

APPENDIX A-3

Terms of Reference for Committees Established as Part of EA Process



Durham/York Residual Waste Study

Region of Durham and Region of York

Energy from Waste Facility

Site Liaison Committee

Terms of Reference

1. COMMITTEE GOAL AND MANDATE

The Energy from Waste (EFW) Facility Site Liaison Committee (SLC) shall serve to review and provide input on site specific studies related to the Environmental Assessment (EA) study of the Energy from Waste Facility. The Committee will invite volunteers from the community to put their names forward for appointment by Durham Regional and Clarington Councils as defined in this document. The committee will report, in accordance with the following Terms of Reference to the Joint Waste Management Group (JWMG), until its dissolution.

2. SCOPE OF ACTIVITIES

The scope of SLC includes:

1. Scheduling, advertising and maintaining agendas and minutes for quarterly or more frequent meetings open to the public.
2. Maintaining membership and notifying Durham Council of the need to replace any member missing three consecutive meetings without prior notification or valid reason
3. Review of site specific EA Study reports in coordination with the ongoing EA project schedule.
4. Distribution of information from the site specific EA studies as requested by JWMG.
5. Facilitating communication between local residents and stakeholders, and the JWMG.
6. Receiving and hearing deputations from local residents and stakeholders pertaining to the EFW site specific EA studies. The SLC should develop protocols governing acceptable and relevant content.
7. Preparing, maintaining and archiving supporting material as the committee deems necessary including committee agendas and minutes, deputation records, mailing

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lists, information files, resource materials, newsletters, fact sheets and PowerPoint presentations

3. OPERATING CRITERIA

8. Durham Region shall appoint a liaison person from the Region's Works Department and a liaison from the JWMG. The Municipality of Clarington may provide a liaison person.
9. Durham Region shall approve the annual budget that may include for such items as administrative supplies for the SLC and other operating costs.
10. The SLC must maintain budget and provide back-up documentation to the Region for all monies spent and will review the need and status for its own budget on a regular basis. Annually, in August, the SLC will submit the proposed budget for the forthcoming year for review and consideration by Durham Region Council as a line item in the annual Solid Waste Management Budget.
11. Durham Region will provide space on its website to post information such as meeting minutes and pertinent information as it pertains to the site specific EA studies as it deems appropriate. York Region and the JWMG may provide independent posting of information or provide linkage to Durham's website as required.
12. All meeting minutes and the annual report will be posted on the Durham Region and EFW websites and the information or links to the information may be posted on the Municipality of Clarington, York Region and JWMG websites.
13. The Chair of the SLC will present their annual report and any additional reports as requested, to the JWMG, Durham Regional Council, and Clarington Council. The Chair will also provide a presentation to both the Joint Waste Management Group and Clarington Council after each meeting of the SLC.
14. SLC members shall elect a secretary/treasurer from its membership. SLC members shall elect a Vice-Chair to serve in absence of the Chair. If a vacancy in the Vice-Chair or secretary/treasurer position occurs an election will be held.

The chairperson shall:

- Chair SLC meetings and encourage balance and professional functioning of SLC business
- Encourage membership participation
- Establish meeting agendas
- Review and arrange for the circulation of minutes
- Follow-up on all committee activities

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- Submit the committee's annual budget summary and report for consideration by the Region

4. MEMBERSHIP

Voting membership in the SLC shall consist of nine (9) members which shall include:

- Five (5) residents of the Region of Durham at large, appointed by Durham Regional Council, for a two (2) year term that is renewable for a maximum of three (3) consecutive terms. Appointments are to be staggered to provide continuity for the Committee.
- Four (4) residents of Clarington appointed by Clarington Council, for a two (2) year term that is renewable for maximum of three (3) consecutive terms. Appointments are to be staggered to provide continuity for the committee.
- One (1) Chair – The Regional Chair and Mayor of Clarington will jointly appoint the Chair Person, from the nine voting members who will serve a two (2) year term which is renewable for one (1) consecutive term. Although considered a voting member, the Chair will only vote in the event of a tie vote.

Non Voting members may include:

- A designated Durham Regional Works Department staff member, JWMG member, Clarington staff member, or York staff member
- A representative from the Ministry of Environment
- The local Ward 1 Councillor and the Regional 1 Councillor

5. APPLICATION PROCESS

Persons interested in obtaining a voting position of the committee must submit a letter detailing the following:

- Qualifications and experiences relevant to the committee and position
- A statement of interest and reason for applying for appointment to the committee

The Region of Durham's Works Committee will be responsible for preparing a report recommending voting and identifying non-voting committee members, selected according to the criteria above, for approval of Durham Regional Council.

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6. MEETING FORMAT

- The frequency and dates of meetings will be determined after the committee has been established and approved. The SLC may choose to adjust the schedule ensuring that a minimum of four (4) meetings are held annually. The meeting schedule will be adopted for one (1) year, with any additional meetings scheduled at the discretion of the committee.
- Meetings will be held in the evening the Regional Headquarters, 605 Rossland Road East in Whitby. Meeting schedule for the year will be determined through vote during the first initial meeting will be advertised to the public. Any changes to meeting dates must be published two (2) weeks in advance of the proposed meeting.
- All decisions made by the SLC will be based on simple majority and there must be 50 % plus one voting members in attendance for a quorum
- All meetings of the SLC will be open to the public
- All members of the committee, and liaison representatives as well as the Regions' Directors of Waste Management, shall receive copies of the minutes and agenda for the next meeting, with a minimum notification period of two (2) weeks prior to the next scheduled meeting
- The Region's Director of Waste Management shall provide a staff member for clerical and administrative assistance.

