



The Corporation of the Township of Havelock-Belmont-Methuen

CEMETERY BOARD

TERMS OF REFERENCE

1. PURPOSE

The Township of Havelock-Belmont-Methuen Cemetery Board is governed by the Funeral, Burial and Cremation Services Act, 2002, as amended, and as administered by the Bereavement Authority of Ontario.

The Township of Havelock-Belmont-Methuen Cemetery Board shall manage and oversee the operation of all cemeteries within the Township of Havelock-Belmont-Methuen.

2. MANDATE

The Mandate of The Township of Havelock-Belmont-Methuen Cemetery Board is to:

- a) Ensure the effective operation, maintenance and beautification of the cemeteries within the Township of Havelock-Belmont-Methuen;
- b) To supervise and manage the business and administrative matters of the cemeteries within the Township of Havelock-Belmont-Methuen; and
- c) Ensure that all operations and proceedings of the cemeteries within the Township of Havelock-Belmont-Methuen comply with the Funeral, Burial and Cremation Services Act, 2002, as amended.

3. MEMBERSHIP

The Committee shall consist of:

- Two (2) members of Council with one acting as the Council Representative and one acting as an Alternate.
- Five (5) volunteers from the Community as appointed by Council.

4. TERM

Members shall be appointed for a two-year term as per the appointment by-law adopted by Council.

Appointments are for a two (2) year term, with a maximum continuous tenure of three (3) consecutive two (2) year terms.

5. COMMITTEE CHAIR & SECRETARY TREASURER

At the first meeting following Board appointments, Members of the Board shall choose a member who shall function as Chairperson of the Committee.

At the first meeting following Board appointments, Members of the Board shall choose a member who shall function as the Secretary/Treasurer of the Board.

6. MEETING SCHEDULE

Meetings shall be open to the public for observation and shall be conducted on a quarterly basis.

An agenda shall be prepared and submitted to all Board members no later than three (3) days prior to the meeting by the Chair of the Board. Meetings shall follow this written agenda and minutes shall be kept which accurately reflect the recommendation of the Board. Approved minutes shall be forwarded to the Township Clerk to be included in the Council package for consideration and comment following each Board meeting.

The Chairperson may call a “Special Meeting” to deal with issues of importance which are time sensitive or urgent in nature. Notice to Committee Members, Advisors and the public shall be provided at least 48 hours in advance of the meeting.

Quorum for meetings shall consist of a majority of the Members of the Board.

7. DUTIES AND FUNCTIONS

7.1 The Secretary/Treasurer will provide administrative support that shall include:

- a) Preparation and distribution of meeting agendas;
- b) Attendance at meetings;
- c) Record and circulate minutes;
- d) Facilitate Board communication;
- e) Attend to administrative duties including banking requirements, correspondence, accounts payable, accounts receivable;
- f) Maintain key cemetery documents and records including burial permits, interment rights certificates, contracts and calculating and filing of HST returns;
- g) Creating and managing financial reports, annual operating budget and grant applications; and,
- h) Preparing year end reconciliation and completion of schedules and working papers for the audit and financial statements.

8. RESOURCES/STAFF SUPPORT

8.1 The Board has the authority to set the compensation and job descriptions for Board members and hired staff.

The Board may call upon the assistance of Township Departments (e.g. Treasurer) if needed.

9. REMUNERATION

The Board has the authority to set the compensation and job descriptions for Board members and hired staff. A stipend for Board members may be recommended by Council via the appointment by-law.

10. REPORTING

The Board Chair shall report to Council following each meeting. Meeting minutes must be maintained and provided to the Township Clerk (to form part of the official records of the Township) and placed on the agenda of the next Open Session Council Meeting following a meeting of the Cemetery Board.

A report on the Board's recommendations is to be submitted through the Board Chair to Council as required.

11. FINANCIAL MANAGEMENT

11.1 Income generated through the operations of the Township of Havelock-Belmont-Methuen cemeteries shall be managed by the Cemetery Board.

11.2 The Township of Havelock-Belmont-Methuen Cemetery Board shall disperse funds in a manner deemed necessary by the Board.

11.3 In accordance with the Funeral, Burial and Cremation Services Act, 2002, as amended, the Township of Havelock-Belmont-Methuen may act as trustee and hold care and maintenance funds in trust for the Township of Havelock-Belmont-Methuen Cemetery Board if requested by the Cemetery Board and if agreed to by Township Council. Only the income from the fund may be used for the ongoing care and maintenance of the cemetery and its monuments.

11.4 The accounts and transactions of the Board shall be audited by the Municipal Auditor in the same manner as the accounts and transactions of the Township, and all minutes, books, records, documents, transactions, accounts and vouchers of the Board shall be open to the Municipal Auditor for inspection at all times.

12. CLOSED MEETINGS

The Board may, upon affirmative vote of the majority of its members present at a meeting, determine to hold any meeting or part of a meeting as a closed session in order to discuss matters permitted in *section 239 (2) of the Municipal Act, 2001*. If the Committee elects to hold a closed session, all persons not entitled to vote (with the exception of any Township Staff and all persons excepted by the members) shall vacate the premises where the meeting is taking place. Closed meetings can only be held in accordance with *Section 239 of the Municipal Act*. Prior to the commencement of closed session, a resolution shall be passed stating the general nature of the matter to be discussed and what sub- section of *section 239 (2)* applies.

13. CONFLICTS OF INTEREST

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

14. MEETING ATTENDANCE

Any Member of the Committee who misses three consecutive meetings, without being excused by the Committee, may be removed from the Committee. The Committee must make recommendations via a report to Council for the removal of any member in accordance with adopted policy.

15. CONDUCT OF BOARD MEMBERS

All Board members shall respect and adhere to the following Township policies:

- Code of Conduct;
- Health and Safety; and
- Workplace Violence and Harassment.

16. EXPULSION OF MEMBER

Council may remove a member for reasons as listed, but is 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*; disrupting the work of the Board or other legal issues. The process for expulsion of a member is as follows:

- ◆ If a member of the Board ceases to maintain the eligibility requirements, is not willing or able to carry on his or her duties, or absents himself or herself from three consecutive meetings of the Committee without being authorized by resolution entered upon its minutes, he or she is deemed to have vacated his or her seat.
- ◆ A proposed recommendation to Council to terminate the appointment of a member of the Board, shall be approved by Council resolution.

17. RISK MANAGEMENT

It shall be the responsibility of the Cemetery Board to obtain general liability insurance for Board Members and employees of the Board and it shall be the responsibility of the Cemetery Board to obtain Errors and Omissions coverage for all Board Members and employees of the Board.

Revised: September 24, 2024