



City of  
**Peterborough**

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**TO:** Chair and Members of Committee of the Whole

**FROM:** Ken Doherty,  
Director, Community Services Department

**MEETING DATE:** March 7, 2005

**SUBJECT:** Report CSCH05-010  
Advisory Committee By-laws

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## **PURPOSE**

A report to seek Council approval for the creation of two new Advisory Committees to support the Culture & Heritage Division.

## **RECOMMENDATIONS**

That Council approve report CSCH05-10 dated March 7, 2005, of the Director of Community Services, recommending:

- a) That the current Culture & Heritage Division be re-named the Arts, Culture & Heritage Division;
- b) That a By-law to establish a Museum & Archives Advisory Committee to advise Council and the Arts, Culture & Heritage Division in respect of the management and regulation of the Peterborough Centennial Museum & Archives be adopted;
- c) That a By-law to establish an Arts, Culture & Heritage Advisory Committee to advise and support the Arts, Culture & Heritage Division; and to advise and to formulate and recommend policies to the Council for the Corporation of the City of Peterborough on arts, culture, and heritage matters be adopted;
- d) That the Mayor and Clerk be authorized to sign and seal the same;
- e) That the proposed implementation strategy be approved.

## **BUDGET AND FINANCIAL IMPLICATIONS**

The creation of the two separate Advisory Committees will not create any significant operating increases in 2005 that cannot be accommodated within the existing budgets for Culture & Heritage Division Administration and the Peterborough Centennial Museum & Archives.

## **BACKGROUND**

### **Museum & Archives Board/ Division**

There has been a municipally appointed Board to provide direction and management of the Peterborough Centennial Museum & Archives since the restructuring of the Museum operation in 1974/75. While it was called a Board of Management, the Museum & Archives Board actually served as an Advisory Committee to Council and was empowered to provide specific governance direction to the museum on Council's behalf. The museum operated as a city-owned facility, administered by the Museum & Archives Division under the direction of a Museum Manager, reporting to the Director of Community Services Department and to the Board.

### **Culture & Heritage Division/ Board**

The governance model changed in 1994 following municipal restructuring and down-sizing. In recognition of the growing role that museum staff played in community development activities, Culture was removed as a responsibility from the Recreation Division and Heritage was added to the portfolio.

On December 5<sup>th</sup>, 1994, Council approved the establishment of the Culture & Heritage Division to replace the former Museum & Archives Division and passed By-law 95-10 to appoint the Culture & Heritage Board to “act on behalf of Council in the management and regulation of the Peterborough Centennial Museum & Archives; and to advise and to formulate and recommend policies to Council on cultural and heritage matters.”

To ensure that the Museum would remain eligible to receive annual funding from the province's Community Museum Operating Grant, the draft by-law was reviewed by provincial legal advisors. They not only agreed that it was in compliance with the regulation but that it was also a model by-law for such a purpose.

### **Culture & Heritage Board Membership**

The original Culture & Heritage Board included: two members of Council; five community members; and four organizational representatives representing the interests of the Peterborough Historical Society, Peterborough Architectural Conservation Advisory Committee, Peterborough Arts Umbrella, and the Art Gallery of Peterborough. As the Division evolved over time, more organizational representatives were added including: Peterborough Native Friendship Centre (1997-98), Peterborough Public

Library (1997), Showplace Peterborough (2001), and the Canadian Canoe Museum (2004).

It should be noted that each of these organizations retain and are governed by their own respective boards. The Culture & Heritage Board brings them together to communicate, cooperate and coordinate their activities. As an advisory committee to Council, the Culture & Heritage Board can and has been used to support and advocate for initiatives on behalf of its member boards/ organizations.

It is worth noting that many municipalities have considered the City of Peterborough's Culture & Heritage Division/ Board model in the development of their own Divisions/ Departments/ and governance models.

### **Governance Models and Relationships with the City**

There are several governance models represented at the Culture & Heritage Board table currently. Some of the member organizations—like the Peterborough Arts Umbrella and Peterborough Historical Society-- are governed by independent boards with all of the rights and responsibilities of full governing bodies. They operate completely separate from the City except that they receive grants through the Community Grants program and/or property tax relief.

