



Municipality of Mississippi Mills

SPECIAL COMMITTEE OF THE WHOLE AGENDA

Tuesday, February 9, 2021

1:00 p.m.

E-participation

Pages

- A. CALL TO ORDER**
- B. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF**
- C. APPROVAL OF AGENDA**
Recommended Motion:
THAT the agenda be approved as presented.
- D. STAFF REPORTS**
* see next page for Staff Reports

D.1. Status of Joint Cost Sharing Recreation Agreement with Beckwith & Carleton Place

Recommended Motion:
THAT Committee of the Whole accepts the “Joint Cost Sharing Recreation Agreement with Beckwith & Carleton Place Status” report as information.

Recommended Motion:
THAT Committee of the Whole recommends Council approve the Terms of Reference for the Joint Cost Sharing Recreation Committee with Beckwith and Carleton Place as presented.

Recommended Motion:
THAT Committee of the Whole recommends Council approve the scope of work for a review of financial options for the agreement and the engagement of Allan and Partners to conduct the review;

AND FURTHERMORE THAT Committee of the Whole recommends Council authorize the Mayor and Chief Administrative Officer to negotiate and execute the contract to engage the professional service.

Recommended Motion:
THAT Committee of the Whole recommends Council approve the engagement of a solicitor to perform a review of the arrangement for library services between Mississippi Mills and Carleton Place;

AND FURTHERMORE THAT Committee of the Whole recommends Council authorize the Mayor and Chief Administrative Officer to negotiate and execute the contract to engage the professional service.

Recommended Motion:
THAT Committee of the Whole recommends Council approve a budget in the amount of \$20,000 for Mississippi Mills’ share of the costs of professional services to be funded from reserves.

D.2. Appointment to Carleton Place's Parks and Recreation Committee 2
Item deferred from February 2, 2021 Committee of the Whole meeting.

Recommended Motion:
THAT the Committee of the Whole provide a recommendation to Council on the preferred course of action with regards to appointment of a Mississippi Mills representative to the Carleton Place Parks and Recreation Committee.

E. OTHER/NEW BUSINESS
None

F. ADJOURNMENT

Recommended Motion:
THAT the meeting be adjourned at X:XX p.m.

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

STAFF REPORT

DATE: February 9, 2021
TO: Committee of the Whole
FROM: Ken T. Kelly, Chief Administrative Officer
SUBJECT: **Status of Joint Cost Sharing Recreation Agreement with Beckwith & Carleton Place**

RECOMMENDATION:

Recommended Motion # 1

THAT Committee of the Whole accepts the “Joint Cost Sharing Recreation Agreement with Beckwith & Carleton Place Status” report as information.

Recommended Motion # 2

THAT Committee of the Whole recommends Council approve the Terms of Reference for the Joint Cost Sharing Recreation Committee with Beckwith and Carleton Place as presented.

Recommended Motion # 3

THAT Committee of the Whole recommends Council approve the scope of work for a review of financial options for the agreement and the engagement of Allan and Partners to conduct the review;

AND FURTHERMORE THAT Committee of the Whole recommends Council authorize the Mayor and Chief Administrative Officer to negotiate and execute the contract to engage the professional service.

Recommended Motion # 4

THAT Committee of the Whole recommends Council approve the engagement of a solicitor to perform a review of the arrangement for library services between Mississippi Mills and Carleton Place;

AND FURTHERMORE THAT Committee of the Whole recommends Council authorize the Mayor and Chief Administrative Officer to negotiate and execute the contract to engage the professional service.

Recommended Motion # 5

THAT Committee of the Whole recommends Council approve a budget in the amount of \$20,000 for Mississippi Mills' share of the costs of professional services to be funded from reserves.

BACKGROUND:

Council adopted a resolution on November 3, 2020 to work with our partners on the Joint Cost Sharing Recreation Agreement and seek a meeting to discuss concerns that have been raised with the agreement. The staff report received for information on December 1, 2020 provided background on this issue and the outcome of the first meeting.

