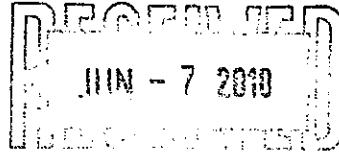


Centre Dufferin Recreation Complex

Box 985, Shelburne, Ontario, L0N 1S0

Telephone 519-925-2400

May 28, 2010



Town of Shelburne
Township of Amaranth
Township of Melancthon
Town of Mono

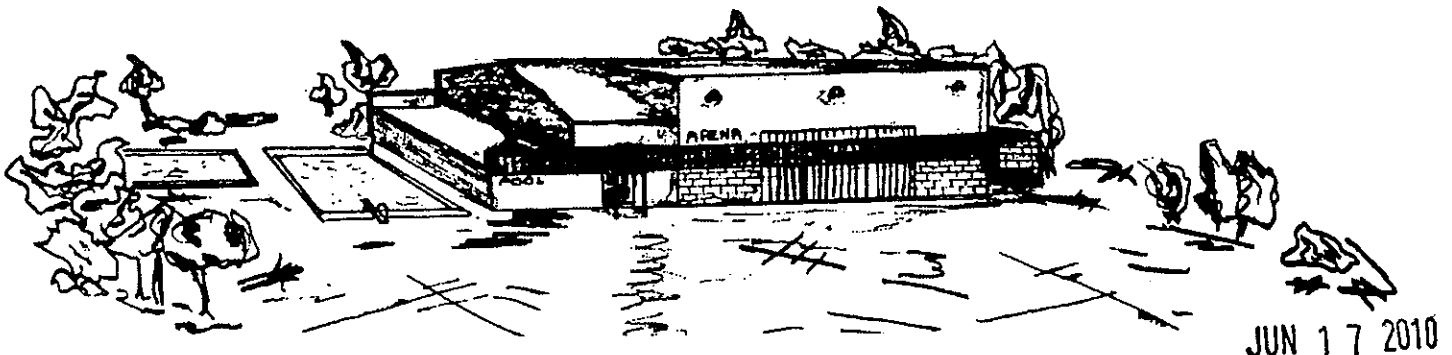
Re: 2010 CDRC Budget

Please find attached the details of the 2010 CDRC Budget for your review and approval, which was approved by the CDRC Board of Management at the May 26th meeting.

If you have any questions or concerns, please contact your municipal representative or call the CDRC at 925-2400.

Thank you,

Kim Fraser
Secretary/Treasurer



JUN 17 2010

Centre Dufferin Recrea

2010 CDRC Budget

<u>REVENUE</u>	<u>2008 Actual</u>	<u>2009 Budget</u>	<u>Dec 31/09 2009 Actual</u>	<u>2009 Budget vs YTD</u>	<u>Draft 2010 Budget</u>
<i>Ice Rentals:</i>					
Minor Hockey	116,875	110,000	118,912	108%	95,000
Figure Skating	29,338	30,000	29,649	99%	20,000
Schools	9,767	9,500	11,687	123%	11,000
Ice Rental - Other	56,107	56,000	69,975	125%	50,000
World Jr Hockey	9,731	-	2,079	0%	10,000
Broomball	4,640	4,800	5,988	125%	5,500
TOTAL:	226,457	210,300	238,289	113%	191,500
<i>Floor Rentals</i>					
Ball Hockey-Rec	4,854	4,900	5,094	104%	5,000
Ball Hockey-Youth	-	-	-	0%	2,200
Special Events	7,600	7,600	7,760	102%	6,000
Lacrosse	11,804	10,000	10,450	105%	5,000
TOTAL:	24,258	22,500	23,304	108%	18,200
<i>Hall</i>					
Town & Country Room	22,700	21,000	21,160	101%	10,000
<i>Other Rentals:</i>					
Ice Board Signs	3,000	2,500	2,167	87%	2,000
Wall Signs	4,125	4,000	3,604	90%	3,500
Table & Chair	526	500	585	117%	500
TOTAL:	7,651	7,000	6,355	91%	6,000
<i>Pool</i>					
Pool Receipts	57,915	55,000	59,620	108%	40,000
<i>Concession Sales</i>					
Booth	75,936	73,000	81,905	112%	63,000
Vending & Pop	15,001	14,000	14,816	106%	12,000
Pepsi Rebate	-	1,200	1,258	105%	700
Pro Shop	1,053	1,500	854	57%	1,000
TOTAL:	91,990	89,700	98,832	110%	76,700
Pepsi Support	-	2,500	5,000	200%	2,500
Grants	1,577	1,710	1,710	100%	1,700
Donations	-	-	-	0%	-
Misc/Interest	253	500	190	38%	500
TOTAL:	1,830	4,710	6,900	147%	4,700
OPERATING REVENUE	432,801	410,210	454,461	111%	347,100
CAPITAL SURCHARGE	-	-	-		-
TOTAL REVENUE	432,801	410,210	454,461		347,100

