



## CITY OF FERNIE CEMETERY COMMITTEE

### Terms of Reference

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#### PREAMBLE

The Fernie Cemetery Committee is a Select Committee established by Council to consider matters better dealt with by committee. Committee members are appointed by Council and at least one member must be a member of Council in accordance with Section 142 of the *Community Charter*.

#### MANDATE

The Committee has been established to advise Council on a suitable location for the placement of a monument to honour those individuals who have been laid to rest in unmarked graves.

The primary objective of the Committee is to identify a suitable location for the installation of the monument and oversee the installation requirements.

#### DUTIES AND RESPONSIBILITIES OF THE COMMITTEE

The duties and responsibilities of the Committee are:

- a) To make recommendations to Council on various issues related to the Committee's mandate;
- b) Ensure compliance with the *Cremation, Interment and Funeral Services Act and Regulations*, and any successor legislation; and
- c) Ensure compliance with the *Community Charter* and City of Fernie bylaws and policies.

#### APPOINTMENT & TERM

The term for all voting members appointed by Council will be for a period of one year.

Any Committee member, who misses three (3) consecutive meetings, where regrets were not received, shall be asked by the Chair to reconfirm their commitment to serve on the Committee. At the discretion of the Committee and in consultation with the member, a further absence of two (2) consecutive meetings may constitute a report to Council to terminate the appointment and appoint a replacement member.

#### DISCHARGE

The Committee is automatically discharged one year from the date of the first meeting

regardless of whether final recommendations have been made. Council may extend or renew the committee by reappointing all its members or by appointing new members.

The committee is automatically discharged upon submission of their final report. The committee may also be discharged at anytime by Council resolution.

## **COMMITTEE CHAIR**

A Chairperson (Chair) and a Vice-Chair shall be elected from the Committee members on an annual basis at the first meeting of the new year to preside over meetings and Committee business.

The Chair, if present, must preside at Committee meetings. If the Chair and Vice-Chair are both absent from the Committee meeting, the Recording Secretary shall call the meeting to order and shall call for an Acting Chair to be nominated and selected by resolution.

## **COMMITTEE STRUCTURE AND MEMBERSHIP**

The Committee will be comprised of the following voting members:

- Two (2) members from City Council;
- Two (2) representatives from the Fernie Heritage Cemetery Society;
- Two (2) representative from Fernie & District Historical Society; and
- Three (3) representatives from the community at large.

The Director of Leisure Services shall be the Committee's staff liaison and a non-voting member of the Committee.

## **STAFF SUPPORT**

Staff support will be provided by the Leisure Services Department to act as the Recording Secretary. Typically, the function includes:

- Organizing and preparing the agenda in conjunction with Committee Chair and staff liaison;
- Distributing the agenda packages to the Committee members;
- Posting the agenda as a public notice;
- Provide information and research as needed by the Committee for tasks related to their mandate, subject to staff resources;
- Receiving all correspondence and preparing correspondence and reports on behalf of the Committee;
- Taking and preparing minutes, and providing the to the Corporate Officer for Council receipt;
- Manage files/records of the Committee;

- Maintaining a task list of outstanding issues for Committee action; and
- Other duties subject to authorization by Council or the Chief Administrative Officer.

## QUORUM

Quorum shall consist of half the voting members plus one.

If quorum is not present within 15 minutes following the time at which the meeting was to commence, the Recording Secretary shall record the names of the members present at the meeting, and the meeting shall stand adjourned.

## AGENDAS, MEETINGS & MINUTES

Regular meetings shall take place on a monthly basis and shall commence at the stated time. Special or ad hoc meetings shall be at the call of the Chair or at the request of any two members. All meetings will be held in open session and in a location accessible to the public, except when closure of the meeting is authorized under section 90 of the *Community Charter* and the Committee adopts a resolution in accordance with section 92 of the *Community Charter* to close the meeting.

### 1. Conduct of Meetings

Committee members have a responsibility to make decisions based on the best interests of the City at large. Committee meetings shall be conducted in accordance with the requirements of the *Community Charter* and [Council Procedure Bylaw](#), including, but not limited to, the requirements for notice of meetings, the establishment of a meeting schedule, minute - taking, quorum, conduct and debate and voting.