DISCUSSION:

On January 29, 2021, a second meeting was conducted with the Mayors and Chief Administrative Officers (CAOs) of Beckwith and Carleton Place. The meeting included a review of several items and agreement was reached to bring these back to each respective Council to seek direction. There were three main items for discussion:

1) Terms of Reference Joint Cost Sharing Recreation Committee

The Joint Cost Sharing Recreation Committee (JCSRC) does not have a formal terms of reference (TOR) for the committee. A draft TOR was developed and reviewed by the three Mayors and CAOs. The draft is attached as Appendix A of this report and is to be reviewed for comment by each respective Municipality. The TOR will also be brought to the JCSRC with a tentative date for that meeting set as March 10, 2021.

For the most part the draft TOR is capturing the existing practices of the JCSRC with some modifications to address concerns raised by the respective municipalities.

Important points that are clarified in this TOR include the process for the annual budget including the timing of its presentation to all municipalities and the process for feedback

from each Council. One aspect that may need additional work in the TOR is the process for capital expenditures, capital reserve rates and the “entering into other agreements”. In the past changes to the contribution to reserves have been approved by each Council.

Council is asked to review and provide comment on the draft TOR. The comments will be shared with the other Municipalities at the next meeting of Mayors and CAOs planned for Feb 19, 2021. The JCSRC will also comment on the TOR at its next meeting. It is our understanding that any amendments to the TOR will be compiled into a final TOR that will be brought to each respective council for consideration and approval. This position will be clarified at the Feb 19, 2021 meeting.

2) Review of Financial Allocation Options

A scope of work was developed to perform a review of the existing methodology for the financial allocation and any alternatives to this methodology.

Given that existing methodology was developed and is maintained by Allan and Partners they were asked to provide a proposal to perform the work.

Council is asked to review the scope of work and approve entering into a contract with Allan and Partners to perform the work. The cost will be divided evenly between the three municipalities.

3) Review of Library Services Inclusion in the Agreement

There has been a concern raised that the inclusion of library services within the agreement is not authorized within the *Public Libraries Act*. Mississippi Mills suggested that the arrangement could be reviewed to determine if the current method of sharing the cost and provision of services is allowable. A solicitor could be engaged to review this component of the agreement and the *Act*. It was discussed that this cost should be shared between Carleton Place and Mississippi Mills. Both municipalities offered to facilitate the engagement of a solicitor.

Council is asked to approve entering into a contract with a solicitor to perform the work. The cost will be divided evenly between the municipalities of Carleton Place and Mississippi Mills.

A third meeting of the Mayors and CAOs is planned for February 19, 2021 to share the position of each of the respective Councils on the three items discussed. A meeting of the JCSRC is planned for March 10, 2021. The JCSRC will have two information items which are the decision on the financial review and the legal review. In addition, the JCSRC will provide comment on the TOR and discuss the 2021 Budget and any mechanisms or ways to mitigate the increases that were presented at the December 7, 2020 JCSRC meeting.

FINANCIAL IMPLICATIONS:

An estimate of the financial allocation and alternative models is estimated to be between \$7,500 and \$10,000. It has been proposed that if the review proceeds it will be cost shared on a one third basis.


There is no estimate for the legal review of library services under the *Public Libraries Act*. Council could set an initial limit on its contribution to the project to a maximum of \$10,000. Anything above this amount would return to Council for consideration. The cost of the legal review is to be shared with Carleton Place.

SUMMARY:

The Mayors and CAOs of the municipalities of Mississippi Mills, Carleton Place and Beckwith have held a second meeting of the concerns that have been raised by Mississippi Mills Council with regards to the Joint Cost Sharing Recreation Agreement.

Council is asked to provide comments and direction on the draft terms of reference for the JCSRC, the acceptance of the financial review and the authorization to proceed with the engagement as well as the authorization of a legal review of the provision of library services through the Joint Cost Sharing Recreation Agreement.

