



BY-LAW NO 2023-41

BEING A BY-LAW TO AMEND THE TERMS OF REFERENCE FOR THE
LAKE KAGAWONG RESOURCE COMMITTEE

WHEREAS the Municipal Act S.O. 2001, c 25, Section 5(1), as amended, provides that the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS the Township of Billings Procedural By-Law 2021-40 as amended Section 26 provides that Ad-Hoc Committees may be established by Council to consider a specific matter of municipal concern;

AND WHEREAS the Corporation of the Township of Billings passed By-Law No. 2019-11 to establish the Lake Kagawong Resource Committee and adopt an associated Terms of Reference;

AND WHEREAS by motion on May 2, 2023 Council of the Corporation of the Township of Billings deemed it expedient to amend the Terms of Reference for the Lake Kagawong Resource Committee.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF BILLINGS ENACTS AS FOLLOWS:

- 1.0 THAT Schedule 'A' to By-Law No. 2019-11 is hereby repealed and replaced with the attached Schedule 'A'
- 2.0 THAT all other provisions of By-Law No. 2019-11, remain in full force and effect.
- 2.0 THIS By-Law shall come into force and effect upon passing.
- 3.0 THIS By-Law may be cited as "Lake Kagawong Resource Committee Terms of Reference Amendment (1) By-Law"

READ a FIRST and SECOND TIME this 16th day of May, 2023

READ a THIRD TIME and FINALLY PASSED this 16th day of May, 2023

Bryan Barker, Mayor

Emily Dance, CAO/Clerk

Schedule 'A' to By-Law No. 2023-41
THE CORPORATION OF THE TOWNSHIP OF BILLINGS

TERMS of REFERENCE

LAKE KAGAWONG RESOURCE COMMITTEE

Date Established by Council: March 5, 2019

Revised June 7, 2022, April, 2023

Type of Committee: Advisory and Stewardship

Responsibilities

- It is the responsibility of all appointed committee members to comply with the following Acts and Township of Billings Policies:
 - the *Municipal Conflict of Interest Act*
 - the Code of Conduct for Members of Council and Local Boards of the Corporation of the Township of Billings
 - the Township of Billings Workplace Harassment, Discrimination and Violence in the Workplace Policy
 - the Township of Billings Accountability and Transparency Policy
 - the Township of Billings Procedural Bylaw
 - the Township of Billings Council-Staff Relationship Policy
 - any and all other applicable municipal bylaws
 - the *Municipal Act*
 - the *Municipal Freedom of Information and Protection of Privacy Act*
 - the *Occupational Health and Safety Act*
 - the Township of Billings Health and Safety Policy
- No individual member nor the committee as a whole, has the authority to make direct representations of the township to Federal or Provincial governments. Members shall abide by the rules outlined within the *Municipal Conflict of Interest Act*, shall disclose any pecuniary interest to the chair, and shall absent herself/himself from meetings for the duration of the discussion and voting (if any) with respect to that matter.

ROLE OF THE COMMITTEE

To act as an advisory body to Billings Township council in matters concerning the agreement/lease, for drawing water from Lake Kagawong for the purposes of power generating, held between the Township of Billings (lessor) and Oakville Enterprises (lessee) by:

- having a better understanding of how the "Rule Curve" and other technical information, applies to the Lake Kagawong water levels, and how these levels are determined and monitored.
- ensuring that Oakville Enterprises are working within the guidelines of the agreement and to report any violations to the CAO and council.
- ensuring that businesses, seasonal and permanent residents and tourists to Lake Kagawong will be able to operate and enjoy their businesses and properties; and to minimize property damage and negative economic impact to Billings Township, due to low/high water levels. By, ensuring Oakville Enterprises are reporting accurate and timely information to Billings Township and to report any violations to the CAO and council.
- monitor the quality of water and report back any concerns to Council
- allowing business and property owners a voice to council.

To act in a stewardship role including but not limited to water sampling, water clarity testing and shoreline allowances regarding Lake Kagawong.

COMMITTEE STRUCTURE

The Lake Kagawong Resource Committee is hereby established as a standing advisory committee and is comprised of the following members as appointed by council:

- i. one (1) members of council;
- ii. seven (7) members of the general public
- iii. Mayor sitting *ex officio*, with voting privileges when present; and
- iv. One (1) staff member to assist in committee administration, keep minutes and act as a resource person/liaison. Additional staff member(s) may attend as required at the discretion of the CAO/Clerk.

REPORTING

Any recommendations made by this committee will be in the form of a written report presented to council for their consideration. Time-sensitive infractions will be reported to the appropriate agency through the CAO/Clerk as soon as possible for action.

MEETING TIMES and PROCEDURE

Committee will meet four (4) times per year on the third Thursday of the month in which the meeting is held (April, June, September, November) or at the call of the Chair. Meeting times will be 7:00 pm.

Meetings will be in person at the Park Centre-Kagawong or if determined by the CAO/Clerk in consultation with the Chair that the meeting will be held virtually.

If meetings are to be cancelled and/or rescheduled, the staff resource of Township of Billings staff in consultation with the CAO/Clerk and Chair will notify the Committee by email as soon as possible.

TERMS OF REFERENCE

Council may, at its discretion, change the Terms of Reference (TOR) for this committee at any time. Any changes proposed to these TOR shall be recommended to council through an appropriate report. The committee may also be dissolved by resolution of council.