TOWNSHIP OF MULMUR

Council
Addendum Agenda
September 2, 2026 – 9:00 AM

Addendum

10.4 Joint Audit Compliance Committee

Recommendation: THAT Council approve the by-law establishing a Joint Audit Compliance Committee for the 2026-2030 term of office.

Staff Report

TO: Council
FROM: Roseann Knechtel, Clerk
MEETING DATE: September 2, 2026
SUBJECT: Joint Audit Compliance Committee

BACKGROUND

The *Municipal Elections Act, 1996* (the Act) requires every municipality to appoint a Compliance Audit Committee prior to October 1 in an election year.

The mandate of a Compliance Audit Committee is to:

- consider any request for a compliance audit and determine whether the request should be granted or rejected;
- if the request is granted, appoint an auditor;
- review the auditor's report and determine whether legal action should be taken;
- advising Council where an auditor's report indicates there were no apparent contraventions and there appear to be no reasonable grounds for the application; and
- consider reports from the Clerk regarding apparent over-contributions and determining whether legal proceedings should be commenced.

The Act stipulates that, "The committee shall be composed of not fewer than three and not more than seven members and shall not include,

- employees or officers of the municipality or local board;
- members of the council or local board;
- any persons who are candidates in the election for which the committee is established; or
- any persons who are registered third parties in the municipality in the election for which the committee is established."

Since 2014, municipalities in Dufferin County have participated in a Joint Compliance Audit Committee (JCAC). The shared committee approach allows participating municipalities to access a pool of qualified individuals with expertise in municipal election campaign finance while minimizing administrative and financial impacts on individual municipalities.

The Terms of Reference for the 2026-2030 Joint Compliance Audit Committee provide for a committee consisting of no fewer than three and no more than five members. Committee members will be selected through a joint recruitment process coordinated by the Dufferin

County Clerk's office.

Mulmur's Delegation of Authority By-law No. 57-2022, delegates appointment of members to the Joint Audit Compliance Committee to the Clerk.

FINANCES

The Terms of Reference for the Joint Compliance Audit Committee (Schedule A to the By-law) provides for remuneration of $200 per member/per meeting should an audit be requested.

Each municipality is responsible for expenses related to a compliance audit within its jurisdiction, including the cost of any auditor retained by the Committee.

There were no compliance audits conducted in the 2010, 2014, 2018 or 2022 elections.

RECOMMENDATION

THAT Council approve the by-law establishing a Joint Audit Compliance Committee for the 2026-2030 term of office.

The Corporation of the Township of Mulmur

By-Law No. XX– 2026

Being a By-law to establish a Joint Compliance Audit Committee for the 2026 Municipal Election

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Whereas Section 88.37 (1) of the *Municipal Elections Act, 1996,* S.O. 1996, c. 32, Sched. as amended ("the Act") requires that every municipality must shall establish a Compliance Audit committee before October 1 of an election year;

And whereas the Dufferin County municipalities being the Towns of Grand Valley, Mono, Orangeville and Shelburne and the Townships of Amaranth, East Garafraxa, Melancthon and Mulmur desire to establish a Joint Compliance Audit Committee;

And whereas Section 88.37(6) of the Municipal Elections Act provides that the Clerk of the municipality 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;

And whereas Section 228 (4) of the *Municipal Act, 2001,* S.O. 2001, c.25, as amended provides that the Clerk may delegate in writing to any person, other than a member of Council, any of the Clerk's powers and duties under this and any other Act, and the Clerk has delegated powers required to the County Clerk, or designate, to administer and execute all necessary duties to support the Joint Compliance Audit Committee;

Now therefore the Council of the Corporation of the Township of Mulmur hereby enacts as follows:

1. That Council hereby establishes a Joint Compliance Audit Committee to serve the Towns of Grand Valley, Mono, Orangeville and Shelburne and the Townships of Amaranth, East Garafraxa, Melancthon and Mulmur;

2. That the Joint Compliance Audit Committee Terms of Reference, attached hereto as Schedule "A", are hereby adopted;

3. That the Clerk be authorized to execute documents necessary to implement the Joint Compliance Audit Committee and administer the Committee in accordance with the *Municipal Elections Act,* 1996.