Respectfully submitted by,



Ken T. Kelly,
Chief Administrative Officer

ATTACHMENTS:

1. Draft Terms of Reference for the Joint Cost Sharing Recreation Committee
2. Scope of work for the Financial Review and development of alternatives

Joint Recreation Cost Sharing Committee Terms of Reference

A. Purpose

While it is the legislative mandate of the individual Councils of the Town of Carleton Place, Municipality of Mississippi Mills and the Township of Beckwith to make the final decision on all matters that affect their respective municipalities, the purpose of this specific Advisory Committee is to:

1. provide recommendations, advice and information to the respective Councils on those specialized matters which relate to the purpose of the Joint Recreation Cost Sharing Committee (JRCSC) and more specifically recreation, pool and library services;
2. on behalf of the respective municipalities, administer the Recreation Cost Sharing Agreement prepared by Howard Allan in 1987 as amended from time to time in accordance with Section B Roles and Responsibilities of these Terms of Reference;
3. be the mechanism to receive input on programs and ideas recommended by the JRCSC to Council;
4. assist in enhancing the quality of life of the respective communities, in keeping with the respective Council's Strategic Plan principles;
5. conduct themselves in keeping with the policies set by the respective Council pertaining to Advisory Committees/Boards, and also in keeping with the respective Town's Procedural By-law;
6. share best practice information;
7. work consistently with organizations that use the respective municipalities' Recreation and Culture facilities (i.e. Little League).

B. Roles and Responsibilities

1.1 Scope of Study and Advice

The JRCSC will provide information, general advice and/or specific recommendations to their respective councils/Library Board with respect to:

- a) any matter or question Councils may specifically refer to it;
- b) reviewing, discussing and providing feedback on the annual cost sharing capital and operating budgets in the areas of pool, library and recreation within 30 days of the budget being presented in October each year;
- c) overseeing the functionality of the cost sharing formula including the percentage to be allocated to a capital cost reserve fund and making recommendations regarding changes to these structures;
- d) negotiating or entering into other agreements outside of the cost sharing arrangement for specific capital projects in the areas of pool, recreation and library of the partnering municipalities;
- e) as required, reviewing usage rates/statistics for the individual components of the cost sharing formula to assess reasonableness of the cost sharing formula;
- f) determining when a major review of the agreement is required, the costs of which will be shared equally by the parties wanting the review and recommending changes to the agreement based on the results of the review, if any;

- g) sharing information on related ongoing projects, activities, festivals and events;
- h) sharing information on proposed facility rental rates or other fees charged

1.2 Role of Sub-Committee

- a) The JRCSC may create a sub-committee to study or work on a specific topic or issue. This sub-committee will be led by at least one representative from each of the partner municipalities along with any assigned staff and/or volunteers.
- b) The term of the sub-committee begins upon approval by the JRCSC and ends upon project completion.

The chair of the sub-committee will prepare and present a budget if funds are required to implement their findings. This budget must be approved by the respective Councils prior to commencing work on the project.

C. Authority

Authority transfer is restricted to the scope described herein, unless an amendment is explicitly authorized by the respective Councils.

The Joint Recreation Cost Sharing Committee:

1. Shall work jointly on social media / media releases as they relate to the work of the Committee;
2. Shall not post independently to social media but rather social media postings shall be forwarded to the respective municipalities for distribution and approval which may be shared by the Committee;
3. It shall be the Head of Council who speaks on behalf of each municipality;
4. Shall not authorize any expenditures outside their respective Council approved budgets;
5. Shall have the authority to undertake special projects, or research matters that arise and that are within the scope of these Terms of Reference. The responsibility for these assignments remains with the JRCSC or designate.

D. Reports To

Respective Municipal Councils through their Committee structures.

E. Composition

1. **Membership**

Membership shall be comprised of two (2) elected members of Council from each municipality one of (1) of which shall be the head of Council or designate.

2. **Appointments to Advisory Committees and Boards**

All appointments to the JRCSC shall be made through the respective municipality's approved Procedural By-laws.

3. **Term of Membership**

The Term of office for members on the JRCSC shall be concurrent with the term of Council.

4. **Filling Vacancies:**

The respective Municipality shall be responsible for selecting a member to fill their vacancy.

