

**THE CORPORATION OF THE COUNTY OF PRINCE EDWARD**

**BY-LAW NO. 2687 - 2010**

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**A BY-LAW TO ESTABLISH AND APPOINT MEMBERS TO A JOINT MUNICIPAL ELECTION COMPLIANCE AUDIT COMMITTEE IN ACCORDANCE WITH SECTIONS 81 AND 81.1 OF THE MUNICIPAL ELECTIONS ACT, 1996, AS AMENDED.**

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**WHEREAS** subsection 10(1) of the Municipal Act, 2001, provides that a municipality may provide any service or thin that the municipality considers necessary or desirable for the public;

**AND WHEREAS** section 81.1(1) of the Municipal Elections Act, 2006, as amended requires Council to establish a Compliance Audit Committee;

**AND WHEREAS** the Corporation of the County of Prince Edward, City of Quinte West, City of Belleville, the Algonquin and Lakeshore Catholic District School Board and the Hastings and Prince Edward District School Board agreed to partner to establish a Joint Elections Compliance Audit Committee for the 2010-2014 Term of Council;

**AND WHEREAS** the Selection Committee has reviewed the applications and recommends that the following persons:

Michael Brennan, Wayne Todd, Bob Ord, Cheryl Vandervoort, L. Louise Grosjean and Chris Salt


be appointed to the Joint Elections Compliance Audit Committee for the 2010-2014 term of Council in accordance with the Terms of Reference attached to this by-law as Schedule 'A'.

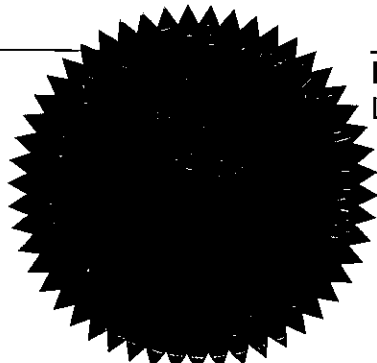
**NOW THEREFORE** the Council of the Corporation of the County of Prince Edward enacts as follows:

- 1. THAT** the Joint Elections Compliance Audit Committee Terms of Reference substantially in the form attached hereto as Schedule 'A' to this By-law be and the same is hereby authorized and approved.
- 2. THAT** the Michael Brennan, Wayne Todd, Bob Ord, Cheryl Vandervoort, L. Louise Grosjean and Chris Salt be appointed to the Joint Elections Compliance Audit Committee for the 2010-2014 Term of Council.
- 3. THAT** the provisions of this by-law shall come into force and effect on the day of final passing thereof.

Read a first, second and third time and finally passed this 24th day of August, 2010.

  
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**CLERK**  
Victoria Leskie

  
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**MAYOR**  
Leo P. Finnegan



TERMS OF REFERENCE  
JOINT COMPLIANCE AUDIT COMMITTEE

For the Cities of Belleville and Quinte West, the County of Prince Edward, the Hastings and Prince Edward District School Board and the Algonquin and Lakeshore Catholic District School Board

DEFINITIONS

**Committee** shall mean the Joint Compliance Audit Committee for the Cities of Belleville and Quinte West, the County of Prince Edward, the Hastings and Prince Edward District School Board and the Algonquin and Lakeshore Catholic District School Board.

**Committee Members** shall mean the members appointed to the Joint Compliance Audit Committee for the Cities of Belleville and Quinte West, the County of Prince Edward, the Hastings and Prince Edward District School Board and the Algonquin and Lakeshore Catholic District School Board by the respective Councils and District School Boards.

**Selection Committee** shall mean the members appointed by the respective Councils and District School Boards to recruit and recommend appointments to the Joint Compliance Audit Committee for the Cities of Belleville and Quinte West, the County of Prince Edward, the Hastings and Prince Edward District School Board and the Algonquin and Lakeshore Catholic District School Board.

MANDATE

The powers and functions of the Committee are set out in Section 81 of the *Municipal Elections Act, 1996*.

1. Within 30 days of receipt of an application requesting a compliance audit, the Committee shall consider the compliance audit application and decide whether it should be granted or rejected;
2. If the application is granted, the Committee shall appoint an auditor to conduct a compliance audit of the candidate's election campaign finances;
3. The Committee will review the auditor's report within 30 days of receipt and decide whether legal proceedings should be commenced; and
4. If the auditor's report indicates that there were no apparent contraventions and if there appears there were no reasonable grounds for the application, the Committee shall advise Council/School Boards accordingly.

Members of Council/School Board, staff or candidates running for office in the 2010 municipal election are not eligible to be appointed to the Committee. Should an appointed Member accept employment with any of the member municipalities/school boards or register as a candidate with

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any of the member municipalities/school boards, their appointment will be terminated.

All Committee Members must agree in writing that they will not work for or provide advice to any candidate running for municipal office within the member municipalities/school boards.

To avoid any potential conflict of interest, applicants with accounting or auditing backgrounds must agree in writing that they will not offer their services to any municipal election/school board candidates.

To avoid conflict or interest, appointees must agree in writing not to undertake audits or prepare financial statements for the 2010 electoral candidates.

#### COMPOSITION

The Committee shall be composed of no more than seven and no less than three members.

When a municipality/school board is in receipt of an appeal, the Clerk/Official of the applicable municipality/school board shall contact the Committee Members and arrange for a minimum of three Members to hear the audit request.

#### TERM

The term of the Committee is co-terminus with Council and Boards.

#### CHAIR

The Committee called to hear a request for compliance audit shall select one of its Members to act as a Chair at the first meeting.

#### PROPOSED MEETING SCHEDULE

The Committee shall meet as needed with meetings to be scheduled by the Clerk/Official, in consultation with the Chair, when a compliance audit application is received.

#### STAFFING AND FUNDING

Staff from the applicable member municipality/school board shall provide administrative support to the Committee. The member municipality/school board requiring the services of the Committee shall be responsible for all associated expenses.

#### MEETINGS

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Meetings of the Committee shall be conducted in accordance with the open meeting requirements of the provisions in the *Municipal Act, 2001*. The websites of the member municipalities/school boards will be utilized to communicate the meeting notices and agendas.

#### REMUNERATION

\$200. - Retainer fee (includes compensation for orientation and review of any background materials).

\$100. - Per Diem rate, plus mileage, based on the rate paid by the applicable municipality/school board.

#### MEMBERSHIP SELECTION

All applicants will be required to submit an application outlining their qualifications and experience, as it relates to the Selection Criteria.

The Selection Committee shall meet to review and evaluate all applications based upon the approved selection criteria. The Selection Committee shall recommend appointments to the Councils/School Boards of the members. Appointments shall be made by by-law of the Councils/School Boards as required.

#### SELECTION CRITERIA

- a) Demonstrated knowledge and understanding of municipal election campaign financing rules;
  - b) Proven analytical and decision-making skills;
  - c) Experience working on committees, task forces or similar settings;
  - d) Demonstrated knowledge of quasi-judicial proceedings;
  - e) Availability and willingness to attend meetings; and
  - f) Excellent oral and written communication skills.
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