The Canoe Museum and Showplace are also independent boards; however, they govern operations officially recognized as Municipal Capital Facilities, with Council appointees to the Board. Both organizations receive property tax exemptions and sizable annual operating grants from the City.

The Library and Art Gallery Boards have even closer ties to the City. Under the provincial Public Libraries Act, the Library Board is appointed by Council and is considered to be the governing authority of the library. In many ways, however, the City is considered to be the “de facto” employer. The Art Gallery Board is also an anomaly in that the board is independent, membership based, and owns the collection. The City, however, owns the building and grounds and employs the staff within the Culture & Heritage Division.

The Peterborough Architectural Conservation Advisory Committee is an Advisory Committee, now referred to as a Municipal Heritage Committee under the Heritage Act, appointed by Council to advise on built heritage matters.

While all of the current members represent a broad spectrum of governance models, they all have a tangible and relatively close relationship with the City and serve as umbrella/ coordinating bodies within their respective disciplines.

### **Challenges with existing model**

While the current model has been successful, there have been some flaws and omissions. Since its inception, there has always been some confusion-- sometimes bordering on resentment-- to the amount of time spent discussing museum issues and

in fulfilling the museum governance function, especially in the early years. Ironically, some board members have recently expressed concern that discussions on broader culture and heritage issues have overshadowed museum issues at a time when the museum is contemplating significant growth and development; hence, the need for a separate governing authority.

Other Board members have been frustrated by what they perceive to be the low profile of the arts and have advocated for the name of both the division and the advisory body to be changed to specifically identify their sector; hence, the recommended name change to Arts, Culture & Heritage.

This is further complicated by the terminology used to describe the current governance model. Although it is called a board, the Culture & Heritage Board actually serves as an Advisory Committee to Council. Unlike the Canoe Museum, Showplace, or the Peterborough Arts Umbrella, the Culture & Heritage Board is not the employer or final decision-maker – Council is.

To avoid confusion, misconceptions, and preconceptions, it is strongly recommended that the two new bodies be named Advisory Committees after the role they are intended and empowered to play. It should be noted that, under the revised Municipal Act, Council could appoint the two new recommended bodies as Municipal Service Boards. This would, however, mean delegating more power and responsibility, resulting in more confusion and less control.

### **Opportunities**

This is a good time to split the current Culture & Heritage Board into two separate entities. As it plans for an expanded facility, the Peterborough Centennial Museum & Archives needs more community input and support. The recommended composition of the new Museum & Archives Advisory Committee recognizes the existing vested relationships that the museum enjoys with the Peterborough Historical Society (as founder of several museums that evolved into the Peterborough Centennial Museum & Archives) and with Sir Sandford Fleming College (The museum serves as the campus for Fleming's Museum Management & Curatorship Program and works closely with the Collection Conservation and Management Program). Formal Trent representation presents many opportunities to build on existing relationships.

The split also creates a timely opportunity for the Culture and Heritage Board to continue its evolution. Separating the museum as a governance activity will allow the proposed new Arts, Culture & Heritage Advisory Committee to focus more on broader issues like Municipal Cultural Planning, Public Art, and the One Roof Project. The new Advisory Committee will help raise the profile of visual, performance, and literary arts, by specifically inviting professional cultural workers on the Committee.

Adding both Market Hall Performing Arts Inc. (an independent board which receives a grant from the Community grants program and property tax relief but is also a tenant of the City-owned Market Hall) and Festival of Lights (an independent board which

receives the largest operating grant outside of City-owned and operated institutions) will ensure even better communication, cooperation, and coordination among the City's arts, culture, and heritage organizations.

