



The Corporation of the City of Temiskaming Shores

Agenda Addendum

Meeting Date: **Tuesday, September 20, 2022**

Meeting Location: **City Hall (325 Farr Drive)**

Meeting Time: **6:00 p.m.**

The following item is deemed time sensitive and is proposed to be added to the Agenda for the above noted meeting, and being circulated prior to the meeting in an effort to provide advance public notice.

Items

Addition(s):

Under Item 15 I) – Timiskaming District Joint Compliance Audit Committee Appointments – 2022 Municipal Election

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 041-2022-CS; and

That Council directs staff to prepare the necessary by-law to establish and appoint members of the Timiskaming District Joint Compliance Audit Committee for the 2022 Municipal Election, for consideration at the September 20, 2022 Regular Council Meeting.

Under Section 16 – By-laws, add By-law No. 2022-148 for first and second reading, and for third and final reading:

By-law No. 2022-148 Being a by-law to establish and appoint the members of the Timiskaming District Joint Compliance Audit Committee for the 2022 Municipal Election

Issued by:

Kelly Conlin, Clerk

Time: **12:00 p.m.**

Date: **September 19, 2022**

Memo

To: Mayor and Council
From: Kelly Conlin, Municipal Clerk
Date: September 20, 2022
Subject: Timiskaming District Joint Compliance Audit Committee
Appointments – 2022 Municipal Election
Attachments: Appendix 1: Draft By-Law (**Please refer to By-Law 2022-148**)

Mayor and Council:

On December 17, 2009, Bill 212, schedule 21, section 8, *Municipal Election Act*, 1996 (MEA) reform was proclaimed. The amendments to the MEA came into effect on January 1, 2010; and as such requires each council or local board now establish a Compliance Audit Committee before October 1, 2022 and is not to include employees, officers of a municipality or members of the council or local board, or persons who are a candidate in the election and/or by-election for which the committee is established.

As per the MEA, the Timiskaming District Compliance Audit Committee (TDCAC) must have at least 3 members and can have up to a maximum of 7 members and serves for a four-year term. The Terms of Reference previously approved by all the membership municipalities identified that the local makeup of the TDCAC would have the mandatory 3 voting members and 2 alternates should there be a vacancy or a member become unavailable.

Council for City of Temiskaming Shores approved the Terms of Reference for the Timiskaming District Joint Compliance Audit Committee at its Regular meeting held on June 21, 2022.

As the number of applications for interest generated less than the statutory requirement of voting members in the initial and 5 consecutive extended calls, administration from various member municipalities worked diligently to accumulate the interest of three additional applicants which were all received by Friday, September 16, 2022.

A working group comprised of the Clerks/Deputy Clerks from the membership municipalities reviewed applications on Friday, September 16, 2022. As per their review, the following appointments are being proposed:

- Alvin Willard
- Heather Sandrin
- Robert Norris
- Chris Wray (Alternate Member)
- Don Studholme (Alternate Member)

The TDCAC Clerks are finalizing their Administrative Procedures and will be providing training to the members of the TDCAC sometime after the Committee takes effect being November 15, 2022.

Submission:

Prepared by:

Reviewed by:

“Original signed by”

“Original signed by”

Kelly Conlin
Clerk

Amy Vickery
City Manager

The Corporation of the City of Temiskaming Shores

By-law No. 2022-148

**Being a by-law to establish and appoint the members of
the Timiskaming District Joint Compliance Audit
Committee for the 2022 Municipal Election, under the
Municipal Elections Act, 1996**

WHEREAS Section 88.37 (1) of the Municipal Elections Act, 1996 requires municipalities to appoint Compliance Audit Committees to deal with matters regarding election campaign finances before October 1 of an election year; and

WHEREAS Section 88.37 (2) of the *Municipal Elections Act* provides that the compliance audit committee shall be composed of not fewer than three and not more than seven members and shall not include employees or officers of the municipality; members of the council; any persons who are candidates in the election for which the committee is established; or any persons who are registered third parties in the municipality in the election for which the committee is established; and