5. **Assigned Staff Members:**

- a. Each municipality shall appoint their Recreation Manager who shall be the key staff member responsible for preparing agendas and minutes when JRCSC meetings are held in their respective municipalities.
- b. As Library services is a key component of the Cost Sharing Agreement, where applicable, each municipality shall include their Librarian to be a staff resource to the JRCSC who will attend meetings and provide input to Committee members as required.
- c. As required, the Treasurers and/or CAOs of the respective municipalities may attend JRCSC meetings at any time or to address particular agenda topics.

6. **Structure:**

- a. Chair
 - i. The Chair shall rotate depending on the location of the meeting. When a meeting is held in a particular municipality, that municipality shall decide which of their two members assigned to the Committee shall chair the meeting.
 - ii. In the absence of the Assigned Chair, the other council representative on the JRCSC shall be the Acting Chair for the meeting.
- b. Recording Secretary:
The Recording Secretary shall be the respective Recreation Manager of the meeting's hosting municipality.

F. Procedures

1. All applicable Federal, Provincial and Municipal legislation and regulations shall be adhered to. This includes, but is not limited to the respective municipality's:
 - a. Accountability and Transparency Policy
 - b. Procedural By-law
 - c. Code of Conduct
2. The JRCSC shall establish an annual meeting schedule including determining the host municipality. The schedule shall include at least three (3) regular meetings per year (January, June and October) with additional meetings scheduled as required.

3. Each partner municipality has one (1) vote on motions presented to the Committee.
4. The Committee may solicit, document and consider public input where appropriate upon approval of the respective municipal councils.
5. The agenda shall be distributed at least three (3) business days in advance of the meeting with the minutes of the previous meeting and any associated reports attached thereto. Each municipalities' members including staff members shall be given the opportunity via email at least a week in advance of the agenda preparation to put forth items to be included on the agenda including a roundtable discussion by each municipality.
6. Distribute the minutes once approved, to the Clerk of the partner municipalities in a timely fashion.

G. Quorum

One representative from each municipality in attendance at meetings shall constitute quorum.

Scope of Work:

The current methodology to allocate the operational costs of the Carleton Place Library and Recreation Facilities was developed in the 1987. It has worked well for the funding and sustainability of the facilities in a fair manner for all communities.

The communities have grown since the initial agreement and the assumptions upon which the methodology is based may need to be revised. The polls used to allocate the costs and the percentages in each poll may need to be revised or at least reaffirmed. A review of the data used to determine the allocation of costs is warranted given that the Geographic Information Systems and data that is available today exceeds the data available at the time of the establishment of the cost sharing agreement.

The review should focus on the appropriateness of continuing to base the allocation of costs in relation to assessed values, the definition of the benefitting areas as the polls, the percentage of the polls used as the benefitting area for cost allocation.

It is the desire of the three municipalities to see a review conducted by an outside firm as opposed to staff. A consistent approach is also desired versus each municipality conducted a review in isolation.

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

STAFF REPORT

DATE: February 9, 2021
TO: Committee of the Whole
FROM: Cynthia Moyle, Acting Clerk
SUBJECT: Appointment to Carleton Place's Parks and Recreation Committee #2

STAFF RECOMMENDATION:

THAT the Committee of the Whole provide a recommendation to Council on the preferred course of action with regards to appointment of a Mississippi Mills representative to the Carleton Place Parks and Recreation Committee.

BACKGROUND:

At the January 26th, 2021 Council meeting, the recommendation to appoint Councillor John Dalgity to the Carleton Place Parks and Recreation Committee was defeated. Staff seeks Council's direction in responding to the Town of Carleton Place's offer for a Mississippi Mills representative to sit on the Carleton Place Parks and Recreation Committee.

The Carleton Place Parks and Recreation Committee is an advisory committee which reports to Carleton Place Council through their Committee of the Whole. As per MM Procedural By-law (19-127), Advisory Committees are defined as a committee established by Council to advise on municipal matters within the scope and responsibility of Council and as per the provisions within the Advisory Committee's terms of reference. The Carleton Place Parks and Recreation Committee provides recommendations, advice, and information to Council on parks and recreation; facilitates public input to Council on programs and ideas approved by Council; and assists in enhancing the quality of life of the community.

