

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 1.3.5
Section Procedure & Organization of Council	Subject Committees of Council Policy	

GENERAL

1. This policy is entitled “Committees of Council Policy” and applies to committees in respect of which all of the voting members are council members.

AUTHORITY FOR POLICY

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

DEFINITIONS

3. Unless otherwise defined herein, terms used in this policy shall have the same meanings as those defined in the *Municipal Government Act*.
 - (a) **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. The following provisions shall apply to all committees established by this policy, except where the policy specifically provides otherwise:
 - (a) 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.
 - (b) The Warden shall be an *ex officio* member of any committee of council to which he / she is not appointed, with a voice but no vote. When attending as *ex officio* the warden shall not be counted to establish quorum.
 - (c) A councillor is not entitled to additional remuneration for serving on the committee but may be reimbursed for reasonable expenses for attending committee meetings, and mileage / kilometrage shall be paid at such rate as may be prescribed by municipal council in *AM-1.8.1 Travel and Expenses Policy*.
 - (d) 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; but if Municipal Council does not appoint a chair, the committee shall elect a chair from one of its members.
 - (e) 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.
 - (f) An *ex-officio* member of a committee shall not be eligible for election as chair.

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- (g) The Municipal Clerk (or designate) shall call the first meeting of any committee after its appointment, upon the request of Municipal Council or a majority of the members of the committee. The Chief Administrative Officer or Municipal Clerk or their designates shall chair the meeting until a chair has been chosen.
- (h) 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. 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. The secretary shall keep minutes of the committee meetings and ensure that the Municipal Clerk is provided with a copy of all approved minutes which are signed by the chairperson and recording secretary.
- (i) 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. 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, the Administration Building in Bridgetown, and the Planning Office in Lawrencetown.
- (j) 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.
- (k) All meetings, minutes, and records of the committee shall be open to the public except as expressly authorized by law.
- (l) Any 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.

However, no decision shall be made in closed session except a decision concerning procedural matters.

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- (m) 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. The Warden, when attending as an ex officio member of any committee to which he / she is not appointed, shall not be counted to establish quorum.
- (n) A councillor appointed as a member of a committee pursuant to this policy or any other Act of the Legislature who, without leave of the committee, is absent from three consecutive regular meetings, ceases to be a member (Subsection 25(1), MGA). The secretary shall ensure that the Municipal Clerk is apprised immediately of any such circumstances which create a vacancy on any committee.
- (o) 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).
- (p) 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.
- (q) 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.
- (r) *AM-1.2.2 Standing, Special & Advisory Committees Policy* is hereby repealed.

Provisions Regarding the Committee of the Whole

- 5. Council hereby establishes the Committee of the Whole as a standing committee of Municipal Council.
- 6. The Committee of the Whole consists of all council members, and membership on the committee automatically extends to council members, without the necessity of formal appointment by Municipal Council, and automatically terminates upon the termination of a person’s status as a council member.
- 7. Regular meetings of the Committee of the Whole shall be held
 - (a) at the Council Chambers in the Municipal Administration Building, 752 St. George Street, Annapolis Royal;
 - (b) on the second Tuesday of every month;
 - (c) commencing at 9:00 a.m. and adjourning by 5:00 p.m.
except that there shall be no regular meeting during the month of August.
- 8. Regular meetings of the Committee of the Whole may be rescheduled, relocated or cancelled, and additional or special meetings convened, in the same manner and with the same notice to council members and the public as applies to meetings of municipal council, with any necessary changes for the context.

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9. It will be the mandate of the committee of the whole to discuss, consider, advise and make recommendations to council concerning the affairs that may come before the municipal council, and in advance of Municipal Council making decisions or taking action on such matters.
10. In particular, the Committee of the Whole shall act in an advisory capacity to Municipal Council in regard to:
 - (a) review and revision of council priorities and the municipality's strategic plan, including conducting an annual workshop to consider these matters;
 - (b) evaluation of the provision of regional and community economic development services;
 - (c) preparation of specific community development strategies and action plans, giving appropriate consideration to regional development strategies which will also further the development of communities within the municipality;
 - (d) undertakings regarding community planning in its broadest form to identify and analyze community development opportunities and needs, identify specific strategies and actions plans to balance competing community needs and ensure the efficient and effective provision of municipal services and essential infrastructure;
 - (e) review and make recommendations regarding proposed bylaws and policies and amendments or repeals thereto prior to submission to the municipal council for approval; such consideration shall be deemed as fulfilling the requirement for seven days' notice to Municipal Council before a policy is passed, amended or repealed in accordance with Sub-section 48 (1) of the *Municipal Government Act*;
 - (f) consideration of Requests for Decision / Direction (RFD's) submitted by or through the Chief Administrative Officer prior to submission to municipal council;
 - (g) analysis and recommendations relating to capital budgets and the annual operating plans to identify priorities for the municipality prior to submission to the Municipal Council, including the assessment of all new initiatives and project proposals;
 - (h) evaluation of the provision of solid waste-resource management services by agency bodies; and
 - (i) review of budget reports and supplementary estimates or budget adjustments for recommendation to Council.
11. It shall be the duty of the Committee of the Whole to take action on such matters as are lawfully delegated to it by the County's bylaws and policies, or by council resolution, including but not restricted to:
 - (a) ensuring regular, periodic and comprehensive review of all bylaws and policies of the County;
 - (b) reviewing and accepting monthly reports of municipal operations and services which are submitted through the Chief Administrative Officer;
 - (c) exercising any authority pursuant to Part XV - Dangerous or Unsightly Premises of the *Municipal Government Act* that is not delegated to the Administrator;

