

Terms of Reference

Name: Lindsay Ops Landfill Public Review Committee

Date Established by Council: 2002

(Terms of Reference revised December 11, 2018)

Mission:

The Lindsay Ops Landfill Public Review Committee is established to provide advice and recommendations to Council on dissemination, consultation, review and exchange of information regarding the operation of the Lindsay-Ops Landfill Site, including environmental monitoring, maintenance, complaint resolution and new approvals or amendments to existing approvals related to the operation of the landfill site.

The PRC is a landfill citizens group made up of a group of individuals who commonly represent the broader public on issues dealing with landfills and waste management. The Environmental Assessment Board sees landfill groups as an important mechanism for assuring that the conditions of the landfill site's Certificate of Approval are met.

The establishment of the PRC is set out in Condition 13 of the site Environmental Compliance Approval #A321504 as follows:

“The City shall forthwith take all reasonable steps to establish, maintain and participate in a landfill Public Review Committee (PRC), which is to function within terms of reference for the PRC, as prepared in consultation with interested members of the affected public and as amended from time to time according to appropriate amending procedures.”

Roles and Responsibilities:

1. To provide a forum for the public to evaluate and make recommendations on decisions respecting the general operation, environmental monitoring and complaint resolution for the Lindsay Ops Landfill Site.
2. The open sharing between the City and members of the PRC of copies of all reports or other submissions required by the conditions of the Environmental Compliance Approval.
3. To allow for the opportunity for public input with respect to their views regarding Lindsay Ops Landfill Site.
4. To build a good working relationship between all involved.

It is the responsibility of all appointed members to comply with:

- the City Code of Conduct for Committee/Board Members
- the City Procedural By-law
- Other applicable City by-laws and policies
- Municipal Act
- Municipal Freedom of Information and Protection of Privacy Act
- Municipal Conflict of Interest Act

No individual member or the Committee as a whole has the authority to make direct representations of the City to Federal or Provincial Governments.

Members shall abide by the rules outlined within the Municipal Conflict of Interest Act and shall disclose any pecuniary interest to the Secretary and absent himself or herself from meetings for the duration of the discussion and voting (if any) with respect to that matter.

The Committee will abide by any terms and conditions which may be set out by the City's Council, CAO, City Clerk, City Solicitor, Auditor and/or Insurer for any activities relating to Committee business in keeping with the Committee's Terms of Reference and established Policies.

Activities:

The following represent the general activities of the Committee:

1. To act in a review capacity to the City of Kawartha Lakes, its consultants and the Provincial Ministry of Environment, Conservation and Parks, providing recommendations to Staff on landfill operations..
2. To review and provide recommendations on reports and correspondence related to the Lindsay Ops Landfill Site, including but not limited to the leachate monitoring program, the groundwater monitoring program, surface water monitoring program and gas monitoring program.
3. To review the annual monitoring reports.
4. To review all complaints received for the landfill as well as action taken by the City to address the identified issue.
5. To have opportunity to accompany City staff and/or its' consultants on pre-scheduled site tours at the landfill site.
6. To support and implement the objective of the PRC as part of the waste management planning for the Lindsay Ops Landfill Site.

7. To provide input to the City on reports prepared by the City or its consultants, including technical documents and reports on general operations, closure and end use.
8. To encourage the public to be involved in waste management planning related to the Lindsay Ops Landfill Site and to assist new participants in understanding the PRC mission and objectives.
9. To ensure City Council is apprised, via a report to Council, of any PRC recommendations.

Composition:

The Committee shall be comprised of a maximum of eight (8) members consisting of up to seven (7) members of the public and one (1) Council representative(s) all of whom will have full authority to debate and vote. The Committee shall consist of a minimum of four (4) members including three (3) members of the public and one (1) councillor. Committee members will be appointed by Council in accordance with established policy.

Appointment of Officers:

The Committee shall, at its first meeting in each year, elect from its membership a Chair, and Vice-Chair. It is acknowledged that there are no per diems for any Committee/Board positions and it is acknowledged that none of the above positions shall be paid for their services. All Committee/Board members are considered volunteer positions.

Term of Appointment:

Unless exempted by legislation, members will be appointed for a term of either two or four years with terms expiring at either the mid-term or full term of Council. Members shall continue to serve beyond the end of their term until the appointments of their successors have been approved by Council.

Resources:

The Waste Management Division will provide support in the form of advice, day-to-day liaison with the City, updates on program and promotional ideas and initial assistance in their implementation to the degree resources are available. The liaison department will also assist in the preparation and submission of budget recommendations/grant submissions, if needed and attend meetings of the Committee.