If Council chooses to appoint a Mississippi Mills representative to the Carleton Place Parks and Recreation, the representative will act as an information link between the two neighbouring communities on recreation programs.

DISCUSSION:

There are three (3) options for consideration:

- Option 1 - Decline and thank the Town of Carleton Place for their offer to appoint a Mississippi Mills' representative to the Carleton Place Parks and Recreation Committee.
- Option 2 - Appoint another member of Council to the Carleton Place Parks and Recreation Committee.
- Option 3 - Appoint a member of the public as our representative to the Carleton Place Parks and Recreation Committee and staff begins the appointment process for a community volunteer.

FINANCIAL IMPLICATIONS:

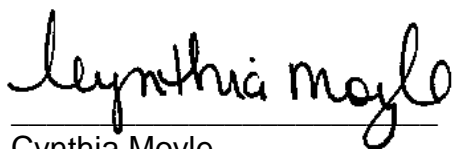
N.A.

SUMMARY:

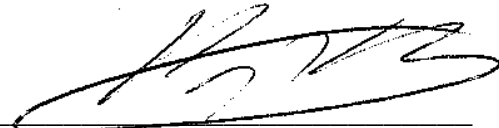
Staff requests clear direction from Council as to whether they wish to have a Mississippi Mills' representative appointed to the Carleton Place Parks and Recreation Committee.

Respectfully submitted by,

Reviewed by:



Cynthia Moyle,
Acting Clerk



Ken Kelly,
Chief Administrative Officer

Town of Carleton Place

Parks and Recreation Committee Terms of Reference

A. Purpose

While it is the legislative mandate of Council to make the final decision on all matters that affect the Town, the purpose of an Advisory Committee/Board is to:

1. Provide recommendations, advice and information to Council on those specialized matters which relate to the purpose of the Advisory Committee/Board;
2. facilitate public input to Council on programs and ideas approved by Council; and
3. to assist in enhancing the quality of life of the community, in keeping with Council's Strategic Plan principles;
4. conduct themselves in keeping with the policies set by Council pertaining to Advisory Committees/Boards, and also in keeping with the Town's Procedural By-law.

B. Roles and Responsibilities

The Parks and Recreation Committee has the responsibility for the planning and operating of all Town buildings, parks and trails owned by the Town including the arena, pool, sports fields, tennis courts, community centres and other facilities and programs related to physical and cultural activities. In addition, the committee has the responsibility for the administration of any contracts or cost sharing agreements entered into by the Town and are assigned to the committee by Council.

The Arena Staff Fundraising Committee is a sub-committee of the Parks and Recreation Committee. The funds raised by the Arena Staff Fundraising Committee will be used at their discretion to fund items for recreation purposes.

The committee has the authority to establish various sub-committees as required for a specific purpose or event such as Winter Carnival Committee, Canada Day Committee.

Responsibilities:

- i) Maintain and provide quality parks, facilities and programs for use by all sectors of the community;
- ii) Provide support services to community organizations and programs;

- iii) Require user funding for operations, where possible, and attempt to operate only those programs that generate a net income;
- iv) Planning and coordinating recreation, sport and culture interests and opportunities, including commenting at all stages of future recreation development;
- v) Providing direct programs and events where there is no other organization meeting that need;
- vi) Maintain facilities at a high level, through the use a 10-year capital plan to be updated annually;

C. Authority

Authority transfer is restricted to the scope described herein, unless an amendment is explicitly authorized by Council.

The Parks and Recreation Committee:

- 1. Shall not communicate externally on behalf of Council except as related to the scope;
- 2. Shall ensure that all outgoing communications are in accordance with the Town's policies;
- 3. Shall not post independently to social media but rather social media postings shall be forwarded to the Town for distribution by the Town which may be shared by the Committee;
- 4. Shall not authorize any expenditures outside their Council approved budget;
- 5. Shall have the authority to undertake special projects, or research matters that arise and that are within the scope of these Terms of Reference. The responsibility for these assignments remains with the Parks and Recreation Committee or designate.

