

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS <b>POLICY AND ADMINISTRATION MANUAL</b>		<b>AM - 1.3.6.16</b>
Section <b>Procedure &amp; Organization of Council</b>	Subject <b>Upper Clements Area Advisory Committee Policy</b>	

**GENERAL**

1. This policy is entitled “**Upper Clements Area Advisory Committee Policy.**”

**AUTHORITY FOR POLICY**

2. Sections 22, 23, 24, 25, 26, 44, 200, 201 and 345 *Municipal Government Act*, as amended

**DEFINITIONS**

3. Unless otherwise defined below, terms used in this policy shall have the same meanings as those defined in the *Municipal Government Act*.
  - (1) **Term of Appointment** – Except to the extent that the term of appointment is otherwise determined by statute, bylaw or policy, committee members shall be appointed for two (2) years with the term commencing in December following each municipal general election or bi-annual election anniversary. Except as otherwise provided in this policy, no appointment shall cease until such time as a successor is appointed.

**PROVISIONS**

4. Except as otherwise determined by statute, bylaw or policy, every person shall be qualified to be appointed as a citizen member who meets the qualifications of Sub-section 4.3 in *AM-1.3.4 Citizen Appointments to Committees Policy*.
5. Municipal Council may replace at any time committee members who resign or who, in Council’s opinion, are unable or unwilling to discharge their duties.
6. Except to the extent that the chair is otherwise determined by statute, bylaw or policy, municipal council may appoint a person to serve as chair of the committee, after seeking the advice of the Nominating Committee.
7. If Municipal Council does not appoint a chair, the committee shall elect a chair from one of its members.
8. The chair shall be entitled to speak and to vote on any motion. Subject to the other provisions of this policy, the chair shall have the same powers and responsibilities at committee meetings that are conferred upon the chair at municipal council meetings pursuant to *AM-1.2.0 Council Meetings and Proceedings Policy*, with any necessary modifications for context.
9. Except to the extent that the secretary is otherwise determined by bylaw or policy, the Chief Administrative Officer or his / her designate may appoint an employee of the County to serve as Secretary, with a voice but no vote.
10. If the Chief Administrative Officer or his/her designate does not appoint a secretary, the committee shall elect a secretary from one of its members, in which event the Secretary shall be a full voting member of the committee.
11. The secretary shall keep minutes of the committee meetings and ensure that the Municipal Clerk is provided with a signed copy of all approved minutes which are signed by the chairperson and recording secretary.
12. The committee shall meet at such time and place which it sets at a preceding meeting or at such other time and place as the Municipal Council, the Committee’s Secretary, the Committee’s Chair or a quorum of committee members may set by providing notice of meeting to all committee members at least 5 business days in advance.

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13. The Secretary shall provide notice of meetings to the public by posting a “Notice of Committee Meeting” containing the time, date and place at the Administration Office in Annapolis Royal and the Planning Office in Lawrencetown.
14. Subject to any resolution of municipal council, the resources which may be utilized by the committee include:
  - (1) advice and support of the Chief Administrative Officer OR the Municipal Clerk or his or her designate;
  - (2) use of the county’s facilities and supplies for meetings, arranged through the Secretary or the Municipal Clerk;
  - (3) such other resources as may reasonably be required, by arrangement through the CAO.
15. All meetings minutes, and records of the committee shall be open to the public except as expressly authorized by law.
16. The committee may meet in closed session to discuss matters relating to:
  - acquisition, sale, lease and security of municipal property;
  - setting a minimum price to be accepted by the municipality at a tax sale;
  - personnel matters;
  - labour relations;
  - contract negotiations;
  - litigation or potential litigation;
  - legal advice eligible for solicitor-client privilege; and
  - public security.
17. No decision shall be made in closed session except a decision concerning procedural matters.
18. A quorum of the committee shall be a majority (more than half) of the members appointed by Municipal Council at the time the meeting occurred.
19. A committee member who, without leave of the committee, is absent from three consecutive regular meetings, ceases to be a member (Subsection 25(1), *MGA*).
20. The secretary shall ensure that the Municipal Clerk is apprised immediately of any such circumstances which create a vacancy on any committee.
21. A committee may make recommendations to Municipal Council regarding the allocation or expenditure of funds but no committee shall have the power to expend funds (*Sub-section 23 (c) MGA*).
22. Subject to the other provisions of this policy, the rules of procedure, conduct and debate pursuant to *AM-1.2.0 Council Meetings and Proceedings Policy* apply at committee meetings with any necessary modifications for context, except that no notices of reconsideration shall be permitted at committee meetings.
23. In the event the committee fails to provide a report or recommendation to municipal council within any set deadline established by the council, municipal council may proceed with a decision regarding a matter within the committee’s mandate without awaiting the committee report or recommendation.

