member of the 2014 TECAC and that the per diem be funded from the Municipal Election Lifecycle Reserve.

LINK TO STRATEGIC PRIORITIES

This report is linked to the 2013 Strategic Priority of providing excellent services to residents, businesses and visitors.

This report has been reviewed by senior Administration as indicated below and recommended for submission by the CAO.

Prepared by:



Laura Moy
Director Staff Services/Clerk

Recommended by:



Tony Haddad, MSA, CMO, CPFA
Chief Administrative Officer

Attachment(s):

1. Tecumseh Election Compliance Audit Committee Terms of Reference

LM/ad



TOWN OF TECUMSEH
ELECTION COMPLIANCE AUDIT COMMITTEE
TERMS OF REFERENCE

Name

1. The name of the Committee is the "Tecumseh Election Compliance Audit Committee".

Term

2. The Committee is to be established before October 1, 2014. The term of office is from December 1, 2014 to November 30, 2018 to deal with applications from the 2014 election and any by-elections during Council's term.

Meetings

3. The Committee will meet as required and scheduled when a compliance audit application is received.

Powers and Functions

4. The powers and functions of the Committee are set out in sections 81 and 81.1 of the *Municipal Elections Act, 1996* [Act]. The Committee will perform the duties relating to the compliance audit application process as outlined in the Act, including:
 - a) consider compliance audit application(s) received from an eligible elector and decide whether the application should be granted or rejected;
 - b) appoint an Auditor, if the application is granted;
 - c) review the Auditor's report and determine whether legal action should be taken; and
 - d) make a finding as to whether to recover the costs of conducting the compliance audit from the applicant, if the Auditor's report indicates there was no apparent contravention of the Act by the candidate relating to election campaign expenses and if there was no reasonable grounds for the application.

Composition

5. The Committee will be composed of three [3] members, with membership preferably drawn from the following:
 - a) accounting and audit - accountants or auditors with experience in preparing or auditing the financial statements of municipal candidates;
 - b) academic - college or university professors with expertise in political science or local government administration;
 - c) legal; and/or
 - d) other individuals with knowledge of the campaign financing rules of the Act.

Ineligibility

6. Employees of the Town of Tecumseh, members of its Council and any candidates in the 2014 municipal election or in any by-election during the term of Council are ineligible to be appointed as a member of the Committee pursuant to subsection 81.1(2) of the Act.

Selection of Members

7. Administration may contact the membership of the Institute of Chartered Accountants of Ontario, the Law Society of Upper Canada, the University of Windsor and St. Clair College to solicit interest from members or faculty to sit on the Committee. Information will also be placed on the Town's website.
8. All applicants will be required to complete a Committee Application Form together with a letter of interest, curriculum vitae and/or resume outlining their qualifications and experience. Recommended candidates will be submitted to Council through Administration for Council's consideration. Members will be appointed by Council.
9. Members will be selected on the basis of the following:
 - a) demonstrated knowledge and understanding of municipal election campaign financing rules;
 - b) proven analytical and decision-making skills;
 - c) experience working on a committee, task force or similar setting;
 - d) availability and willingness to attend meetings; and
 - e) oral and written communication skills.

Conflict of Interest

10. Members shall abide by the rules outlined within the *Municipal Conflict of Interest Act* and shall disclose the 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.
11. To avoid a conflict, any person appointed to the Committee shall agree in writing not to prepare or audit the election financial statements of any candidate in the 2014 Municipal Election. Failure to adhere to this requirement will result in removal from the Committee.
12. The Committee members will select a Chair from amongst themselves at the first meeting of the Committee.
13. Meetings of the Committee will be conducted in accordance with the Town's Procedural By-law No. 2008-69. Any administrative practices and procedures for the Committee may be established by the Director, Staff Services/Clerk, who shall carry out any other duties to implement the Committee's decisions and as otherwise prescribed by law.