7. COMMITTEE BUDGET

An annual \$10,000 fund will be established for the committee to cover operating expenses. Any other funding requests must be submitted through JWMG for consideration. The committee Treasurer/Secretary shall keep a current and accurate statement of all expenses. Committee members will be reimbursed for mileage expenses for attendance at SLC meetings upon submission of an expense sheet.

8. COMMITTEE TERM

The term of the SLC will continue through to the formal conclusion of the Environmental Assessment process, at which time it will be dissolved. At that time a new committee will be struck with a new mandate for the construction, operation and monitoring for the EFW project.

Schedule “A”

JOINT MANAGEMENT COMMITTEE

TERMS OF REFERENCE

1. Mandate

- 1.1 The JMG is a sub-committee of Durham’s Works Committee and York’s Waste Management Committee whose composition and activities shall be in accordance with these Terms of Reference.
- 1.2 The JMG shall provide advice and make recommendations to Durham’s Works Committee and York’s Waste Management Committee on all matters relating to (a) the Residual Waste Management Environmental Assessment Study Agreement between Durham and York dated June 30th, 2005 (the “Agreement”), (a) the environmental assessment study described in the Agreement (the “Study”); and (c) any other agreement between the parties regarding the processing of waste that remains after the application of Durham’s and York’s at-source waste diversion programs.

2. Scope of Activities

- 2.1 The JMG shall,
- (a) examine the composition and quantity of the post-diversion residual wastes to be managed;
 - (b) establish the limits of the area to be serviced by a facility, or facilities, established as a result of the Committee’s work;
 - (c) research available energy and recyclable resource markets and their operating requirements;
 - (d) review and make recommendations regarding the Study’s preferred post-diversion residual waste processing technologies and systems;
 - (e) review and make recommendations regarding the Study’s preferred site location(s) for the required facility or facilities;
 - (f) secure meaningful public input through public information protocols such as workshops and open houses;
 - (g) report and make recommendations to the Durham’s Works Committee and to York’s Waste Management Committee respecting all other matters set out in Section 1.2 of these Terms of Reference, as required.

3. **Composition**

3.1 The JMG shall be comprised as follows:

a) *8 Voting members*

Four (4) current members of Durham's Works Committee.
Four (4) current members of York's Waste Management Committee.

The Chairs and Vice Chairs of each Committee, or their designate, shall sit as members of the JMG. These members shall select the remaining two (2) members from their respective Committee to sit on the JMG.

b) *6 Non-voting members*

Three (3) interested residents from the Region of Durham^[M1].
Three (3) interested residents from the Region of York.

c) The Chair of the City & County of Peterborough's Waste Management Steering Committee, or a designate, shall sit as an observer.

3.2 Membership in the JMG shall be for a 3-year term corresponding with the terms of Regional Councils.

3.3 The JMG may establish project teams and/or working groups as deemed necessary to address specific issues. The Chair of any project team or working group shall be a voting member of the JMG.

4. **Officers**

4.1 The Chairs of Durham's Works Committee and York's Waste Management Committee shall be Co-Chairs of the JMG and shall preside over JMG meetings in an alternating fashion. If either Co-Chair is absent, the Vice-Chair of the respective Regional Committee shall serve as Chair for that JMG meeting.

5. **Support Services**

5.1 Durham's Commissioner of Works and York's Commissioner of Transportation & Works and their designates shall serve as staff liaison to the JMG.

5.2 Staff support from both Durham and York shall be provided to the JMG as required.

5.3 The staff liaisons shall co-ordinate all requests for advice from the JMG through meeting agendas and addenda to meeting agendas. JMG responses to such requests shall be co-ordinated by the staff liaison to the respective Regional Committees.

5.4 Both Regions shall provide secretarial and other administrative support services to the JMG in an alternating fashion. When, for example, the JMG meeting is in Durham Region, administrative support shall be provided by Durham Region staff. The

respective Regional Departments shall be responsible for these administrative expenses.

6. **Meetings**

- 6.1 The JMG shall coordinate its meetings with the Durham's Works Committee and the York's Waste Management Committee meetings. Special meetings may be held at the call of the both of the Co-chairs of the JMG.
- 6.2 The location of JMG meetings shall alternate between the Region of Durham and Region of York offices.
- 6.3 Unless otherwise determined, all JMG meetings shall be open to the public. As a formal advisory Committee within both Durham and York, procedures at the JMG meetings shall be governed by the procedural by-law of the Region hosting the meeting unless specified otherwise in this Terms of Reference.

7. **Delegations at Committee Meetings**

- 7.1 Any person wishing to appear before the JMG as a delegate must submit a request to both staff liaisons advising of the topic or item to which they wish to speak. All such requests must be received at least one week prior to a JMG meeting to ensure that the delegation is included in the meeting's agenda. Any person wishing to address the JMG as a delegate, who has not previously arranged to do so, may be granted permission to do so only by resolution of the JMG.

8. **Minutes and Agenda**

- 8.1 All minutes of meetings of the JMG shall be submitted to both Durham's Works Committee and York's Waste Management Committee.

9. **Committee Resolutions**

- 9.1 JMG shall seek to achieve consensus on decisions. Recommendations are 'carried' if supported by a majority of voting members. Only resolutions as they appear in the adopted Minutes may be considered as officially representing the position of the JMG.