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| MUNICIPALITY OF THE COUNTY OF ANNAPOLIS<br><b>POLICY AND ADMINISTRATION MANUAL</b> | <b>121</b>   |
| Section<br><b>Procedure &amp; Organization of Council</b>                          | Subject<br><b>Citizen Appointments to Committees</b> |

## 1. PURPOSE

This policy provides a guide to members of Municipal Council and staff in the process to ensure consistency, integrity, and fairness in administering the citizen appointment process and provides information about how the process works for those residents of Annapolis County who are interested in applying to serve.

The purpose of this policy is to establish:

- Procedures for municipal Council to appoint citizens to fill vacancies on boards and committees; and
- Eligibility criteria for citizen applicants.

## 2. AUTHORITY

This policy is enacted pursuant to Sections 22, 23, 24, 25, 26, 44, 200, and 345 of the *Municipal Government Act*, as amended.

## 3. DEFINITIONS

Unless otherwise defined below, terms used in this policy shall have the same meaning as those defined in the *Municipal Government Act*:

3.1. **Ordinarily Resident** – the place where in the settled routine of an individual's life, the citizen regularly, normally or customarily spends a total of 183 days or more in a year.

## 4. POLICY APPLICABILITY

This policy applies to the Municipality of the County of Annapolis' (MCOA) appointments to MCOA boards and committees. It does not apply to the appointment of members of Municipal Council to such bodies.

## 5. NOMINATING BODY

The Nominating Committee, established as a Standing Committee of Municipal Council, is the body responsible to discuss, consider, advise and make recommendation to Municipal Council concerning appointments to boards and committees.

The following shall apply to all committees except where specifically provided otherwise:

## 6. ELIGIBILITY AND QUALIFICATIONS

### 6.1. Eligibility Requirements

- 6.1.1. Full age of 18 years (exceptions may be made by Municipal Council for committees specifically related to youth, or if otherwise determined)
- 6.1.2. Ordinarily resident in Annapolis County for a minimum of six months (183 days) prior to the date of application unless provided otherwise in the Committee's Terms of Reference.
- 6.1.3. No outstanding taxes, fees, charges or liens owing to the MCOA beyond the current year, whether it is personal, commercial, property or business.

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The appointee is required to maintain this status throughout their entire term of appointment.

## **6.2. Restriction for Relatives of Members of Council**

Relatives of members of Council (spouse, children, parents, or those living in the same household as the Council member) are not eligible for appointment to MCOA boards and committees.

## **6.3. Restriction for Staff**

Staff of MCOA are not eligible to apply for a MCOA appointment.

# **7. TERMS AND LENGTH OF SERVICE**

## **7.1. Term of Appointment**

Except to the extent that the term of appointment is otherwise determined by statute, bylaw or policy, citizen members shall be appointed for one two-year term, with the term commencing in December following each municipal general election or bi-annual election anniversary.

Appointments to the Police Advisory Board will involve an interview process as mandated by the Police Regulations made under subsection 97(1) of the *Police Act*.

## **7.2. Limits on Length of Service**

Acknowledging the value of experience and the need for continuity, incumbents who are eligible and willing to seek reappointment may re-apply for one additional two-year term.

When applying for reappointment, incumbents must complete an application form as provided by the Office of the Municipal Clerk.

MCOA recognizes the importance of engaging as many residents as possible and infusing new ideas and perspectives from time to time. The length of service for any citizen is two consecutive two-year terms on the same board or committee. Exceptions are noted below.

## **7.3. Exceptions**

### **7.3.1. Reappointments When Maximum Service Reached**

Following the completion of a second two-year term of appointment, the incumbent shall not be eligible to reapply for any position for a minimum of one year, unless Municipal Council specifically determines otherwise by resolution.

### **7.3.2. Partial Terms**

When an appointment is made to fill a vacancy, the balance of the term shall not count towards the maximum length of service or number of terms on a board or committee for the appointee.

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### **7.3.3. Continuation Past the End of Term**

Where it is prudent for the work already undertaken by a board or committee to be completed by its current membership, the members may continue to serve on the respective board or committee past the end of their term, upon their agreement and by the appointment of Municipal Council.

### **7.3.4. Continuation Past Ordinary Residency**

A board or committee member shall not be eligible to serve on any board or committee if they no longer reside in Annapolis County, or unless provided otherwise in the Committee's Terms of Reference, or unless the board or committee makes a formal request to Municipal Council through the Office of the Municipal Clerk, and Municipal Council specifically determines otherwise by resolution.

## **7.4. Vacancies**

A vacancy on a board or committee is created when a member resigns or vacates the position for any reason effective the earliest of:

1. The date of resignation
2. The date the member ceases to be qualified
3. The date the member, who in Municipal Council's opinion is not fulfilling their duties as expected, and is removed by Municipal Council after having received a form request from the board or committee through the Office of the Municipal Clerk
4. The date the member, who without the leave of the board or committee, is absent from three consecutive meetings
5. The date of death or other incapacitation

Notwithstanding the above, Municipal Council may choose not to fill a vacancy if the vacancy occurs within six months of the end of the term of appointment.

## **7.5. Leaves of Absence**

Board or committee members who run for elected office shall take a leave of absence. The leave is required to begin as of the day the member is nominated as a candidate standing for election.

Members who wish to request a leave of absence shall submit a written request to the Chief Administrative Officer who will grant it, and will inform the Municipal Clerk who will inform the chairperson of the affected board or committee, and the Nominating Committee for the appropriate action.