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- (d) acting as a steering committee in the review or preparation of environmental studies, major tree removal programs, recreation studies / development plans, land ownership and municipal infrastructure rehabilitation / development plans;
 - (e) acting as a steering committee during the budget process by approving the budget schedule, identifying budget goals and targets, and reviewing proposed service levels and new initiatives;
 - (f) examining and approving the work plan, monitor progress, and conduct the annual performance appraisal of the chief administrative officer; and
 - (g) making recommendations to Municipal Council for the revision of the municipality's communications strategy and plan.
12. The Chair of the Committee of the Whole is the Warden and the Secretary is the Municipal Clerk (or designate).

Provisions Regarding the Nominating Committee

- 13. Council hereby establishes the Nominating Committee as a standing committee of municipal council.
- 14. At the first meeting of municipal council following a municipal general election, municipal council shall appoint three (3) councillors to serve as members of the Nominating Committee. The membership of the committee may be reviewed by at any time, but, except to the extent of any changes made by municipal council or by resignation, membership shall normally continue for two (2) years. The procedure for selecting members of the committee shall be the same as that used for selection of a warden.
- 15. The Warden shall automatically be a regular, voting member of the committee.
- 16. The mandate of the Nominating Committee is to discuss, consider, advise and make recommendations to municipal council concerning the nomination of persons to various committees, boards, and commissions, except where municipal council determines that consideration by the committee is unnecessary or inadvisable. Council may, by resolution accept, reject, or vary a report of the nominating committee in whole or in part.
- 17. The Nominating Committee shall meet as often as necessary to nominate persons for appointment to new committees or to fill vacancies as they arise.
- 18. The Nominating Committee shall, at least annually, review the status of councillor appointments to ensure equity of workloads among councillors.

Provisions Regarding the Fences Arbitration Committee

- 19. The fences arbitration committee continues pursuant to Section 4 of the *Fences and Detention of Stray Livestock Act*.
- 20. The committee shall be comprised of one member for the municipality appointed by the Nova Scotia Federation of Agriculture and one member appointed by the council of the municipality.
- 21. The member appointed by the council of the municipality may be an employee of the municipality and shall be the chair of the committee.

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22. The Nova Scotia Federation of Agriculture and the council of the municipality shall each appoint an alternate member to serve on the committee when requested to do so by the member appointed by the council of the municipality or the Nova Scotia Federation of Agriculture, as the case may be.
23. Two members of the committee constitute a quorum.
24. The members of the committee hold office for a term of not more than four years.
25. The annual honorarium for the Nova Scotia Federation of Agriculture appointees shall be \$50 per meeting attended. If the Fences Arbitration Committee does not meet during the calendar year, the appointees shall receive an honorarium of \$50.
26. All committee members and alternate committee members shall be residents of the municipality.
27. Except as otherwise provided in this policy, no appointment shall cease until such time as a successor is appointed.

Provision for Ad Hoc Committees

28. From time to time Municipal Council may establish an ad hoc committee of council as deemed necessary and advisable to provide input on matters of timely consideration.

Provisions Regarding the Economic Development Committee

29. Council hereby establishes the Economic Development Committee as a standing committee of Municipal Council.
30. The Economic Development Committee consists of three council members and the Warden.
31. The Economic Development Committee shall consider such matters as are referred to the Committee by Municipal Council.
32. It will be the mandate of the Economic Development Committee to advise and make recommendations to Municipal Council concerning the drafting, implementation, amendment and facilitation of an Annapolis County economic development strategy.