A member of staff shall be designated as Recording Secretary by the liaison department. The Recording Secretary shall prepare and publish agendas; attend all formal business Committee Meetings for the purpose of taking Minutes; and prepare and publish minutes in an accessible format acceptable to the City Clerk's Office.

The Recording Secretary shall ensure that a current Terms of Reference for the Committee has been provided to the City Clerk's Office and is posted on the City website.

Timing of Meetings:

Meetings will be held on a set day and time as may be determined by the Committee or at the call of the Chair.

Location of Meetings:

The location of the meetings will be set by the Committee and must be held in an accessible City facility.

Meetings:

The Committee shall hold a minimum of ten (10) and a maximum of twelve (12) meetings in each calendar year. The Chair, through the liaison department, shall cause notice of the meetings, including the agenda for the meetings, to be provided to members of the Committee and posted to the City website a minimum of three (3) business days prior to the date of each meeting through the Recording Secretary. Quorum for meetings shall consist of a majority of the members of the Committee. No meeting shall proceed without quorum.

At the first meeting of each year, an Orientation Session shall be held for new members.

Procedures:

Procedures for the formal business meetings of the Committee shall be governed by the City's Procedural By-law and Legislation or, where both of these are silent, by Robert's Rules of Order.

Closed Meetings:

The Committee shall not be permitted to hold Closed Meetings.

Agendas and Minutes:

A copy of the Agenda shall be provided to the City Clerk's office at the same time it is provided to Committee Members. The City Clerk's office will distribute the agenda to Council members as per established procedures.

Minutes of all formal business meetings and notes from working meetings of the Committee shall be forwarded to the liaison department, and to the City Clerk's Office, not later than two weeks after the meeting. Action items requested of staff and/or Council will be brought to the attention of the Waste Management Division at that time. The City Clerk's Office will electronically circulate the formal business meeting minutes to all members of Council for their information. The City Clerk's Office will maintain a set of printed minutes on file for public review.

The Recording Secretary shall ensure that all Committee Agendas and Minutes are posted to the City website at the same times as they are circulated to the City Clerk's Office.

Reports:

One written report to Council is required per year from the Committee, being the work plan/budget and the previous year's annual report.

If there are recommendations of the Lindsay Ops Landfill Public Review Committee that fall outside of this report, they are to be forwarded to Council, through the liaison department in a formal written report on the City report template. It will be the responsibility of the Committee Chair to provide a memo to the liaison department identifying the Committee recommendations for final preparation of the report.

Purchasing Policy:

This Committee has no purchasing or procurement responsibilities.

Insurance:

The City of Kawartha Lakes' General Liability Policy and Errors and Omissions Liability Policy will extend to this Committee and its members. The applicable insurance policies extend to Committee members while in the performance of his/her duties and to those activities authorized by the City of Kawartha Lakes and Council. Members must adhere to the policies

and procedures of the City of Kawartha Lakes and Council, including the Terms of Reference.

The Committee must provide, via the liaison department an annual updated listing of all members, including member positions, to the City of Kawartha Lakes to ensure the applicable insurance coverage remains in force.

Committee members are not entitled to any benefits normally provided by the Corporation of the City of Kawartha Lakes, including those provided by the Workplace Safety and Insurance Board of Ontario (“WSIB”) and are responsible for their own medical, disability or health insurance coverage.

Expulsion of Member:

Any member of the Committee who misses three consecutive formal business meetings, without being excused by the Committee, may be removed from the Committee in accordance with adopted policy.

Any member of the Committee may be removed from the Committee at the discretion of Council for reasons including, but not limited to, the member being in contravention of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act, the Provincial Offences Act, The Municipal Conflict of Interest Act or the Code of Conduct for Committee/Board Members; disrupting the work of the Committee; or other legal issues. The process for expulsion of a Committee member is outlined in the City’s **Council Committee, Board and Task Force Policy**.

Terms of Reference:

The Recording Secretary shall ensure that a current Terms of Reference for the Committee has been provided to the City Clerk’s Office and is posted on the City website.

Any responsibilities not clearly identified within these Terms of Reference shall be the responsibility of the City of Kawartha Lakes. Council may, at its discretion, change the Terms of Reference for this Committee at any time. Any changes proposed to these Terms of Reference by the Committee shall be recommended to Council via the liaison department through a report to Council.

At the discretion of Council the Committee may be dissolved by resolution of Council.