D. Reports To

Council through the Committee of the Whole.

E. Composition

- 1. Up to 8 members representing the major users of the Facilities from the Town. Beckwith Township and Mississippi Mills will be entitled to appoint one member to this Committee and up to two (2) non-voting student members.

1. **Qualifications**

To qualify for membership on an Advisory Committee or Board, applicants must be eligible to vote in the Town of Carleton Place unless otherwise provided for under this section and with the exception of non-voting student members.

Members shall not be an employee of either the Town of Carleton Place or the County of Lanark.

Preference will be given to persons demonstrating knowledge or experience specific to the subject Committee / Board.

The Township of Beckwith Township and the Municipality of Mississippi Mills will each be entitled to appoint one member to this Committee.

2. **Appointments to Advisory Committees and Boards**

All appointments shall be made through the Striking Committee.

3. **Term of Membership**

The Term of office for members shall be concurrent with the term of Council, except as otherwise provided by legislation.

4. **Absence**

Any citizen member who is absent from three (3) consecutive regular meetings without leave of absence or without satisfactory reason shall forthwith cease to be a member and the Recording Secretary/Technical Advisor shall advise the Clerk.

2. **Resignation of Citizen Members:**

Any member wishing to resign shall provide their resignation in writing to the Chair with a copy to the Clerk.

3. **Filling Vacancies:**

Vacancies shall be advertised on the Town's website and applications shall be made through the Clerk.

4. **Responsible Department:**

The Manager of Recreation and Culture shall be responsible for all actions and financial undertakings of the Parks and Recreation Committee.

5. **Structure:**

a) Chair

The Chair shall be appointed annually by the Committee/Board members at the first meeting of each year. In the absence of the Chair, an Acting Chair shall be elected at the beginning of the meeting for the term of that meeting.

b) Committees that choose to have a Vice Chair, may appoint one of their members on an annual basis to this position. The role of Vice Chair will be similar to that of an Acting Chair.

c) Student Members

Committees that which to do so may have up to two (2) student members.

These positions will be non-voting positions. Students must be a minimum of 16 years of age and be actively attending an educational program.

d) Support Resources

(1) Technical Advisor: The Manager of Recreation and Culture and / or their designate shall be the Technical Advisor to the **Parks and Recreation** Committee to ensure compliance with Town policy.

(2) Recording Secretary: The Recording Secretary shall be appointed annually by the Committee/Board members at the first meeting each year. A member of the Committee or where applicable, an assigned staff person shall act as the Recording Secretary for the Committee/Board's meetings.

F. **Procedures**

1. All applicable Federal, Provincial and Municipal legislation and regulations shall be adhered to. This includes, but is not limited to, the Town of Carleton Place's:
 1. Accountability and Transparency Policy
 2. Procedural By-law
 3. Procurement By-law
 4. Code of Conduct
2. The Committee/Board shall establish an annual meeting schedule and publish same on the Town's website. The schedule shall include at least four (4) regular meetings per year with allowances for summer and Christmas breaks.

3. Unless excluded by legislation, all Committee/Board members eligible to vote, including the Chair, must vote.
4. The Committee/Board may solicit, document and consider public input where appropriate upon approval of Committee of the Whole.
5. Distribute the agenda per the Town's Procedural By-law and send the agenda, with any associated reports attached, to the Clerk, in accordance with timeframes outlined in the Town's Procedural By-law for posting on the Town's website.
6. Distribute the minutes, once approved, to the Clerk, in a timely fashion for posting on the Town's website.
7. Provide the approved minutes, signed by the Chair and Recording Secretary, to the Clerk for the Town's official records. With respect to the last meeting prior to an election, the minutes shall be approved per the Procedural By-law.

G. Quorum

Greater than 50% of the Committee/Board members shall constitute quorum.