



The Corporation of the Town of Tecumseh

Corporate Services & Clerk

To: Mayor and Members of Council

From: Laura Moy, Director Corporate Services & Clerk

Date to Council: December 11, 2018

Report Number: CS-2018-44

Subject: 2019 - 2022 Board Appointments

Recommendations

It is recommended:

That the following persons be appointed to the BIA Board of Management:

- Paul Bistany, Paul Bistany Real Estate Broker
- Elisa Braccio, Shoppers Drug Mart
- Michael Kennedy, Ingenuity Counsel
- Joseph Fratangeli, Good Vibes
- Scott Harris, TD Canada Trust
- Jules Champoux, CPCA, Life and Health Insurance Advisor
- Linda Proctor;
- Candice Dennis;

And that Tom Burton continue to be appointed to the Essex Power Board for the term ending December 31, 2020;

And further that direction be provided on appointments to each of the other Boards for the term ending November 14, 2022;

Background

Council adopted the Committee/Local Board Application & Appointment Policy No. 4 (Policy) on February 22, 2011 to establish 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 and Local Boards.

The Policy requires that Applications for appointments to the Advisory Committees, Statutory Committee and Local Boards be called in September by the Clerk, in the year of a Municipal Election. The deadline for applying to a Committee or a Local Board is October 31st annually.

Notice of the call for applications for each of the Advisory Committees, Statutory Committees and Local Boards are to be posted to the Town's website and Facebook page, advertised in the local media, and delivered to the then current Committee or Local Board members.

Comments

In accordance with the Policy, an advertisement was placed in the Shoreline Week on September 7, 2018, and the Essex Free Press on September 6, 2018, requesting Applications from residents desirous of contributing their time and knowledge to serve on the various Town Boards.

A notice was placed on the Town's Website and linked to the Tecumseh Facebook page calling for Applications for each of the following Boards:

- BIA Board of Management
- Essex County Library Board
- Essex Power Board
- Tecumseh Police Services Board

Emails were sent to all current Board Members expressing appreciation for their service and inviting them to submit an Application for appointment to a 2019–2022 Committee or Board. A Media Release was broadcast on September 5, 2018, about the opportunity to volunteer for a Town Board. The Town's Twitter was also used to notify the public about the call for Applications. The BIA Coordinator also sent email notifications the business members in the business improvement area.

Due to a low number of applicants, and in some instances insufficient applicants, the deadline for submitting applications was extended to November 30, 2018.

A further notice advising of the extension was placed in the Shoreline Week on November 9, 2018, and the Essex Free Press on November 8, 2018, together with a notice placed on the Town's Website and Tecumseh Facebook page. A News Release was again issued on November 8, 2018, regarding applications being received for Committees and Boards.

The Applications for each of the Boards sets out the Eligibility Criteria for applying to a Board. The Eligibility Criteria states that applicants must be:

- A resident/owner of lands in the Town,
- A Canadian Citizen, and
- At least 18 years old.

Additionally, Applicants may not be an employee of the Town and not prohibited by law from voting in a municipal election.

Applications for the BIA Board of Management also require that persons be: the owner or tenant of commercial lands in the BIA; or an employee of an owner or tenant of commercial lands in the BIA. Employees must provide a letter from the employer in support of their application.

Copies of the Applications received for each of the Boards are available in the Corporate Services & Clerks Department for viewing.

A brief description of each of the Boards is given in the paragraphs which follow. Tables are also provided listing the current Board Members, and the names of Applicants for each of the 2019 - 2022 Boards.

BIA Board of Management

Under Section 204 of the *Municipal Act, 2001*, S.O. 2001 (Act), a municipality is given the authority to designate an area as an improvement area and to establish a Board of Management to oversee the improvement, beautification and maintenance of municipally-owned land, buildings and structures in the area beyond that provided at the expense of the municipality and to promote the area as a business or shopping area.

1. The Board of Management is a corporation consisting of the number of directors established by the municipality and is a local board of the municipality for all purposes.
2. The Board of Management is to be composed of:
 - One or more directors appointed directly by the municipality; and
 - The remaining directors selected by a vote of the membership of the improvement area and appointed by the municipality.

The term of the directors of a Board of Management is the same as the term of the Council that appointed them, but continues until their successors are appointed. Members of a business improvement area (BIA) consist of persons who are assessed, on the last returned assessment roll, with respect to rateable property in the area that is in a prescribed business property class and tenants of such property.

On November 9, 1999, Council adopted By-law 1999-58 establishing a Business Improvement Area (BIA). At the time, the BIA included the entire geographic limits of the Town.

