

Election Compliance Audit Committee

Presented To:	City Council
Meeting Date:	September 13, 2022
Type:	Correspondence for Information Only
Prepared by:	Danielle Derochie Clerk's Services
Recommended by:	General Manager of Corporate Services

Report Summary

This report provides information regarding the establishment of the Election Compliance Audit Committee for the term ending November 15, 2026, in accordance with the requirements of the Municipal Elections Act, 1996.

Relationship to the Strategic Plan, Health Impact Assessment and Community Energy & Emissions Plan (CEEP)

This report refers to operational matters and has no direct connection to the Strategic Plan, Health Impact Assessment and Community Energy & Emissions Plan (CEEP).

Financial Implications

All costs associated to the conduct and execution of the Election Compliance Audit Committee are funded through the Election Reserve Fund.

Background

The City of Greater Sudbury is required to establish an Election Compliance Audit Committee prior to October 1st of each municipal election year. It is recommended that the required by-law be passed to appoint Peter McMullen, Josh Lilley, Melissa Sullivan, Ruby-Lougheed Yawney and Carl Nurmi as members of the Election Compliance Audit Committee for the term of November 16, 2022, to November 15, 2026.

In 2009, Bill 212, "An Act to Promote Good Government", was passed by the Ontario Legislature, which amended the *Municipal Elections Act*, and made it mandatory for all municipalities and local boards to appoint an Election Compliance Audit Committee prior to October 1st in the year of a regular Municipal and School Board Election.

The Election Compliance Audit Committee is comprised of citizens and does not function in the same manner as a Committee of Council, nor are Members of Council permitted to serve on this Committee. The Election Compliance Audit Committee operates independently and is granted specific decision-making powers under the provisions of the *Municipal Elections Act, 1996*. Decisions of this Committee are not ratified

by Council and should an individual wish to appeal a decision of the Election Compliance Audit Committee, that decision is appealed to the Superior Court of Justice and must be appealed within 15 days.

Committee members are compensated for their time serving on the Committee and will be paid a per diem of \$300.00 which is in line with the rate paid by our comparator municipalities.

In order to fill the required positions for the Election Compliance Audit Committee membership, advertisements were placed in both traditional and new media for two-week period. Specifically, the opportunity to serve was advertised in the Sudbury Star and Le Voyageur newspapers as well as the City of Greater Sudbury's election website.

Given the specific nature of the work involved related to Election Compliance Audits individuals with the following credentials were sought:

- Demonstrated experience in receiving and understanding financial information, preferably with knowledge and understanding of Municipal and School Board Election campaign finance rules;
- Experience working in a profession that imposes professional standards on its members, where breach of those standards may lead to discipline;
- Proven analytical and decision-making skills;
- Experience working on a committee, task force, tribunal disciplinary panel or similar body; and
- Excellent written and oral communication skills.

As the Election Compliance Audit Committee may be asked to review applications pertaining to Members of Council who may also be candidates in the Election and to minimize potential conflicts, all received applications were reviewed by the Election Team and interviews were held with prospective new committee members.

Based on the applications received and the interviews conducted, it is recommended that Council pass the required by-law to establish the Election Compliance Audit Committee and appoint Peter McMullen, Josh Lilley, Melissa Sullivan, Ruby-Lougheed Yawney and Carl Nurmi as members of the Election Compliance Audit Committee for the term of November 16, 2022, to November 15, 2026.

The individuals recommended to this committee bring a wealth of knowledge and experience to the committee and all of the individuals have significant and varied board and committee experience and have demonstrated a strong understanding of their role and of the requirements of the Committee.

Resources Cited

Municipal Elections Act

<https://www.ontario.ca/laws/statute/96m32>

Election Compliance Audit Committee Report, presented September 25, 2018

<https://pub-greatersudbury.escribemeetings.com/FileStream.ashx?DocumentId=30790>