### **Implementation**

Creation of the two new advisory committees and appointment of members will have to be carefully choreographed so that the current governance needs are met until the new bodies are up and running. Allowing members of the existing Culture & Heritage Board to either transfer to the new Museum & Archives Advisory Committee or remain on what will become the new Arts, Culture & Heritage Advisory Committee shall provide some continuity. The following implementation schedule is recommended:

1. Council approves By-laws to create Museum & Archives Advisory Committee and Arts, Culture & Heritage Advisory Committee
2. Existing Culture & Heritage Board continues to serve until Museum & Archives Advisory Committee is appointed by Council and first meeting called. (target September 05)
3. Members of the existing Culture & Heritage Board who wish to transfer to the Museum & Archives Advisory Committee or who wish to sit (remain) on the new Arts, Culture & Heritage Advisory Committee may do so for the balance of their term by advising the Board Chair and Division Manager. The Division Manager will advise the Clerk's office accordingly.
4. Any member of the existing Culture & Heritage Board who wishes to serve on both Advisory Committees shall complete his/her term of office on the new Arts, Culture & Heritage Board, but shall have to formally apply for appointment to the new Museum & Archives Advisory Committee.
5. Once the transfers are known, the City Clerk will advertise for potential community members and will invite the Peterborough Historical Society, Sir Sandford Fleming College, and Trent University to submit their recommended appointees to Museum & Archives Advisory Committee. The Clerk's office will convene the Interview Committee to interview prospective Advisory Committee members.
6. Division staff will present a recommendation report to Council for the appointment of the Museum & Archives Advisory Committee for the balance of the term ending November 30, 2006.
7. Once the vacancies are identified on the Arts, Culture & Heritage Advisory Committee, the City Clerk will advertise for potential community members and professional cultural workers; and invites Market Hall Performing Arts Inc. and Festival of Lights to submit recommended appointees to Arts, Culture & Heritage Advisory Committee. The Clerk's office will convene the Interview Committee to interview prospective Advisory Committee members.

8. Division staff will present a recommendation report to Council for the appointment of the Arts, Culture and Heritage Advisory Committee for the balance of the term, November 30, 2006.

## SUMMARY

This is a good time to split the current functions of the Culture & Heritage Board among two new Advisory Committees. The proposed Museum & Archives Advisory Committee will be invaluable as the Peterborough Centennial Museum & Archives advances its expansion plans. The redefined Arts, Culture & Heritage Advisory Committee will build on its predecessor's leadership in municipal cultural planning. Both will ensure community involvement and support in the enhancement and preservation of Peterborough's vibrant arts, culture and heritage sector.

All of which is respectfully submitted,

Ken Doherty  
Director, Community Services  
Manager, Culture & Heritage Division

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**THE CORPORATION OF THE CITY OF PETERBOROUGH****BY-LAW NUMBER****A BY-LAW TO ESTABLISH AN ARTS, CULTURE & HERITAGE  
ADVISORY COMMITTEE**

**WHEREAS Council has approved the creation of the Museum & Archives Advisory Committee to advise Council and the Culture & Heritage Division in respect of the management and regulation of the Peterborough Centennial Museum & Archives;**

**AND WHEREAS Council has agreed to change the name of the existing Culture & Heritage Division to the Arts, Culture & Heritage Division;**

**AND WHEREAS it is desirable that an Advisory Committee be appointed to advise and support the Arts, Culture & Heritage Division;**

**NOW THEREFORE THE CORPORATION OF THE CITY OF PETERBOROUGH BY THE COUNCIL THEREOF ENACTS AS FOLLOWS:**

- 1.** An advisory committee, to be called the Arts, Culture & Heritage Advisory Committee (hereinafter called the “Advisory Committee”) is hereby established to advise and support the Arts, Culture & Heritage Division (hereinafter referred as the “Division”); and to advise and to formulate and recommend policies to the Council for the Corporation of the City of Peterborough (hereinafter referred to as “Council”) on arts, cultural and heritage matters.