The Town's BIA has undergone amendments since its 1999 establishment. November 8, 2005, under By-law No. 2005-79, the BIA boundaries were amended to include only the former Town of Tecumseh and Village of St. Clair Beach areas, in addition to a small northerly portion of the former Township of Sandwich South. The amended boundaries reflect the area of the Town where the commercial and shopping districts are more condensed, and excludes properties zoned industrial (i.e.: Bonduelle). In 2016, the BIA boundaries were amended by By-law No. 2016-12 to exempt Beach Grove Golf & Country Club and the properties located south of County Road 22, in the Sylvestre, Jamsyl and Desro Drive areas west of Manning Road,

In accordance with By-law No. 2016-91 the Board of Management is to be comprised of two (2) Directors appointed by Council and seven (7) members of the business improvement area (BIA), who are selected by a vote of the membership.

Council may appoint one or more directors to the Board of Management to act as a liaison between the Board and Council. The Council appointments may or may not be a Member of Council. The member appointments generally represent a number of the diverse commercial services in the BIA.

The BIA Board normally meets on the first Wednesday monthly at 7:00 pm in the Tecumseh Town Hall.

BIA Board of Management

2018 Members	2019 - 2022 Applicants
Councillors	Councillors
Councillor Brian Houston - Liaison	--
Councillor Bill Altenhof	--
BIA Members/Proxy:	Residents:
Paul Bistany, Paul Bistany Real Estate	Paul Bistany, Paul Bistany Real Estate Broker
Candice Dennis	Candice Dennis
Maureen Harris, Lakeview Montessori School	--
Daniel Hofgartner, Buckingham Realty	--
Linda Proctor	Linda Proctor
Tony Nehme – The Job Shoppe	--
Jules Champoux - Desjardins Financial	Jules Champoux, CPCA, Life and Health Insurance Advisor
	Elisa Braccio, Shoppers Drug Mart
	Michael Kennedy, Ingenuity Counsel
	Joseph Fratangeli, Good Vibes
	Scott Harris, TD Canada Trust
	Sue Beneteau *
	Vicky Lopez *

* Not a BIA Member and no letter of support from a BIA Member

The above applicants **have not been selected** by a vote of the BIA Members. Section 206 of the Act states a board of management shall give reasonable notice to the general membership of the improvement area of a meeting to hold a vote. In light that there are eight (8) qualified eligible applicants, a vote would not be necessary to fill the nine (9) Director position on the Board.

It is recommended that Council approve the qualified applicants for appointment to the Board for the 2019 - 2022 term. Direction is requested on filling the 9th Director position on the Board of Management [temporarily until a BIA member can be found] from among the Members of Council.

Essex County Library Board

The Essex County Library operates a system of 14 branch libraries that provide library materials and services to all residents of Essex County. Its mission of service is that:

“Essex County Library welcomes you to a world of discovery, creativity and lifelong learning through accessible resources, programs and innovative services.”

Library facilities are provided by the local municipality with one facility located in each of Amherstburg, LaSalle, Leamington and Tecumseh, three facilities in both Essex and Kingsville, and four in Lakeshore. The hours of operation range from 59 hours a week at the largest branches to 12 at the smallest.

The Essex County Library is funded through the County of Essex, and the Province of Ontario.

The Library Board consists of seven (7) members. Following municipal elections, each local municipality in Essex County, forwards to the County Clerk, the names of potential nominees from their municipality. The Essex County Striking Committee reviews the nominees and makes final recommendations for the Essex County Library Board appointees to County Council for its final approval. The number of County Councillors appointed to the Library Board shall not exceed four (4), in accordance with the *Public Libraries Act* and the remaining three (3) must be lay appointees. The process of how this is accomplished is that each municipality may ‘nominate’ either their Mayor, or Deputy Mayor, and the name of a lay appointee to the Board. If the Mayor, or Deputy Mayor, are not interested in sitting on the Library Board, then Council need only nominate a lay appointee.

In accordance with the *Public Libraries Act*, the applicant eligibility criteria are as follows:

- Resident, owner or tenant of land in Essex County
- Canadian Citizen
- At least 18 years’ old
- Not prohibited by law from voting in a municipal election
- Not an employee of the Essex County Library Board, or the Corporation of the County of Essex

Library Board members are compensated through payment of a stipend for meetings attended and a per kilometre reimbursement for travel to and from meetings.

