

## Terms of Reference for Recreation Committee

### 1. Purpose

1. Oversee recreational activities within Fundy Albert, ensuring they are well-organized and accessible to all residents.
2. Support independent, board-driven recreation councils throughout Fundy Albert, facilitating their inclusion under the municipality's insurance coverage.

### 2. Authority

The Recreation Committee has been granted its legal authority to assist the Municipality with advising on matters related to recreation and leisure activities and by virtue is being delegated this responsibility with Council's approval of a motion on January 7, 2025 (Annex A), of the approval of this Terms of Reference on April 23, 2025 and thereafter appointing members to the Committee.

### 3. Mandate

The committee is mandated to:

- Advise the Council on matters related to recreation and leisure activities.
- Promote, plan, and implement recreational initiatives within the community.
- Maximize the use of municipal recreational facilities, including trails, pool and arena.
- Collaborate with local organizations, schools, and other stakeholders to enhance recreational opportunities.
- Provide recommendations to council regarding the allocation of resources and funding for recreational programs and facilities, including reports to support annual budgetary discussions;
- Develop policies related to recreation for council approval and ensure alignment with community goals and priorities.
- Liaise, on behalf of Council, with the public and private agencies including senior governments, to encourage the provision of programs, services and support for parks and recreation services.
- Consider and make recommendations to Council on any other matters referred to the Committee by Council. If the committee consists of board-driven recreation

councils who wish to be included under the municipality's insurance coverage, the committee, with the approval of council, must:

1. verify that each external community group meets the necessary requirements and adheres to the municipality's insurance policies
2. implement and enforce policies related to insurance coverage, which may include approval of high-risk purchases that could affect insurance premiums, for example, to ensure consistency and compliance across all external groups
3. identify potential risks associated with recreational activities and works with the external community group to mitigate these risks, which could include assisting with safety training or conducting ad hoc inspections.
4. provide ongoing support and guidance to the external community group on insurance matters, securing grants, financial oversight, etc.
5. work together on joint projects or initiatives that require combined efforts and expertise. This collaboration would enhance the effectiveness and reach of community programs.

#### 4. Membership

The Committee will consist of 13 (thirteen) voting members **appointed by a motion of Council**, as follows:

- Two (2) members of Council, with one appointed as Chair and the other appointed as Vice Chair, duly appointed by Council annually pursuant to Fundy Albert Bylaw 3, Respecting the Proceedings of Fundy Albert Municipal Council and Committee Meetings
- One (1) member of the Fundy Albert Administration, as determined by the Chief Administrative Officer (CAO)
- 50 (fifty) volunteer members who are Fundy Albert residents. Applications shall be vetted by the CAO, or designate; and
- A member from any board-driven recreation councils who wish to be included under the municipality's insurance coverage.

Volunteer members will be appointed or re-appointed to the Committee for a term of two (2) years, except as otherwise determined by Council. Volunteer members may serve for up to three (3) terms on the Committee, except as otherwise determined by Council. All appointments shall be for a two-year term, at the end of each term a

Committee member may express their interest in continuing as a member or resign as a member.

Where a vacancy occurs on the Committee, the Council shall appoint a person to fill the position as soon as possible; that person shall hold office for the remainder of the term of the member in whose place that person is appointed.

Each member will serve without remuneration but shall be reimbursed for such expenses as are necessarily incurred by such member in the discharge of the member's duties, with prior approval from the CAO.

## 5. Roles and Responsibilities

**Chairperson:** The Chairperson is ultimately responsible for organizing, chairing, and facilitating all meetings, ensuring that appropriate research, directions and recommendations are given to the Committee, to efficiently and cost-effectively carry out the event plans. This person shall prepare minutes, agendas and packages, as necessary.

- **Vice-Chairperson:** A Vice Chairperson shall be appointed and act in the place of the Chairperson during absences, unavailability, or conflicts of interest of the Chairperson.

**Municipal Staff:** The CAO shall designate a staff member(s) to carry out the functions and roles as directed by the Committee from time to time and shall act as a staff resource to the Committee.

**Members:** Will actively participate in meetings, provide input on agenda items, and assist with the implementation of projects and initiatives.

## 6. Meetings

Meetings of the Committee shall be held on such day as the Committee decides at the first meeting of the Committee, with such meetings taking place at the time and place agreed to by the Committee.

Additional meetings may be held, or the above meetings date and times changed, when agreed to by consensus of the Committee.

## 7. Quorum Requirements

No decisions may be made at any Committee meeting unless at least one elected representative and two community representatives are present.

## **8. Agenda, Minutes and Resolutions**

Minutes and recommendations of the Committee shall be provided to each member of the Committee within a reasonable time after the conclusion of such meeting. The chair will endeavor to provide each member of the Committee with the agenda and required supporting documentation at least three days prior to every meeting.