**Centre Dufferin Recr
2010 CDRC Budget**

<u>EXPENDITURES</u>	<u>2008 Actual</u>	<u>2009 Budget</u>	<u>Dec 31/09 2009 Actual</u>	<u>2009 Budget vs YTD</u>	<u>Draft 2010 Budget</u>
<i>Wages</i>					
Arena	131,134	163,000	170,278	104%	150,000
Pool	44,104	45,000	48,131	107%	30,000
Office	17,231	17,000	18,132	107%	18,700
Booth	28,948	27,000	28,861	107%	24,300
Benefits	28,870	29,500	36,199	123%	37,000
TOTAL:	<u>250,288</u>	<u>281,500</u>	<u>301,601</u>	<u>107%</u>	<u>260,000</u>
<i>Maintenance</i>					
General Building	33,876	30,000	38,758	129%	20,000
Grounds	10,743	10,000	5,891	59%	10,000
Ice Machinery	18,116	15,000	18,881	126%	18,000
Janitorial	7,608	8,000	5,873	73%	6,000
Town & Country Ro	1,046	2,000	113	6%	500
Renovation Expens	-	-	-	0%	10,000
Inspections	1,308	1,500	1,677	112%	1,500
TOTAL:	<u>72,698</u>	<u>66,500</u>	<u>71,194</u>	<u>107%</u>	<u>66,000</u>
<i>Utilities</i>					
Natural Gas	27,694	28,000	20,230	72%	20,000
Hydro	54,371	60,000	62,299	104%	60,000
Water & Sewage	8,520	9,000	6,915	77%	7,000
TOTAL:	<u>90,586</u>	<u>97,000</u>	<u>89,444</u>	<u>92%</u>	<u>87,000</u>
<i>Pool</i>					
Pool Maintenance	13,543	8,500	6,254	74%	6,500
Pool Administration	3,788	4,000	3,621	91%	4,000
TOTAL:	<u>17,331</u>	<u>12,500</u>	<u>9,875</u>	<u>79%</u>	<u>10,500</u>
<i>Concession Sales</i>					
Booth/Vending	48,536	45,000	51,779	115%	35,000
Pro Shop	5	500	385	77%	500
TOTAL:	<u>48,541</u>	<u>45,500</u>	<u>52,164</u>	<u>115%</u>	<u>35,500</u>
<i>Administrative</i>					
Insurance	11,651	29,412	29,412	100%	15,000
Telephone/Website	4,437	4,300	4,442	103%	4,500
Office Supplies	2,468	2,000	1,671	84%	4,000
Postage	341	300	177	59%	300
Advertising	481	500	202	40%	500
Audit/Prof/Legal	3,755	3,000	3,831	128%	10,000
Courses, Fees, Due	1,556	1,500	3,536	236%	3,000
Fundraising Campa	-	-	302	0%	-
TOTAL:	<u>24,688</u>	<u>41,012</u>	<u>43,572</u>	<u>106%</u>	<u>37,300</u>
<i>Financial</i>					
Bank Chgs/Bad Det	490	500	502	100%	500
Interest	-	-	-	-	-
Miscellaneous	784	500	915	183%	500
TOTAL:	<u>1,274</u>	<u>1,000</u>	<u>1,417</u>	<u>142%</u>	<u>1,000</u>
Prior Year Deficit	16,675	(23,344)	(23,344)		(19,995)
TOTAL EXPENDITURES	<u>522,081</u>	<u>521,668</u>	<u>545,924</u>	<u>105%</u>	<u>477,305</u>

Centre Dufferin Recreation Comple

2010 CDRC Budget

	<u>2008 Actual</u>	<u>2009 Budget</u>	<u>Dec 31/09 YTD Actual</u>	<u>Draft 2010 Budget</u>
OPERATING COSTS				
Operating Revenue	432,801	410,210	454,461	347,100
Operating Expenditure	522,081	521,668	545,924	477,305
Operating Loss	<u>89,280</u>	<u>111,458</u>	<u>91,463</u>	<u>130,205</u>
CAPITAL EXPENDITURES				
Capital Expenses	117,869	243,472	177,955	102,000
Plus: Funds to Capital Reserve	133,930	-	65,517	-
Less: Capital Revenue	-	-	-	-
Less: Grants	10,000	-	-	-
Less: From Reserves	133,423	133,930	133,930	65,517
Net Expenditure	<u>108,376</u>	<u>109,542</u>	<u>109,542</u>	<u>36,483</u>
Total Funds Needed	<u>197,656</u>	<u>221,000</u>	<u>201,005</u>	<u>166,688</u>
Municipal Contributions:				
Town of Shelburne	137,020.00	137,020.00	137,020.00	103,346.56
Town of Mono	17,680.00	17,680.00	17,680.00	13,335.04
Amaranth Township	33,150.00	33,150.00	33,150.00	25,003.20
Melancthon Township	33,150.00	33,150.00	33,150.00	25,003.20
	<u>221,000.00</u>	<u>221,000.00</u>	<u>221,000.00</u>	<u>166,688.00</u>