- 2. ROLES AND RESPONSIBILITIES**

**2.1** The Advisory Committee shall:

- (a) advise and support the role and responsibilities of the City of Peterborough’s Arts, Culture & Heritage Division;
- (b) inform and advise Council on arts, culture and heritage matters;
- (c) encourage and support communication, cooperation and coordination among arts, culture and heritage organizations;
- (d) guide the development, implementation and evaluation of plans (strategic/long-term and annual work plans), policies, (governance, framework: Mission/Statement of Purpose, Values and Beliefs Statements and operational policies) and programmes for arts, cultural and heritage development in Peterborough;

- (e) assist in the development, allocation, and maintenance of a comprehensive and equitable grants programme for the arts, culture, and heritage sector;
- (f) encourage, recognize, and reward initiative and excellence in artistic and heritage pursuits;
  - (g) encourage and promote community awareness, appreciation, and support of arts, cultural and heritage activities;
  - (h) serve as an advocate to Council and other levels of government on matters affecting the arts, culture and heritage sector;
  - (i) assist in the development, selection, acquisition, installation and maintenance of a public art programme;
  - (j) require its members to exercise Duty of Loyalty and Duty of Care by identifying and/or avoiding potential conflicts of pecuniary interest in compliance with the Municipal Act; by taking responsible action in good faith and in the best interests of the Museum and Archives; and otherwise acting in an ethical manner;
- (k) undertake other projects and activities of a similar nature as directed by Council or as opportunities arise.

## 2.2 The Division shall:

- (a) support the roles and activities of the Advisory Committee;
- (b) serve as a resource for City Council and municipal departments and divisions on all arts, cultural and heritage matters;
- (c) plan, coordinate, direct, monitor and evaluate the development of arts, cultural and heritage plans, policies, facilities, services and programmes;
- (d) coordinate the identification, designation, and conservation of community heritage and cultural resources including living heritage, movable property, and real property;
- (e) provide advisory and technical support to arts and heritage organizations;
- (f) encourage, support and coordinate community arts, cultural and heritage celebrations and festivals.



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**3. ADVISORY COMMITTEE MEMBERSHIP:**

3.1 The Advisory Committee shall be composed of nineteen (19) members representative of the community served, duly appointed by Council.

3.2 The Advisory Committee shall include:

- (a) two (2) Members of Council;
- (b) four (4) Community Members at Large;
- (c) three (3) Arts, Culture and/or Heritage professionals (e.g. visual or performing artists, authors, historians, curators etc.) as recruited and nominated by the out-going Advisory Committee;
- (d) one (1) representative of each of the following ten (10) organizations:
  - (i) Art Gallery of Peterborough
  - (ii) Canadian Canoe Museum
  - (iii) Festival of Lights
  - (iv) Market Hall Performing Arts Inc.
  - (v) Peterborough Architectural Conservation Advisory Committee
  - (vi) Peterborough Arts Umbrella
  - (vii) Peterborough Centennial Museum & Archives
  - (viii) Peterborough Historical Society
  - (ix) Peterborough Public Library
  - (x) Showplace Peterborough

3.3 In selecting its appointments to the Advisory Committee, Council should consider:

- (a) the candidate's potential to contribute to the on-going development and support of the local arts, culture and heritage sector;
- (b) Advisory Committee member responsibilities, duties, and skill sets as outlined in the Committee Member job descriptions;
- (c) the specific needs of special projects and operational priorities as identified by the out-going Advisory Committee;
- (d) maintaining a balance of sex and age on the Advisory Committee;
- (e) the cultural diversity of the community.

**4. TERM OF OFFICE:**

- 4.1 Where a member of Council is appointed to the Advisory Committee, such appointment shall be for the term of the Council member.
- 4.2 The appointed members of the Advisory Committee shall hold office for three years, concurrent with the term of Council, starting from the first day in December in the year they are appointed, but every member shall continue in office until his or her successor is appointed.
- 4.3 Any appointed member of the Advisory Committee whose term of office has expired shall be eligible for reappointment.
- 4.4 The Advisory Committee shall declare a Member's seat vacant and shall provide notice thereof to Council through the City Clerk, if a Committee member,
  - (a) is convicted of an indictable offence;
  - (b) becomes incapacitated;
  - (c) is absent from the meetings of the Advisory Committee for three (3) consecutive meetings, without leave of absence from the Advisory Committee or without reasons satisfactory to the Advisory Committee.
- 4.5 Council shall, as often as the office of a member of the Advisory Committee becomes vacant, appoint a successor hereto, who shall hold the office for the unexpired portion of the term of the former member .