The conduct of meetings shall enable members of the Committee to consider information presented, weigh evidence related thereto, and make informed decisions, and shall follow the rules established by the City of Fernie [Council Procedure Bylaw](#).

Committee members will respect the following rules of meeting conduct:

- a) Provide honest, open opinions; and
- b) Agree to disagree; consensus may not always be achieved.

### 2. Notice

The Committee shall provide the Corporate Officer with a copy of their annual meeting schedule on or before December 31<sup>st</sup> of each year.

Notice of the day, hour and place of special meetings shall be given at least three (3) days prior to the meeting by leaving a copy of the notice with the Corporate Officer and with each member of the Committee at the place to which the member has directed such notices be sent.

### **3. Agendas**

The Chair in collaboration with staff support shall prepare an agenda for each regular meeting.

The order of business is to be as set out in the agenda package to be provided to each member at least twenty-four (24) hours prior to the meeting by the Chair. The staff support shall provide the Corporate Officer with a copy of the agenda a minimum of 24 hours prior to the meeting. Any additions or changes in the prepared agenda may be requested by a Committee member and must be approved by majority vote of the Committee members present at the meeting.

### **4. Delegations / Public Input**

Unless otherwise authorized by the Committee, the public shall only address the Committee when they are a scheduled delegation on the agenda.

### **5. Voting**

All voting members of the Committee, including the Chair, vote on every question unless they have declared a conflict of interest and left the meeting. Any member, who does not indicate how they vote, or has left the meeting without declaring a conflict, is counted as having voted in the affirmative to the question.

If the votes are equal for and against, the question is defeated.

### **6. Minutes**

Minutes of meetings provide a written record of the Committee's activities and can track the progress of action on recommendations the Committee has made.

Minutes of the meeting will be prepared by the staff support and provided to the Corporate Officer prior to the next regular meeting of Council.

Original minutes will be signed by the Chair and certified by the Corporate Officer. All original minutes shall be kept by the Corporate Officer for safekeeping.

### **7. Conflict of Interest**

Members who have a direct or indirect pecuniary interest in a matter under discussion are not permitted to participate in the discussion of the matter or to vote on a question in respect of the matter. The member must not attempt, in any way, whether before, during or after the meeting, to influence the voting on any question in respect of the matter.

If a Committee member has a conflict of interest or a perceived conflict, the member must declare their conflict of interest and leave the room until the discussion on that matter is completed. The identified conflict of interest and the removal and return time of the member must be recorded in the minutes.

## **8. Confidentiality of Information**

Committee members are required to keep confidential any financial details or other sensitive information they receive. This means paying strict attention to the security of Committee records. In order for the Committee to function properly, all parties must be confident and trust that no improper use will be made of the information received.

## **9. Consensus**

Consensus will be the guiding principle in every debate as members strive to reach practical and feasible solutions that have, as their ultimate goal, the well-being and security of the municipality.

## **10. Media**

When speaking in public or to the media on an issue, Committee members must distinguish whether they are speaking as a member, a representative of another agency or community group or as an individual. Committee members need to convey the public interest and remember that they represent the City of Fernie. This means that they must be consistent with the City's position on specific issues.

Only the Chair or Vice-Chair may speak to the media on behalf of the Committee subject to authorization by Council.

## **AUTHORITY AND REPORTING**

The Committee and its members will not represent themselves as having any authority beyond that delegated by Council.

Recommendations of the Committee must be adopted by resolution prior to presentation to Council for endorsement. The Committee will report to Council and provide other reports to Council as needed from time to time.

At least once each year, the Committee shall prepare an Annual Report to Council that summarizes its activities, achievements and recommendations for the preceding year and its goals and objectives for the coming year.

The Committee is authorized to communicate with external organizations and agencies to collect information and make inquiries. Where the Committee wishes to express opinions or make recommendations to external organizations and agencies, it must first obtain authorization from City Council in that regard.

## **BUDGET**

All expenditures must be pre-approved by Council through the annual budget or by Council resolution in accordance with the [City of Fernie Purchasing Policy](#).

The Committee shall have an annual operating budget to be used for valid Committee purposes as detailed in the budget approved by Council for the current year.

The Committee Chair shall submit a budget request to the Director of Financial & Computer Services before September 1<sup>st</sup> of each year of estimated expenditures.