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**TERMS OF REFERENCE**

24. The Margaretville Water Supply Area Advisory Committee is established pursuant to Section 201 of the Municipal Government Act.
25. The Upper Clements Area Advisory Committee is established pursuant to Section 201 of the Municipal Government Act.
26. The committee shall exist as a sub-committee of the Annapolis County Planning Advisory Committee and may be reorganized, from time to time, or dissolved, as Municipal Council deems appropriate.
27. The committee shall exist for the purpose of providing input on planning matters affecting the area governed by the Annapolis County Upper Clements Area Municipal Planning Strategy and Land Use Bylaw, hereinafter called the Planning Area.
28. The overall purpose of the committee is to provide a forum for conveying and receiving information and advice into planning matters affecting the Planning Area.
29. The specific objectives of the Advisory Committee are to:
  - (1) provide comment, advice and assistance in the administration of the Upper Clements Area Municipal Planning Strategy and Land-Use Bylaw;
  - (2) participate in and conduct a public participation process as directed by Municipal Council involving consultation with the Planning Area residents and landowners through a public consultation process (by means of holding open meetings, advertisements, information circulars or other appropriate means of conveying information and receiving input); and
  - (3) provide comments, advice and assistance to the Annapolis County Planning Advisory Committee on and to participate in periodic and mandatory reviews and amendments of the Upper Clements Area Municipal Planning Strategy and Land-Use Bylaw.
30. The committee shall be comprised of council and citizen members as follows:
  - (1) Municipal Council shall appoint, in total, not more than one (1) council member and not more than four (4) citizen members.
  - (2) The council member shall normally be the councillor from District 6.
  - (3) The citizen members shall be persons who presently reside in or own property within the Planning Area and have resided in or owned property within the Planning Area a minimum of six (6) months prior to their appointment.
  - (4) A citizen member who ceases to reside and/or own property within the Planning Area ceases to be qualified to serve as a citizen member of the Advisory Committee.
  - (5) The Director of Community Services or designate shall attend meetings of the Advisory Committee and provide technical and resource support. He / she shall call the first meeting of any committee after its appointment and shall chair the meeting until a chair has been chosen.

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31. Any councillor may attend the meetings of the committee but may not vote and may only take part in any discussion or debate with the permission of the majority of members present.

Municipal Clerk's Annotation for Official Policy Book	
I certify that this policy was adopted by Municipal Council as indicated below:	
<i>Seven (7) Day Notice</i> .....	<i>April 13, 2021</i>
<i>Council Approval</i> .....	<i>April 20, 2021</i>
<u><i>Carolyn Young</i></u>	<u><i>April 21, 2021</i></u>
Municipal Clerk	Date
<i>At Annapolis Royal Nova Scotia</i>	

**Amendments:**

**September 2020:**

- *AM-1.3.6 Advisory Committees and Boards Policy* separated into separate policies for individual committees

**April 2021:**

Deleted section 18:

~~18. A quorum of the committee shall be the same as that which applies to municipal council pursuant to provincial legislation, with any necessary changes for context.~~

and replaced with the following:

18. A quorum of the committee shall be a majority (more than half) of the members appointed by Municipal Council at the time the meeting occurred.