**5. REMUNERATION:**

- 5.1 Members of the Advisory Committee shall serve without remuneration.
- 5.2 Members may be reimbursed for direct and appropriate expenses incurred in the fulfillment of their Advisory Committee responsibilities.

**6. OFFICERS:**

- 6.1 At its first meeting in a new term, the Advisory Committee shall elect from their number a Chair who shall hold office at the pleasure of the Advisory Committee for a one year term and is eligible for re-election.
- 6.2 The Chair shall:
  - (a) Plan, direct and evaluate all Advisory Committee meetings;

- (b) Act as the Advisory Committee's spokesperson for matters relating to policy, governance and advocacy;
  - (c) Serve as signing officer for Advisory Committee minutes, official document and grant applications as required;
  - (d) Sit as "Ex Officio" member on "ad Hoc" and standing Committees as required;
  - (e) Maintain regular liaison with the Division Manager;
  - (f) Fulfill other duties and responsibilities as outlined in the job description.
- 6.3 The Advisory Committee shall also elect from their number a Vice-Chair who shall have all the powers and duties of the Chair when the Chair is absent or unable to act, and who shall hold office for a one year term and is eligible for re-election.
- 6.4 The Division shall provide a paid staff person as secretary to the Committee, who shall:
- (a) conduct the Advisory Committee's official correspondence;
  - (b) keep minutes of every meeting of the Advisory Committee;
  - (c) provide access to any records, books, accounts or documents in their possession or control for inspection by any person during business hours unless the information requested is of an intimate financial or personal nature, or identifies an individual user of Division services by name or makes him or her readily identifiable by other means.

## **7. ADVISORY COMMITTEE MEETINGS**

- 7.1 The Advisory Committee will hold regular meetings, at such time and place as determined by the Committee, at least once monthly from January to June and September to November, and at such other times as it considers necessary.
- 7.2 The Chair and any two members may summon a special meeting of the Advisory Committee giving reasonable notice in writing to each member, specifying the purpose for which the meeting is called.
- 7.3 The presence of a majority of the Advisory Committee (ten) constitutes a quorum. Where a quorum is not present, the Advisory Committee may by motion elect to move into Executive Committee and conduct the meeting without ratification of motions. At the next regular meeting, an omnibus motion shall be passed approving all decisions made by the members present.

- 7.4 The official meetings of the Advisory Committee shall be open to the public. A meeting or part of a meeting may be closed to the public if the subject matter being considered is,
- (a) the security of the property of the municipality or local board;
  - (b) personal matters about an identifiable individual including municipal or local board employees;
  - (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
  - (d) labour relations or employee negotiations;
  - (e) litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board;
  - (f) advice that is subject to solicitor-client privilege including communications necessary for that purpose;
  - (g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act.
- 7.5 The Chair may exclude any person from the meeting for improper conduct.
- 7.6 All directions and decisions of the Advisory Committee shall be the result of motions duly made, seconded, voted upon by the Committee in accordance with Robert's Rules.
- 7.7 The Chair or Acting Chair shall vote upon all questions. Any question on which there is an equality of votes shall be deemed to have been decided in the negative.
- 7.8 A member may exercise his or her right to abstain from a vote. Such an abstention will not be considered a vote either for or against the motion.
- 7.9 The Agenda for meetings shall be prepared by the Division Manager in consultation with the Chair and should be distributed no less than five days before the meeting.
- 7.10 Advisory Committee Members wishing to raise an item of business at the Advisory Committee meeting shall notify the Chair or Division Manager prior to the meeting in order for that item to appear on the agenda.

**8. COMMITTEES:**

- 8.1 The Advisory Committee may establish at its discretion Standing and Ad Hoc Committees on any matters considered by the Board to require particular study.
- 8.2 The Advisory Committee shall appoint at least one Member to each committee.
- 8.3 The Chair of any such Committee shall be a Member of the Advisory Committee.