## **8. HONORARIUMS AND EXPENSES**

Board or committee members shall receive an honorarium based upon \$50 per meeting attended.

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If a board or committee does not meet during the calendar year, board or committee members shall receive an honorarium of \$50.

Subject to the approval of the Warden, committee members shall be reimbursed their reasonable expenses for attending board or committee meetings in accordance with **AM-1.8.1-Travel and Expenses Policy**.

## **9. RECRUITMENT METHODS**

### **9.1. Timing of Appointments**

Generally, the appointment process will begin four months in advance of the municipal election and bi-annual election anniversary to allow the Nominating Committee to consider potential applicants for the new term.

Appointments shall not extend past the term of the sitting Council.

### **9.2. Advertised Recruitment**

The standard recruitment process used by MCOA for boards and committees is to invite applications through an advertisement to the public at large.

The MCOA will advertise all vacancies prior to the expiration date of the term of appointment by posting on the Municipality's website and social media, as well as through other media as determined appropriate by Municipal Council.

### **9.3. Other Recruitment**

Councillors or others may approach potential candidates to encourage their application to a board or committee.

## **10. APPLICATION PROCESS**

### **10.1. Applications**

During the appointment process, application forms are available by e-mail, mail, or fax upon request from the Office of the Municipal Clerk, or on the Municipality's website ([www.AnnapolisCounty.ca](http://www.AnnapolisCounty.ca)).

Applicants must submit the completed application to the Nominating Committee via:

- Email to [nominatingcommittee@annapoliscounty.ca](mailto:nominatingcommittee@annapoliscounty.ca);
- Hand delivery or drop box at 752 St. George Street, Annapolis Royal;
- By mail to P.O. Box 100, Annapolis Royal, NS B0S 1A0; or
- By fax to 902-532-2096.

The application form shall be in a format and contain such information as may from time to time be required for the proper administration of this policy.

Personal information collected from applicants shall only be used for the purpose of determining eligibility and selection. Additional personal information shall be required from successful applicants for the purpose of arranging honorariums and remuneration.

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## **10.2. Incumbents**

Incumbents who are eligible and willing to seek reappointment to MCOA boards or committees must reapply in the same manner as other applicants.

## **10.3. Submission Deadlines**

The Nominating Committee shall consider only applications received in the prescribed form by the advertised deadline date. Late applications shall not be considered.

In those cases where there are insufficient applications from qualified or eligible candidates, the Nominating Committee, through the Office of the Municipal Clerk, may extend the deadline for applications. Public notice of any extension to the deadline shall be given. Public notice of an extension can be in the form of a notice on the Municipality's website.

## **10.4. Retention of Applications**

Applications will be retained for the current two-year term of appointment for consideration of vacancies that may arise during the term of the board or committee, and may be brought forward with the permission of the applicant should a vacancy arise.

## **10.5. Potential Conflict of Interest**

Applicants should consider whether they have a real or perceived conflict of interest with a board or committee, including direct or indirect pecuniary interest with MCOA. As part of the application process, applicants must identify and disclose any actual or potential conflicts of interest they may have.

Potential conflicts of interest may include, but not be limited to applicants, their spouses, partners, parents or children:

- Currently doing business with or working as a consultant for MCOA or MCOA agencies, boards or committees; or
- Serving as a lobbyist for an industry, interest or organization that may be affected by the outcome of considerations of the board or committee; or
- Any interest, direct or indirect, in outstanding litigation involving MCOA or MCOA agencies, boards or committees; or
- Any tax arrears or fines outstanding to MCOA beyond the current year, whether it is personal, commercial, property or business.

## **10.6. Self-Identified Diversity Information**

In order to enable MCOA to achieve the objectives of access, equity and diversity, applicants are encouraged to complete the self-identifying information included in the application form of an appointment.

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## 11. COUNCIL APPOINTMENTS

When Municipal Council makes an appointment, applicants shall immediately be advised of the status of their application, thanking all applicants for their interest, and advising applications will be held for the term should a vacancy arise.

## 12. PRIVACY ISSUES

The NS Freedom of Information and Protection of Privacy Legislation (FOIPOP) imposes confidentiality obligations on members of Council and MCOA staff to refrain from disclosing personal information obtained by them in the course of their duties

## 13. STANDARDS OF CONDUCT FOR BOARD AND COMMITTEE APPOINTEES

### 13.1. Orientation of New Members

Applicable MCOA staff, in cooperation with the Office of the Municipal Clerk, shall arrange briefing session(s) to provide **an initial orientation for all new and returning appointees on the operation of the board or committee**, and MCOA expectations, in advance of the formal meeting of each board or committee electing a Chair or Vice Chair.

Where applicable, new appointees may be required to attend mandatory training to enable them to carry out their responsibilities as members of a board or committee.

### 13.2. General Standard of Conduct

Members of the public who are appointed to a MCOA board or committee shall serve and be seen to serve in a conscientious and diligent manner, and be respectful of difference and diversity.

Members will:

- Work in a team environment;
- Listen to and be respectful of the opinions of others;
- Perform their duties in a transparent manner that promotes public confidence; and
- Communicate effectively and constructively.

No member of a MCOA board or committee shall use the influence of the office to which they are appointed for any purpose other than the exercise of official duties.

Members of MCOA boards and committees are subject to the *Municipal Conflict of Interest Act*.

### 13.3. Ceasing to Meet General Requirements

Any board or committee member who accepts an office or employment, or has a conflict of interest that is incompatible with continued service on the board or committee, or ceases to reside in Annapolis County, or ceases to meet the general requirements of the