Centre Dufferin Recreation Co					
2010 CDRC Budget					
		2008 Actual	2009 Budget	2009 Actual	2010 Budget
CAPITAL EXPENDITURES 2008					
Lobby & Walkway Flooring Replaceme		-			
Boiler Replacement		84,992			
Design-Arena Improvement Plans		-			
Roof Redesign-Audit Immediate		-			
Front Entrance-Audit Immediate		-			
Back EntrancAudit Immediate		-			
Painting		4,900			
Fencing (Hardick Property)		3,747			
Man Door Replacement-Pool		2,500			
T&C Kitchen Stove Exhaust		4,642			
T&C Kitchen Flooring		2,067			
Dressing Room Drainage		4,198			
Door Replacement-Exterior DR#2		684			
Lobby Washroom Flooring Replaceme		4,975			
Timekeepers Box		3,664			
Bleacher Heat		1,500			
CAPITAL EXPENDITURES 2009					
Tables			4,000		
Chairs			4,000		
Security			10,000		
Pool Vacuum System			2,500	2,600	
Facility Improvements			222,972	150,000	
Fishburn Building Sciences-roof investigation				6,913	
Dickinson & Hicks-pre grant preparation				10,742	
Aqua Plans-pool survey				4,500	
Vanharten Surveying-pre grant partation				2,403	
Bleacher Heat				797	
CAPITAL EXPENDITURES 2010					
Facility Improvements					50,000
Hvac-Heat & Air for T&C					52,000
Total Funds Needed		117,869	243,472	177,955	102,000

RENTAL RATE HISTORY & DRAFT 2010 RATES (excluding GST)

Ice Rental

Rate increases effective April 1

	2005		2006		2007		2008		2009		2010		2010 INCREASE	
	< 5 hr	>4.5 hr	< 5 hr	>4.5 hr	< 5 hr	>4.5 hr	< 5 hr	>4.5 hr	< 5 hr	>4.5 hr	< 5 hr	>4.5 hr	< 5 hr	>4.5 hr
Off Time	\$73	\$61	\$77	\$64	\$85	\$70	\$94	\$77	\$108	\$101	\$108	\$101	0%	0%
Non Prime	\$83	\$78	\$87	\$82	\$96	\$90	\$106	\$99	\$155	\$123	\$155	\$123	0%	0%
Prime Time	\$119	\$94	\$125	\$99	\$138	\$109	\$152	\$120	\$155	\$123	\$155	\$123	0%	0%
Super Prime	\$119	\$119	\$125	\$125	\$138	\$138	\$152	\$152	\$155	\$155	\$155	\$155	0%	0%
Hockey School*		\$69		\$72										

Floor Rental

Rate increases effective April 1

	2007	2008	2009	2010	2010 INCREASE
Ball Hockey	\$56	\$62	\$63	\$63	-0.1%
Lacrosse	\$39	\$43	\$44	\$44	-0.6%
Full Day	\$800	\$880	\$900	\$900	-0.1%
Tables	\$2.00	\$2.00	\$2.00	\$2.00	0.0%
Chairs	\$0.50	\$0.50	\$0.50	\$0.50	0.0%

Town & Country (full use)

Rate increase effective April 1 for weekly rentals, immediately on new bookings

	2007	2008	2009	2010	2010 INCREASE
Weekend Night	\$460	\$500	\$510	\$510	0.0%
Week Night	\$340	\$375	\$384	\$384	0.0%
Weekend Day	\$185	\$200	\$205	\$205	0.0%
Week Day	\$155	\$165	\$169	\$169	0.0%
Rotary Fiddle Week	\$4,000	\$4,000	\$4,100	\$4,100	0.0%
Fair Board-Shelburne	\$2,000	\$2,000	\$2,000	\$2,000	Fixed rate until 2011

Advertising

Rate increases effective with new billing period

	2007	2008	2009	2010	2010 INCREASE
3' x 4'	\$125	\$125	\$125	\$125	0.0%
3 x 8'	\$250	\$250	\$250	\$250	0.0%
Ice Boards	\$1,000	\$500	\$500	\$500	0.0%