**9. MANAGEMENT OF DIVISION:**

- 9.1 the day-to-day operation and management of the Division shall be the responsibility of the Director of Community Services or designate.
- 9.2 The Director's or designate's working relationships shall be as follows:
  - (a) The Director or designate shall consult with the Advisory Committee Chair on matters relating to the Advisory Committee or its activities.
  - (c) The Director or designate shall be responsible for the implementation of policy as determined by resolution of the Advisory Committee and shall bring matters of policy regularly to the Advisory Committee for its consideration, with such decisions to be conveyed where appropriate as recommendations to Council.
  - (d) Decisions of the Advisory Committee shall be communicated to the Director or designate only by resolution of the Advisory Committee duly recorded in the minutes.

**10. AMENDMENTS**

- 10.1 The Advisory Committee shall review this by-law annually, and may propose amendments for the consideration of Council.

**11. By-law 95-10 is hereby repealed.**

**By-law read a first and second time this    day of                      ,**

**By-law read a third and finally passed this    day of                      .**

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**City Clerk**

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**Mayor**

# **THE CORPORATION OF THE CITY OF PETERBOROUGH**

## **BY-LAW NUMBER**

### **A BY-LAW TO ESTABLISH A MUSEUM & ARCHIVES ADVISORY COMMITTEE**

**WHEREAS** the City of Peterborough owns and operates the Peterborough Centennial Museum & Archives;

**AND WHEREAS** it is desirable and in the public interest that an Advisory Committee be appointed to advise Council in respect of the management and regulation of the Museum & Archives;

**AND WHEREAS** this responsibility currently rests with the Culture & Heritage Board and it is desirable to provide a new governance framework to meet the specific needs of a growing institution;

**NOW THEREFORE THE CORPORATION OF THE CITY OF PETERBOROUGH BY THE COUNCIL THEREOF ENACTS AS FOLLOWS:**

#### **1. ESTABLISHMENT OF COMMITTEE**

An advisory committee, to be called the Museum & Archives Advisory Committee (hereinafter called the “Advisory Committee”), is hereby established to advise Council and the Arts, Culture & Heritage Division (hereinafter called the “Division”) in respect of the management and regulation of the Peterborough Centennial Museum & Archives.

#### **2. PURPOSE OF THE ADVISORY COMMITTEE**

2.1 The Advisory Committee shall advise and support the role and responsibilities of the Arts, Culture & Heritage Division as it relates to the Peterborough Centennial Museum & Archives (hereinafter referred to as the “Museum & Archives”).

2.2 The role and responsibilities of the Division are as follows:

- (a) manage and operate the Museum & Archives as the municipality's corporate archives and community museum;

- (b) provide a comprehensive and efficient museum and archival service that reflects the community's unique needs;
- (c) encourage and support the Museum & Archives to meet or exceed recognized professional standards and ethical behaviour in all operational areas, including: administration, research and dissemination of information, collection acquisition, development and management, conservation/preservation, exhibition, education and programmes, and visitor services;
- (d) ensure that the Museum & Archives has adequate financial resources by directing the preparation, submission, monitoring and evaluation of annual operating, capital and special project budgets; and by directing and/or supporting revenue-generating efforts on the Museum & Archives' behalf;

### 2.3 The Advisory Committee shall:

- (a) advise City Council, Senior Municipal Administration, the Division and the Arts, Culture & Heritage Advisory Committee by identifying and responding to issues, concerns and government policies that may affect the Museum & Archives;
- (b) assist with the governance of the Museum & Archives by establishing and monitoring governance, framework (Mission/ Statement of Purpose, Values and Beliefs Statements), and operational policies; and by directing the development and implementation of strategic/ long-term and annual work plans;
- (c) assist with the selection of a Museum Director, as the senior staff person to generally supervise and direct the operations of the Museum & Archives;
- (d) liaise with the community including individuals, groups, and organizations to get input and encourage support for the Museum & Archives;
- (e) promote the activities and programmes of the Museum & Archives;
- (f) and otherwise support the activities of the City's Arts, Culture & Heritage Division.

### 2.4 The Advisory Committee shall encourage the Museum & Archives to provide programmes and services that are affordable, accessible, and inclusive.