Library Board meetings are held once a month (except for July and August), usually at 7:00 p.m. on the fourth Wednesday of the month. The Library Board typically meets in the Board Room at the Administrative office located at the Essex Civic and Educational Centre (360 Fairview Avenue West, Essex).

Essex County Library Board

2014 - 2018	2019 - 2022 Applicants
Councillor Andrew Dowie	
Residents	Residents
--	Gabrielle McMillan
--	Frank Rawlings

Essex Power Corporation Board of Directors

The Town of Tecumseh, along with the Towns of Amherstburg, LaSalle and the Municipality of Leamington, are the holders of record and the beneficial owners of issued and outstanding common shares in Essex Power Corporation. The municipalities entered into a Unanimous Shareholder Agreement, dated June 1, 2000, regarding certain aspects of the organization of the affairs of Essex Power Corp. and its subsidiaries and their respective rights and obligations to each other.

Article 3 of the Agreement sets out the structure for the Board of Directors and in particular paragraph 3.05 states that each Municipality shall ensure the election, or appointment of Directors, and shall ensure at all times that one of its nominees is an elected municipal representative and that the other nominee is a non-elected member of the business community.

It has been the practice of the Municipalities to appoint their Mayor, or Deputy Mayor, as the elected municipal representative to the Essex Power Board.

The Applications for the Essex Power Board non-elected member of the business community, ask that applicants have an accounting and audit, academic, engineering and/or legal background, as well as experience working on a committee or task force.

Essex Power Corporation

2014 - 2018 Members	2019 - 2022 Applicants
Council:	Council:
Mayor Gary McNamara	--
Non-Elected Member	Non-Elected Member
Tom Burton – term ending December 2020	Tom Burton
--	Garnet Fenn
--	Andrew Gesner

Tom Burton was previously appointed to the Board until December 1, 2020. It is recommended that his current term of appointment be continued.

Essex Region Conservation Authority Board

The Essex Region Conservation Authority (ERCA) was established in 1973 to manage the natural resources of the Essex Region in partnership with its member municipalities and the Province of Ontario. Our nine member municipalities include the City of Windsor, County of Essex and the Township of Pelee Island.

ERCA is empowered through provincial legislation to further the conservation, restoration, development and management of natural resources other than gas, oil, coal and minerals

Each of the local municipalities in the County of Essex are required to appoint two (2) elected official as their representative on the ERCA Board. The City of Windsor is represented by four (4) elected members and the Township of Pelee is represented by one (1) elected member.

The Essex Region Conservation Authority (ERCA) meetings are held on Thursdays in the Council Chambers of the Essex Civic Centre and start at 7:00 p.m.

ERCA Board

2015 - 2018 Members	2019 - 2022 Applicants
Councillor Tania Jobin	--
Councillor Rita Ossington	--

Police Services Board

The *Police Services Act*, R.S.O. 1990, c.P.15 in Section 27 requires there to be a police services board for every municipality that maintains a police force. In accordance with subparagraphs 27(5) and (6) the Tecumseh Police Services Board has been appointed to consist of:

3. (a) the head of the municipal council (or, if the head chooses not to be a member of the board, another member of the council appointed by resolution of the council);
- (b) one member of the council appointed by resolution of the council;
- (c) one person appointed by resolution of the council, who is neither a member of the council nor an employee of the municipality; and
- (d) two persons appointed by the Lieutenant Governor in Council.

Meetings of the Board are generally held every second month, on the second Thursday at 4:30 pm, in the Council Chambers of Tecumseh Town Hall.

Police Services Board

2015 - 2018 Members	2019 - 2022 Applicants
Mayor Gary McNamara	--
Deputy Mayor Joe Bachetti	--
Non-Elected Member	
Fred Stibbard	--
	Marc Gomes
	Christopher C. Hales (former Chair)
	David Lozinsky
	Paul Sweet

Consultations

None

Financial Implications

There are no financial implications.

Link to Strategic Priorities

Applicable	2017-18 Strategic Priorities
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- Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
- Ensure that the Town of Tecumseh’s current and future growth is built upon the principles of sustainability and strategic decision-making.
- Integrate the principles of health and wellness into all of the Town of Tecumseh’s plans and priorities.
- Steward the Town’s “continuous improvement” approach to municipal service delivery to residents and businesses.
- Demonstrate the Town’s leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

Communications

Not applicable

Website

Social Media

News Release

Local Newspaper

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Laura Moy, Dipl. M.M., CMMIII HR Professional
Director Corporate Services & Clerk

Recommended by:

Tony Haddad, MSA, CMO, CPFA
Chief Administrative Officer

Attachment Number	Attachment Name
None	None