WAGE RATE HISTORY & DRAFT 2010 WAGE RATES

Wage increases tied to Town of Shelburne annual increases - effective January 1

Position	2007	2008	2009	2010	2010 Inc
Arena Manager	\$24.35	\$25.08	\$25.83	\$26.47	2.5%
Full Time Arena	\$14.21	\$14.63	\$16.00	\$16.40	2.5%
Part Time Attendant	\$12.02	\$12.38	\$14.00	\$14.35	2.5%
Secretary/Treasurer	\$18.58	\$19.13	\$19.70	\$20.19	2.5%
Full Time Concessior	\$11.26	\$11.59	\$11.94	\$12.24	2.5%
Part Time Concessior	\$9.47	\$9.75	\$10.05	\$10.30	2.5%
Head Lifeguard	\$12.88	\$13.26	\$13.66	\$14.00	2.5%
Assist Head Guard	\$10.82	\$11.14	\$11.47	\$11.76	2.5%
Full Time Lifeguard	\$9.79	\$10.08	\$10.38	\$10.64	2.5%
Part Time Lifeguard	\$8.76	\$9.02	\$9.29	\$9.60	3.4%

**CORPORATION OF THE TOWNSHIP OF MELANCTHON
REPORT TO COUNCIL**

TO: Mayor Fawcett and Members of Council

FROM: Denise B. Holmes, CAO/Clerk

DATE: June 11, 2010

SUBJECT: COMPLIANCE AUDIT COMMITTEE

PURPOSE

The purpose of this report is to seek Council's direction with respect to the formation of a Compliance Audit Committee.

BACKGROUND AND DISCUSSION

The *Municipal Elections Act, 1996* (the Act), as amended by Bill 212, requires that every municipality must appoint a Compliance Audit Committee prior to October 1, 2010.

The mandate of the Compliance Audit Committee is to:

- a) Consider any request for a compliance audit and determine whether the request should be granted or rejected;
- b) If the request is granted, appoint an auditor;
- c) Review the auditor's report and determine whether legal action should be taken; and
- d) If the auditor's report indicates that there were no apparent contraventions and if there appears that there were no reasonable grounds for the application, advise Council. (Council would then decide whether or not to recover the auditor's costs from the applicant.)

Only a few municipalities appointed Compliance Audit Committees for the 2003 and/or 2006 municipal elections. Due to the complexity of the financial accounting rules and to ensure that the committee members possess an in-depth knowledge of the campaign finance rules, all of these municipalities stated a preference for applicants with a background in accounting or auditing. To avoid any potential conflict of interest, applicants with accounting or auditing backgrounds were asked to agree in writing that they would not offer their services to any municipal election candidates. In addition, it is recommended that all applicants be required to agree in writing to not work for or provide advice to any candidate running for municipal office in the election.

In the past, candidates whose total contributions received and total expenses incurred

JUN 17 2010

were equal to or less than \$10,000 were permitted to complete a simplified one page financial statement. With the amendments to the Act all candidates are now required to complete a detailed financial statement. Those candidates whose total contributions received and total expenses incurred are greater than \$10,000 will have to provide an auditor's report in addition to their financial statement. It remains to be seen whether the greater level of detail in the financial statements that is now required will result in more or less requests for compliance audits.

Nothing in the legislation precludes municipalities from sharing a Compliance Audit Committee. Requests for compliance audits are usually rare occurrences, so a shared committee should be able to handle the potential workload.

Dufferin Municipal Clerks have discussed the requirement to establish a Compliance Audit Committee and agreed to recommend to their individual Councils that a Joint Compliance Audit Committee be struck.

With the amendment to the Act, 444 municipalities as well as all of the various school boards will be looking for applicants to appoint to their Compliance Audit Committees. This will result in competition for qualified candidates. The competition will be even greater when one factors in the conflicting interests between appointments to these committees and the need for accountants and auditors to work on the financial statements for all candidates running for offices across the province.

Compliance Audit Process

The Act requires that both municipalities and school boards establish Compliance Audit Committees.

Any elector who is entitled to vote in an election and believes on reasonable grounds that a candidate has contravened a provision of the *Municipal Elections Act, 1996* pertaining to election campaign finances, may apply in writing to the Clerk for a compliance audit of the candidate's election campaign finances. The application must be made within 90 days of the applicable filing date as set out in the Act.

The Clerk then has 10 days to forward the written request to the Compliance Audit Committee and copy Members of Council. Within 30 days of receiving the request, the Committee must consider the compliance audit request and decide whether it should be granted or rejected. Should a request not be granted, within 15 days of the decision it may be appealed to the Ontario Court of Justice.

If the Committee decides to grant the request for a compliance audit, it appoints an outside auditor to conduct the audit. The auditor prepares a report which is submitted to the candidate, Council, the Clerk with whom the candidate filed his or her nomination, and the applicant. Within 10 days of receiving the report, the Clerk of the municipality must forward the report to the Compliance Audit Committee. Within 30 days of receiving the auditor's report the Committee must consider it.