### 2.5 The Advisory Committee shall ensure that the Museum & Archives' activities promote the advancement of education or other purposes of a charitable nature beneficial to the community as a whole.

### 2.6 The Advisory Committee shall require its members to exercise Duty of Loyalty and Duty of Care by identifying and/or avoiding potential conflicts of pecuniary interest in compliance with the Municipal Act; by taking responsible action in good faith and

in the best interests of the Museum & Archives; and otherwise acting in an ethical manner.

### **3. ARTS, CULTURE & HERITAGE ADVISORY COMMITTEE**

3.1 A member of the Advisory Committee shall be appointed to represent the Museum & Archives on the Arts, Culture & Heritage Advisory Committee.

3.2 The Museum & Archives will remain an integral component of the City's Arts, Culture & Heritage Division; and serve as a resource to the Division, especially on heritage matters.

### **4. MEMBERSHIP:**

4.1 The Museum & Archives Advisory Committee shall be composed of nine (9) members representative of the community served, duly appointed by the Council for the Corporation of the City of Peterborough (hereinafter referred to as "Council") including:

(a) one (1) Member of Council;

(b) five (5) Members at Large; and

(c) one (1) representative of each of the following organizations: the Peterborough Historical Society, Trent University and Sir Sandford Fleming College.

4.2 In selecting its appointments to the Advisory Committee, Council shall consider:

(a) the candidate's potential to contribute to the on-going development and support of the Museum & Archives, and of local heritage in general;

(b) Advisory Committee member responsibilities, duties, and skill sets as outlined in the Member job descriptions;

(c) the specific needs of special projects and operational priorities as identified by the out-going Advisory Committee;

(d) maintaining a balance of sex and age on the Advisory Committee;

(e) the cultural diversity of the community.



**5. TERM OF OFFICE:**

- 5.1 Where a member of Council is appointed to the Advisory Committee, such appointment shall be for the term of the Council member.
- 5.2 The appointed members of the Advisory Committee shall hold office for three years, concurrent with the term of Council, starting from the first day in December in the year they are appointed, but every member shall continue in office until his or her successor is appointed.
- 5.3 Any appointed member of the Advisory Committee whose term of office has expired shall be eligible for reappointment.
- 5.4 The Advisory Committee shall declare a Member's seat vacant and shall provide notice thereof to Council through the City Clerk, if an Advisory Committee member,
  - (a) is convicted of an indictable offence;
  - (b) becomes incapacitated;
  - (c) is absent from Advisory Committee meetings for three (3) consecutive meetings, without leave of absence from the Advisory Committee or without reasons satisfactory to the Advisory Committee.
- 5.5 Council shall, as often as the office of a member of the Advisory Committee becomes vacant, appoint a successor thereto, who shall hold the office for the unexpired portion of the term of the former member.

**6. REMUNERATION:**

- 6.1 Members of the Advisory Committee shall serve without remuneration.
- 6.2 Members may be reimbursed for direct and appropriate expenses incurred in the fulfillment of their Advisory Committee responsibilities.

**7. OFFICERS:**

- 7.1 At its first meeting in a new term, the Advisory Committee shall elect from their number a Chair who shall hold office at the pleasure of the committee for a one year term and is eligible for re-election.
- 7.2 The Chair shall:

- (a) Plan, direct and evaluate all Advisory Committee meetings;
  - (b) Act as the Advisory Committee's spokesperson for matters relating to policy, governance and advocacy;
  - (c) Serve as signing officer for Advisory Committee minutes, official document and grant applications as required;
  - (d) Sit as "Ex Officio" member on "ad Hoc" and standing Committees as required;
  - (e) Maintain regular liaison with the Museum Director;
  - (f) Fulfill other duties and responsibilities as outlined in the job description.
- 7.3 The Advisory Committee shall also elect from their number a Vice-Chair who shall have all the powers and duties of the Chair when the Chair is absent or unable to act, and who shall hold office for a one year term and is eligible for re-election.
- 7.4 The Division/ Museum & Archives shall provide a paid staff person as secretary to the Committee, who shall:
- (a) conduct the Committee's official correspondence;
  - (b) keep minutes of every meeting of the Committee;
  - (c) provide access to any records, books, accounts or documents in their possession or control for inspection by any person during business hours unless the information requested is of an intimate financial or personal nature, or identifies an individual user of Museum & Archives services by name or makes him or her readily identifiable by other means.