WHEREAS Section 88.37 (3) of the *Municipal Elections Act* provides that a person who has such qualifications and satisfies such eligibility requirements as may be prescribed is eligible for appointment to the compliance audit committee; and

WHEREAS Section 88.37 (4) of the *Municipal Elections Act* provides that in appointing persons to the compliance audit committee, the council shall have regard to the prescribed eligibility criteria; and

WHEREAS Section 88.37 (5) of the *Municipal Elections Act* provides that the term of office of the compliance audit committee is the same as the term of office of the council that takes office following the next regular election, and the term of office of the members of the committee is the same as the term of the committee to which they have been appointed; and

WHEREAS Section 88.37 (6) of the *Municipal Elections Act* establishes that the Clerk of the municipality shall establish administrative practices and procedures for the compliance audit committee; and

WHEREAS Section 88.37 (7) of the *Municipal Elections Act* states that council shall pay all costs in relation to the compliance audit committee's operation and activities; and

WHEREAS Sections 88.33, 88.34, 88.35, and 88.36 of the Municipal Elections Act provide for the compliance audit of candidates' campaign finances, the review of contributions to candidates, the compliance audit of registered third parties and the review of contributions to registered third parties; and

WHEREAS the Councils for the Township of Armstrong, Township of Brethour, Township of Casey, Township of Chamberlain, Municipality of Charlton and Dack, City of Temiskaming Shores, Town of Cobalt, Township of Coleman, Town of Englehart, Township of Ewanturel, Township of Gauthier, Township of Harley, Township of Harris, Township of Hilliard, Township of Hudson, Township of James, Township of Kerns, Town of Kirkland Lake, Township of Larder Lake, Town of Latchford, Township of Matachewan, Township of McGarry, Village of Thornloe, and the Municipality of Temagami (hereinafter also referred to as ‘member municipalities’) have all approved the Terms of Reference for the Timiskaming District Joint Compliance Audit Committee (TDCAC).

Now therefore the Council of The Corporation of the City of Temiskaming Shores hereby enacts the following as a by-law:

1. **THAT** a committee to be known as the Timiskaming District Joint Compliance Audit Committee is hereby established pursuant to Section 88.37 of the *Municipal Elections Act* and pursuant to the Timiskaming District Joint Compliance Audit Committee’s 2022-2026 Terms of Reference as established by the City of Temiskaming Shores, to deal with the matters provided for in Sections 88.33, 88.34, 88.35, and 88.36 of the *Municipal Elections Act*.
2. **THAT** the Timiskaming District Joint Compliance Audit Committee shall be comprised of three (3) voting members of the public, with the provision for two (2) additional alternate members, all of who are qualified individuals, as follows:
 - a. Alvin Willard
 - b. Robert Norris
 - c. Heather Sandrin
 - d. Chris Wray (Alternate Member)
 - e. Don Studholme (Alternate Member)
3. **THAT** the term of the Timiskaming District Joint Compliance Audit Committee shall be for four (4) years commencing November 15, 2022 to November 14, 2026. If an audit goes beyond the Committee term, the Clerk has delegated authority to extend the term, if an extension is required.
4. **THAT** the Timiskaming District Joint Compliance Audit Committee is responsible for addressing any candidates' or registered third party advertisers' compliance audit applications or any candidates' or registered third party advertisers' contribution limits Clerk's reports originating from any of the member municipalities during the 2022 to 2026 Council term.

5. **THAT** the business of the Timiskaming District Joint Compliance Audit Committee shall be conducted in accordance with the Timiskaming District Joint Compliance Audit Committee 2022- 2026 Terms of Reference, as established by the City of Temiskaming Shores, with delegated authority to the Clerk to amend the said Terms of Reference, and in accordance with the Timiskaming District Joint Compliance Audit Committee 2022-2026 Administrative Practices and Procedures, as established by the Clerk.
6. **THAT** the Council for the City of Temiskaming Shores shall pay all costs in relation to the Timiskaming District Joint Compliance Audit Committee’s operation and activities related exclusively to the City of Temiskaming Shores
7. **AND THAT** this By-law shall come into force and take effect upon the day of passage.

Read a first, second and third time and finally passed this 20st day of September, 2022.

Mayor

Clerk