The municipality (or the school board) is responsible for paying the auditor's costs of performing the audit and all costs in relation to the Committee's operations and activities.

If the report concludes that the candidate appears to have contravened a provision of the Act relating to election campaign finances, the Committee must determine whether to commence legal proceedings against the candidate. If the report concludes that the candidate did not contravene the Act, the committee must make a finding as to whether there were reasonable grounds for the request for the audit. If the Committee determines that there were no reasonable grounds, then the Council (or the school board) is entitled to recover the auditor's costs from the applicant.

Recruitment

The Association of Municipalities of Ontario was contacted to determine whether the Local Authority Services Limited (LAS) would be offering a service for Compliance Audit Committees similar to the service offered for Closed Meeting Investigators. Although the idea had been considered, LAS is not intending to provide this service. As a result, Council will need to appoint a Compliance Audit Committee.

The Committee is to consist of between three and seven members and cannot include any employees or officers of the municipality, or any Members of Council, or any candidate in the election for which the Committee is established. The term of office is the same as that of Council. Should a compliance audit request be submitted arising from a by-election during the term of council, a Committee would be in place to review it.

In the case of appointments to most Council committees, it is Council's policy to only appoint residents. Given the specific skills and expertise required for this particular Committee, as well as the restrictions on participation, limiting the applicants to Melancthon residents may be too restrictive.

Joint Compliance Audit Committee

As stated above, Dufferin Municipal Clerks are recommending a Joint Compliance Audit Committee consisting of five members. Taking into consideration the competition for qualified applicants, as well as the potential for conflicts for those applicants with accounting/auditing backgrounds a Joint Compliance Audit Committee offers the greatest potential to reach the broadest spectrum of interested applicants and it is also the most cost effective option.

The suggested process would require the forming of a Selection Committee to which participating municipalities may appoint a member of its Council. The Selection Committee would review applications and submit a recommended list of members for the Joint Compliance Audit Committee to each of the participating Councils for approval.

Ads for members would be placed in local newspapers and in accordance with specific notice provisions required by each municipality. Applications could be submitted to the

Clerk of any participating municipality. The Clerk of the largest municipality would coordinate administrative aspects of the selection process.

When a participating municipality receives a request for a compliance audit, the Clerk of that municipality would contact the Committee Members to schedule a meeting(s); attend the meeting(s) and record the minutes. A minimum of three members must be present at each meeting.

Advertising costs would be shared between participating municipalities. The member municipality receiving a compliance audit request would be responsible for all expenses associated with the request.

Terms of Reference

The mandate for the Compliance Audit Committee is outlined in Section 81 of the Act (Appendix "A").

A proposed Terms of Reference for a Joint Compliance Audit Committee is included as Appendix "B". Should Council decide to proceed with an alternate option, the Terms of Reference would be modified accordingly.

The selection criteria has been recommended by municipalities that have experience with Compliance Audit Committees.

As is the Township's usual practice, notice would be posted on the Township's website and advertised in the local newspapers. Other suitable options would also be explored, e.g. placing notice in the "*Find a CA Volunteer*" section of the Institution of Chartered Accountants of Ontario website.

Remuneration

Most municipalities contacted are providing remuneration to the members of the Committee due to its quasi-judicial nature. Some are paying each member a retainer (which would be shared between the participating municipalities) plus a set fee per meeting (which would be paid by the municipality requesting a compliance audit); others are only paying its members per meeting; some are including a mileage allowance.

The Township does not pay remuneration to its committee members. For closed meeting investigation services, the Township pays a retainer of \$300 per year plus a daily investigation fee and expenses for an investigation. Other Dufferin municipalities pay their committee members various amounts depending on the municipality and the committee.

FINANCIAL IMPACT

There would be initial recruitment costs incurred during 2010. Additional expenses would be incurred should a request for a compliance audit be received. Any costs would be charged to the election budget.

RECOMMENDATION

THAT the Report of Denise Holmes, CAO/Clerk dated June 11, 2010, with respect to a Compliance Audit Committee, be received;

AND THAT Council supports a Joint Compliance Audit Committee;

AND THAT a member of Council be appointed to a Selection Committee to review applications to sit on a Joint Compliance Audit Committee;

AND THAT staff be authorized to participate as necessary in the establishment and operation of the Compliance Audit Committee.

Respectfully submitted,

Denise B. Holmes, CAO/Clerk

Appendix "A"

Sections 81 and 81.1 of the *Municipal Elections Act, 1996*

Compliance audit

Application

81. (1) An elector who is entitled to vote in an election and believes on reasonable grounds that a candidate has contravened a provision of this Act relating to election campaign finances may apply for a compliance audit of the candidate's election campaign finances. 2009, c. 33, Sched. 21, s. 8 (44).