## **8. ADVISORY COMMITTEE MEETINGS**

- 8.1 The Advisory Committee shall hold regular meetings, at such time and place as determined by the Advisory Committee, at least once monthly from January to June and September to November, and at such other times as it considers necessary.
- 8.2 The Chair and any two members may summon a special meeting of the Advisory Committee giving reasonable notice to each member, specifying the purpose for which the meeting is called.
- 8.3 The presence of a majority of the Advisory Committee (five) constitutes a quorum. Where a quorum is not present, the Advisory Committee may by motion

elect to move into Executive Committee and conduct the meeting without ratification of motions. At the next regular meeting, an omnibus motion shall be passed approving all decisions made by the members present.

8.4 The official meetings of the Advisory Committee shall be open to the public. A meeting or part of a meeting may be closed to the public if the subject matter being considered is,

- (h) the security of the property of the municipality or local board;
- (i) personal matters about an identifiable individual including municipal or local board employees;
- (j) a proposed or pending acquisition or disposition of land by the municipality or local board;
- (k) labour relations or employee negotiations;
- (l) litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board;
- (m) advice that is subject to solicitor-client privilege including communications necessary for that purpose;
- (n) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act.

8.5 The Chair may exclude any person from the meeting for improper conduct.

8.6 All directions and decisions of the Advisory Committee shall be the result of motions duly made, seconded, and voted upon by the Advisory Committee in accordance with Robert's Rules.

8.7 The Chair or Acting Chair shall vote upon all questions. Any question on which there is an equality of votes shall be deemed to have been decided in the negative.

8.8 A member may exercise his or her right to abstain from a vote. Such an abstention will not be considered a vote either for or against the motion.

8.9 The Agenda for meetings shall be prepared by the Museum Director in consultation with the Advisory Committee Chair and should be distributed no less than five days before the meeting.

8.10 Advisory Committee members wishing to raise an item of business at the Advisory Committee meeting shall notify the Chair or Museum Director prior to the meeting in order for that item to appear on the agenda.

**9. COMMITTEES:**

- 9.1 The Advisory Committee may establish at its discretion Standing and Ad Hoc Committees on any matters considered by the Advisory Committee to require particular study.
- 9.2 The Advisory Committee shall appoint at least one Member to each committee.
- 9.3 The Chair of any such Committee shall be a Member of the Advisory Committee.

**10. MUSEUM DIRECTOR:**

- 10.1 There shall be a Museum Director (hereinafter referred to as the “Director”) who will be responsible for the day-to-day operation and management of the Museum & Archives.
- 10.2 The Director’s working relationships shall be as follows:
  - (a) The Director shall report to the Director of Community Services.
  - (b) The Director shall consult with the Advisory Committee Chair on matters relating to the Advisory Committee or its activities.
  - (c) The Director shall be responsible for the implementation of policy as determined by resolution of the Advisory Committee and shall bring matters of policy regularly to the Advisory Committee for its consideration.
  - (d) The Director shall be authorized to issue tax receipts on behalf of the Corporation of the City of Peterborough for donations of artifacts, specimens, documents and other archival records, and cash.
  - (e) Decisions of the Advisory Committee shall be communicated to the Director only by resolution of the Advisory Committee duly recorded in the minutes.

**11. DISSOLUTION:**

- 11.1 If the Corporation of the City of Peterborough decides to divest itself of ownership of the Museum & Archives Collections, it shall distribute or dispose of said collections to one or more local charitable organizations, such as the Peterborough Historical Society.

**12. AMENDMENTS**

12.1 The Advisory Committee shall review this by-law annually, and may propose amendments for the consideration of Council.

**By-law read a first and second time this    day of                      ,**

**By-law read a third and finally passed this    day of                      .**

\_\_\_\_\_  
**City Clerk**

\_\_\_\_\_  
**Mayor**