## **9. Conflict of Interest**

It is expected that all members of the Committee will adhere to the Section 8 of the Local Governance Act, disclosing any pecuniary or indirect pecuniary interest in any matter before the Committee and refraining from taking part in, or trying to influence either before or after the meeting, any directions or decisions respecting such matters. Any breach of this guideline will require the Chairperson to ask Council to remove that member and appoint another member in their stead. If the breach is by the Chairperson, this shall be reported to Council by the Vice Chairperson.

## **10. Decision-Making**

- Decisions of the committee will be made by a majority vote of members present. Where a majority is not forthcoming, the vote shall be determined in the negative<sup>1</sup>.
- The Committee has authority to oversee and facilitate the research and data collection process by requesting such information from the CAO and his/her staff, Committee members, or other private sector or government sources.

## **11. Reporting**

- The committee will report directly to the Fundy Albert Council on its activities and recommendations at regular intervals and indirectly to the CAO for operational and administrative support.
- The committee will provide a formal report on its work and progress at least bi-annually or as required. The Chairperson shall provide written reports to Council concerning the Committee's work plan, focus and directions. Should Council require, an oral presentation may be requested of the Chairperson at any time if Council wishes to have further clarification or reporting on the Committee's work.

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<sup>1</sup> This means that if a vote is taken and there isn't a majority in favor of the proposal (i.e., more than half of the votes are not in support), the proposal will be considered rejected or denied. Essentially, if the vote is tied or there isn't enough support, the default outcome is that the proposal does not pass.

## **12. Budget and Resources**

- Any expenditures must be authorized prior to spending.
- To undertake the required research it needs to make the most appropriate decisions in a timely manner, the committee will have access to budgeted funds, and to resources of the appropriate municipal staff, as authorized by the CAO, Requests for funds above the annual budgeted amount for this committee shall be made by the Committee through the Chairperson to Council, on an as needed basis.

## **13. Confidentiality**

All meetings of the Committee are considered public, except those matters deemed to be private and confidential in nature and subject to Section 6 of the [Local Governance Act, Part 8](#)

Minutes and subsequent resolutions of such meetings shall be recorded and publicly available upon approval by the Committee.

Information and reports of the Committee shall be subject to normal [Right to Information and Protection of Privacy Act](#) and/or the Fundy Albert Right to Information and Protection of Privacy Policy.

## **14. Review**

The terms of reference will be reviewed annually or as needed to ensure they remain relevant and effective in meeting the goals of the committee and the community.

## **15. Amendments**

Any changes to the terms of reference must be approved by the Council.

## Annex A

### Motion related to the creation of a Recreation Committee of Council

**IT WAS MOVED** by Councillor Jonah and **SECONDED** by Councillor Elderkin **THAT**

**WHEREAS** Fundy Albert By-Law No. 2022-03, respecting the Proceedings of Fundy Albert Municipal Council and Committee Meetings provides for the appointment of Council representatives to such committees as required by legislation, agreement or by-law they deem necessary; and

**WHEREAS** the Council of the Village of Fundy Albert deems it necessary to have a Recreation Committee;

**BE IT RESOLVED** Council approves a Recreation Committee for the 2025 Calendar Year;

**BE IT FURTHER RESOLVED** that the following members of Council be appointed to the Recreation Committee:

**Co-Chair:** Councillor Jonah

**Co-Chair:** Councillor Land

I certify that the above is a true and exact copy of a resolution passed by the council of the Municipality of Fundy Albert on the 7<sup>th</sup> day of January 2025.

Seal



Kimberly Beers

CLERK

# Frequently Asked Questions for Committees of Council

## **What Constitutes a Committee of Council?**

The Intact Public Entities Municipal Liability Policy provides coverage to Committees of Council. They are included in our definition of "Insured". This extension of coverage often brings with it misconceptions of what constitutes a Committee of Council. In order for a Committee to qualify as a Committee of Council, under our policy, the following criteria must be met.

1. Council must pass a resolution stating that a group of individuals will be acting as a Committee of Council;
2. The Committee must be accountable to Council for all their actions and activities;
3. All finances are directed by Council, or at least approved by Council;
4. Typically, one or two Council Members are appointed to sit on the Committee.

Where all the above conditions apply, the Municipal Liability Insurance protection for these committees is automatic and no endorsement to the policy is required. Volunteers to these Committees of Council are also included in the definition of "Insured".

It is not our intent to extend the Municipal Liability coverage to any and all committees formed to provide service or benefit to the community. Where a committee acts completely independent of the municipality, no coverage under the Municipal Liability Policy exists.

If you need further clarification or are in doubt as to whether a committee qualifies, please call us.

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