Requirements

(2) An application for a compliance audit shall be made to the clerk of the municipality or the secretary of the local board for which the candidate was nominated for office; and it shall be in writing and shall set out the reasons for the elector's belief. 2009, c. 33, Sched. 21, s. 8 (44).

Deadline

(3) The application must be made within 90 days after the latest of,

- (a) the filing date under section 78;
- (b) the candidate's supplementary filing date, if any, under section 78;
- (c) the filing date for the final financial statement under section 79.1; or
- (d) the date on which the candidate's extension, if any, under subsection 80 (4) expires. 2009, c. 33, Sched. 21, s. 8 (44).

Application to be forwarded to committee

(4) Within 10 days after receiving the application, the clerk of the municipality or the secretary of the local board, as the case may be, shall forward the application to the compliance audit committee established under section 81.1 and provide a copy of the application to the council or local board. 2009, c. 33, Sched. 21, s. 8 (44).

Decision

(5) Within 30 days after receiving the application, the committee shall consider the application and decide whether it should be granted or rejected. 2009, c. 33, Sched. 21, s. 8 (44).

Appeal

(6) The decision of the committee may be appealed to the Ontario Court of Justice within 15 days after the decision is made and the court may make any decision the committee could have made. 2009, c. 33, Sched. 21, s. 8 (44).

Appointment of auditor

(7) If the committee decides under subsection (5) to grant the application, it shall appoint an auditor to conduct a compliance audit of the candidate's election campaign finances. 2009, c. 33, Sched. 21, s. 8 (44).

Same

(8) Only auditors licensed under the *Public Accounting Act, 2004* or prescribed persons are eligible to be appointed under subsection (7). 2009, c. 33, Sched. 21, s. 8 (44).

Duty of auditor

(9) The auditor shall promptly conduct an audit of the candidate's election campaign finances to determine whether he or she has complied with the provisions of this Act relating to election campaign finances and shall prepare a report outlining any apparent contravention by the candidate. 2009, c. 33, Sched. 21, s. 8 (44).

Who receives report

(10) The auditor shall submit the report to,

- (a) the candidate;
- (b) the council or local board, as the case may be;
- (c) the clerk with whom the candidate filed his or her nomination;
- (d) the secretary of the local board, if applicable; and
- (e) the applicant. 2009, c. 33, Sched. 21, s. 8 (44).

Report to be forwarded to committee

(11) Within 10 days after receiving the report, the clerk of the municipality or the secretary of the local board shall forward the report to the compliance audit committee. 2009, c. 33, Sched. 21, s. 8 (44).

Powers of auditor

(12) For the purpose of the audit, the auditor,

- (a) is entitled to have access, at all reasonable hours, to all relevant books, papers, documents or things of the candidate and of the municipality or local board; and
- (b) has the powers of a commission under Part II of the *Public Inquiries Act*, which Part applies to the audit as if it were an inquiry under that Act. 2009, c. 33, Sched. 21, s. 8 (44).

Note: On a day to be named by proclamation of the Lieutenant Governor, clause (b) is repealed and the following substituted:

(b) has the powers set out in section 34 of the *Public Inquiries Act, 2009* and section 34 applies to the audit.

See: 2009, c. 33, Sched. 21, ss. 8 (45), 13 (2).

Costs

(13) The municipality or local board shall pay the auditor's costs of performing the audit. 2009, c. 33, Sched. 21, s. 8 (44).

Power of committee

(14) The committee shall consider the report within 30 days after receiving it and may,

- (a) if the report concludes that the candidate appears to have contravened a provision of this Act relating to election campaign finances, commence a legal proceeding against the candidate for the apparent contravention;
- (b) if the report concludes that the candidate does not appear to have contravened a provision of this Act relating to election campaign finances, make a finding as to whether there were reasonable grounds for the application. 2009, c. 33, Sched. 21, s. 8 (44).

Recovery of costs

(15) If the report indicates that there was no apparent contravention and the committee finds that there were no reasonable grounds for the application, the council or local board is entitled to recover the auditor's costs from the applicant. 2009, c. 33, Sched. 21, s. 8 (44).

Immunity

(16) No action or other proceeding for damages shall be instituted against an auditor appointed under subsection (7) for any act done in good faith in the execution or intended execution of the audit or for any alleged neglect or default in its execution in good faith. 2009, c. 33, Sched. 21, s. 8 (44).

Saving provision

(17) This section does not prevent a person from laying a charge or taking any other legal action, at any time, with respect to an alleged contravention of a provision of this Act relating to election campaign finances. 2009, c. 33, Sched. 21, s. 8 (44).