4. That this by-law shall come into full force and effect immediately upon the final passing

thereof.

Read a first and second and third time and finally passed this 2nd day of September 2026.

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Janet Horner, Mayor Roseann Knechtel, Clerk

Dufferin County
Joint Compliance Audit Committee

Terms of Reference
2026-2030

1. Establishment

The Joint Compliance Audit Committee is established by the Towns of Grand Valley, Mono, Orangeville and Shelburne and Townships of Amaranth, East Garafraxa, Melancthon, and Mulmur (collectively the "participating municipalities"), pursuant to the requirements of section 88.37 of the Municipal Elections Act, 1996, S.O. 1996, c.32, as amended, ("the "*Municipal Elections Act*").

2. Mandate

The powers and functions of the Committee are set out in Section 88.33 to 88.36 of the *Municipal Elections Act*. The powers and functions are generally described as:

- 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;
- If the application is granted, the Committee shall appoint an auditor to conduct a compliance audit of the candidate's election campaign finances;
- The Committee will review the auditor's report within 30 days of receipt and decide whether legal proceedings should be commenced;
- 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; and
- Within 30 days after receipt of a report from any participating municipality's Clerk of any apparent over-contributions to candidates or third-parties ("report of the Clerk"), the Committee shall consider the Clerk's report and decide whether legal proceedings should be commenced.

3. Composition

Collectively a total roster of no fewer than three (3) and up to five (5) members shall be appointed by the participating municipalities and the members shall not include:

(a) employees or officers of the participating municipalities or local boards;
(b) members of council or local boards;
(c) any persons who are candidates in the election for which the committee is established; or
(d) any persons who are registered third party advertisers in the participating municipality in the election for which the committee is established.

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.

4. Term

The term of the Committee is the same as the terms of office of the council that takes office following the next regular election.

5. Chair

The Committee at its first meeting shall select one of its members to act as Chair.

6. Meetings

When a compliance audit request is received, the Clerk of the participating municipality shall contact the Dufferin County Clerk immediately. The Dufferin County Clerk shall, within 10 days, contact the Committee members to arrange for a meeting for the purpose of considering the compliance audit request or report of the Clerk. The attendance of a majority of members is necessary to form quorum.

Meetings of the Committee shall be conducted in accordance with the open meeting requirements of the *Municipal Act, 2001*. Meetings of the Committee shall be open to the public, but the Committee may deliberate in private.

7. Remuneration

$200 per meeting per member.

8. Staff Support and Funding

Dufferin County staff, along with the staff from the applicable participating municipality shall provide administrative support to the Committee. The participating municipality requiring the services of the Committee shall be responsible for all associated expenses.

9. Records

The records of the Committee meetings shall be retained and preserved by the participating municipality requesting the service of the Committee in accordance with the municipality's Records Retention by-law.

10. Membership Selection

All applicants will be required to submit an application outlining their qualifications and experience. Committee membership will be drawn from the following groups:

- accounting and audit – accountants or auditors, preferably with experience in preparing or auditing the financial statements of municipal candidates;
- academic – college or university professors with expertise in political science or local government administration;
- legal; and
- other individuals with knowledge of the campaign financing provisions of the Act.

The Clerk, or designate, from each participating municipality will serve on the Selection Committee. The Selection Committee shall meet to review all applications.

The Selection Committee will recommend members to each participating municipality for its approval, based on the following criteria:

a) demonstrated knowledge and understanding of municipal election campaign finance rules.
b) proven analytical and decision-making skills.
c) experience working on committees, boards, 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.

11. Selection of an Auditor

The Clerks from each participating municipality will compile a joint list of municipal auditors that are willing and able to provide auditor services to the Committee. The Committee will appoint an auditor from the joint list, excluding the municipal auditor for the responding municipality. If all auditors from the joint list declare a conflict, the Committee may engage an auditor from outside of the list. The auditor will be appointed by resolution of the Committee. The engagement letter will indicate that the auditor has been engaged by the Committee and will be prepared and executed by the Clerk, or other officer of the municipality as may be designated, on behalf of the participating municipality.