Compliance audit committee

81.1 (1) A council or local board shall, before October 1 of an election year, establish a committee for the purposes of section 81. 2009, c. 33, Sched. 21, s. 8 (44).

Composition

(2) The committee shall be composed of not fewer than three and not more than seven members and shall not include,

- (a) employees or officers of the municipality or local board;
 - (b) members of the council or local board; or
 - (c) any persons who are candidates in the election for which the committee is established.
- 2009, c. 33, Sched. 21, s. 8 (44).

Term of office

(3) The term of office of the committee is the same as the term of office of the council or local board that takes office following the next regular election, and the term of office of the members of the committee is the same as the term of the committee to which they have been appointed. 2009, c. 33, Sched. 21, s. 8 (44).

Role of clerk or secretary

(4) The clerk of the municipality or the secretary of the local board, as the case may be, shall establish administrative practices and procedures for the committee and shall carry out any other duties required under this Act to implement the committee's decisions. 2009, c. 33, Sched. 21, s. 8 (44).

Costs

(5) The council or local board, as the case may be, shall pay all costs in relation to the committee's operation and activities. 2009, c. 33, Sched. 21, s. 8 (44).

Appendix "B"

JOINT COMPLIANCE AUDIT COMMITTEE (NAMES OF PARTICIPATING DUFFERIN COUNTY MUNICIPALITIES)

TERMS OF REFERENCE

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 commented; 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 accordingly.

COMPOSITION

Five members appointed by each participating municipality.

Members of Council, 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 or register as a candidate with any of the member municipalities, 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.

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 candidates.

TERM

The term of the Committee is concurrent with the term of Council – December 1, 2010 to November 30, 2014.

CHAIR

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

MEETINGS

When a municipality is in receipt of a request for a compliance audit, the Clerk of the applicable municipality shall contact the Committee members and schedule a meeting(s) to consider the request.

At least three members must be in attendance at each meeting.

Meetings of the Committee shall be conducted in accordance with the open meeting requirements of the *Municipal Act, 2001*. Minutes of the Committee's proceedings are to be recorded and retained in accordance with the municipality's records management practices.

STAFF SUPPORT AND FUNDING

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

REMUNERATION

\$75 per meeting.

MEMBERSHIP SELECTION

All applicants will be required to complete an application.

The Council of each member municipality may appoint one member to a Selection Committee. The Selection Committee shall meet to review all applications. Based upon the following criteria the Selection Committee will select and recommend members to each participating municipality for its approval.

- a) Demonstrated knowledge and understanding of municipal election campaign finance rules.
- b) Proven analytical and decision-making skills.
- c) Experience working on committees, task forces or similar working groups.
- d) Availability and willingness to attend meetings in any of the member municipalities.
- e) Excellent oral and written communication skills.

**Dufferin Municipalities - 2010 Election
Joint Compliance Audit Committee Application**

Instructions:

Completed applications can be hand-delivered or sent by regular mail, fax or email to the Clerk of any participating municipality (refer to contact information at the end of this application).

Please print/type information

Applications must be received by **4:30p.m.** on _____, **2010.**

Any personal information provided on this form will be subject to public inspection as per the terms of section 88(5) of the *Municipal Elections Act, 1996*

Applicant

LAST NAME

FIRST NAME

MAILING ADDRESS

POSTAL CODE

E-MAIL ADDRESS

BUSINESS PHONE NO.

HOME PHONE NO.

Questionnaire & Certification (If necessary, additional sheets may be attached to respond to these questions)

1. The committee shall be composed of three members and shall not include:

- Employees or officers of any participating municipality
- Members of Council of any participating municipality
- Any candidates in the 2010 municipal election and any by-elections during Council's term in any participating municipality.

Are you any of the aforementioned?

___Yes ___No

2. What is your occupation?

3. Outline your knowledge of the campaign financing rules in the *Municipal Elections Act, 1996*

4. What are your qualifications and experience for this position?

5. If you are currently serving, or have previously served, in an elected or appointed capacity on an agency, board or commission, ratepayer group or similar organization, please give details. (Please include the name of the board or group and your years of service.)

6. How much time would you be willing to commit to the business of the committee, including attendance at meetings?

Are you available for meetings during business hours?

Is there any time during the year you would be unavailable (i.e. extended vacation)

7. Resumé or other information attached? Yes No

Note:

Any person appointed to the Dufferin Municipalities Joint Compliance Audit Committee must agree in writing to not provide advice to, prepare or audit the election financial statements of any candidate for office on the Council of any participating municipality, or become a candidate in the 2010 municipal election and any by-elections of any participating municipality during the term of the appointment.

The term of office for the Dufferin Municipalities Joint Compliance Audit Committee is from December 1, 2010 to November 30, 2014 to deal with applications from the 2010 election and any by-elections during Council's term.

I HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS ACCURATE

SIGNATURE

DATE

Participating Municipalities - Contact Information:

Town of Mono, 347209 Mono Centre Road, R.R. # 1, Orangeville, ON L9W 2Y8

Phone: 519-941-3599 Fax: 519-941-9490 e-mail: kmcnenly@townofmono.com

Town of Orangeville, 87 Broadway, Orangeville, ON L9W 1K1

Phone: 519-941-0440 Fax: 519-941-9033 e-mail: cjohns@orangeville.ca

Town of Shelburne, P.O. Box 69, 203 Main Street E, Shelburne, ON L0N 1S0

Phone: 519-925-2600 Fax: 519-925-6134 e-mail: jtelfer@townofshelburne.on.ca

Township of Amaranth, 374028 6th Line, R.R. # 7, Orangeville, ON L9W 2Z3

Phone: 519-941-1007 Fax: 519-941-1802 e-mail: suestone@amaranth-eastgary.ca

Township of East Garafraxa, R.R. # 3, Orton, ON L0N 1N0

Phone: 519-928-5298 Fax: 519-941-1802 e-mail: suestone@amaranth-eastgary.ca

Township of East Luther Grand Valley, P.O. Box 249, 5 Main St. N, Grand Valley, ON L0N 1G0

Phone: 519-928-5652 Fax: 519-928-2275 e-mail: jwilson@eastluthergrandvalley.ca

Township of Melancthon, 157101 Hwy 10, R.R. # 6, Shelburne, ON L0N 1S9

Phone: 519-925-5525 Fax: 519-925-1110 e-mail: dholmes@melancthontownship.ca

Township of Mulmur, 758070 2nd Line E, R.R. # 2, Lisle, ON L0M 1M0

Phone: 705-466-3341 Fax: 705-466-2922 e-mail: thorner@mulmurtownship.ca

The personal information on this form is collected under the authority of the *Municipal Elections Act, 1996*, s. 81.1 The information is used to assess an applicant's eligibility to serve on the Dufferin Municipalities Joint Compliance Audit Committee for the 2010 Municipal Election. Pursuant to s. 88 of the *Municipal Elections Act, 1996*, this document is a public record, despite anything in the *Municipal Freedom of Information and Protection of Privacy Act (1990)*, and, until its destruction, may be inspected by any person at the Town Clerk's Office at a time when the office is open. Questions about this collection can be directed to any of the participating Municipal Clerks at the the location shown above.

DUFFERIN MUNICIPALITIES
ARE SEEKING APPLICANTS FOR A
JOINT COMPLIANCE AUDIT COMMITTEE

The Towns of Mono, Orangeville and Shelburne and the Townships of Amaranth, East Garafraxa, East Luther Grand Valley, Melancthon and Mulmur are currently seeking interested applicants for appointment to a Joint Compliance Audit Committee for the 2010 Municipal Election.

Applicants shall have:

- Demonstrated knowledge and in depth understanding of the campaign financing rules of the *Municipal Elections Act, 1996*
- Proven analytical and decision-making skills
- Experience working on committees, task forces or similar working groups
- Demonstrated knowledge of quasi-judicial proceedings
- Availability and willingness to attend meetings in any of the participating municipalities (daytime and/or evenings)
- Excellent oral and written communication skills

Members of Council, 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 participating municipalities or register as a candidate with any of the participating municipalities, 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 participating municipalities.

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 candidates.

The purpose of the Joint Compliance Audit Committee is to:

- Consider compliance audit applications made by electors and decide whether they should be granted or rejected
- Appoint an auditor if the application is granted
- Receive the auditor's report
- Consider the auditor's report and decide if legal proceedings should be commenced, and
- Advise Council if the auditor's report indicates that there were no apparent contraventions and if there appears to be no reasonable grounds for the application.

The term of the Committee is concurrent with the term of Council (December 1, 2010 to November 30, 2014). Municipal Election Candidates have until March 25, 2011 to file their Financial Statements for the reporting period ending December 31, 2010. Any requests for a Compliance Audit will occur after that date. A by-election could result in the need for the Joint Compliance Audit Committee to sit during the term of Council.

An application and Terms of Reference are available from participating municipalities' websites and Clerk's Departments.

Last date for submission of applications: 4:30 p.m. _____, 2010.

If you require further information, please contact your municipal Clerk.

Town of Mono	(519) 941-3599
Town of Orangeville	(519) 941-0440
Town of Shelburne	(519) 925-2600
Township of Amaranth	(519) 941-1007
Township of East Garafraxa	(519) 928-5298
Township of East Luther Grand Valley	(519) 928-5652
Township of Melancthon	(519) 925-5525
Township of Mulmur	(705) 466-3341