Provisions Regarding the Fire Services Committee

33. Council hereby establishes the Fire Services Committee as a standing committee of Municipal Council.
34. The Fire Services Committee consists of two council members as well as two or more invited representatives of the Annapolis County Fire Services Executive as appropriate.
35. Meetings of the Fire Services Committee shall be held at the discretion of the chairperson.
36. The Fire Services Committee shall consider such matters as are referred to the Committee by Municipal Council.
37. It will be the mandate of the Fire Services Committee to advise and make recommendations to Municipal Council concerning fire services funding and such other matters as are necessary and expedient for the provision of fire suppression and prevention services in the municipality.

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Provisions Regarding the Forestry Advisory Committee

- 38. The Forestry Advisory Committee is established pursuant to the Section 24 of the *Municipal Government Act*.
- 39. The committee shall exist as an advisory committee of Municipal Council.
- 40. The committee shall exist for the purpose of considering and making recommendations regarding forestry matters as referred to the Committee by Municipal Council.
- 41. The committee shall be comprised of not more than four (4) councillors.

Provisions Regarding the CAO Review Committee

- 42. Council hereby establishes the CAO Review Committee as a standing committee of Municipal Council.
- 43. The CAO Review Committee shall oversee the performance review process for the Chief Administrative Officer after consultation with Municipal Council.
- 44. The CAO Review Committee consists of the Warden, the Deputy Warden and two other council members.
- 45. The Warden shall be the chairperson of the CAO Review Committee.
- 46. To the extent practicable selection of the remaining committee members (in addition to Warden and Deputy Warden) should reflect the gender diversity of Council’s composition. Accordingly, the remaining committee members shall be selected by placing the names of councillors confirming an interest in a box and having two names drawn by a person chosen by the Warden.
- 47. In accordance with Sub-section 21(2)(c) of the *Municipal Government Act*, the CAO Review Committee may meet in closed session. The CAO will be requested not to attend CAO Review Committee and Municipal Council Meetings where their performance is discussed; no other staff persons shall attend.
- 48. The CAO shall be evaluated at least once a year, with a mid-year review if desired by the CAO, the CAO Review Committee or Municipal Council.

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>November 9, 2021</i>
<i>Council Approval</i>	<i>November 17, 2021</i>
<i><u>Carolyn Young</u></i>	<i><u>November 17, 2021</u></i>
Municipal Clerk	Date
At <u>Annapolis Royal</u> Nova Scotia	

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Amendments

Approved Dec. 21, 2010

Amended Apr. 19, 2011 – Add the word “attended” as follows:

The annual honorarium for the citizen members or designated representatives of advisory committees shall be \$200 (up to 4 meetings attended per annum), \$300 (up to 6 meetings attended per annum), \$400 (up to 8 meetings attended per annum); \$500 (up to 10 meetings attended per annum) or \$600 (11 or more meetings attended per year. A non-council member chair or secretary may be paid an additional honorarium of \$200 (up to 5 meetings attended per annum), \$400 (up to 10 meetings attended per annum), or \$500 (11 or more meetings attended per annum).

Amended Feb. 21, 2012 - Changed policy to:

- clarify limitations on terms of committee membership
- create “fairness” for honorariums
- clarify that appointments do not expire until successors are appointed

Amended Feb. 19, 2013

- Reduce minimum honorarium amounts to \$50 per year
- Establish a Priorities and Plans Committee
- Provide for Ad Hoc Committees of Council

Amended May 19, 2013

- substituted the word “citizen” in place of “committee” in Sub-section 3 (g); and
- deleted the sentence “Ad hoc committees shall be reimbursed for travel expenses in accordance with AM-1.8.1 Travel and Expenses Policy.” in Section 33.

Amended June 18, 2013

- added mandate for Economic Development Committee

Amended July 16, 2013

- Added “The Nominating Committee shall, at least annually, review the status of councillor appointments to ensure equity of workloads among councillors.”

Amended June 17, 2014

- Reduced number of councillors on Economic Development Committee from four to three

Amended September 16, 2014

- Deleted Priorities and Plans Committee

Amended December 16, 2014

- Added Fire Services Committee

Amended October 18, 2016

- Removed all references to Audit Committee (new policy AM-1.3.5.1 Audit Committee Policy)
- Added definition section
- In Sub-section 4 (g) deleted “citizen” and replaced with “committee”
- In Sub-section 4 (k) added “the Administration Building in Bridgetown”

Amended October 18, 2016

- In Section 19 replaced “each” with “the”
- In Section 20 replaced “a” with “the”

Amended September 15, 2020:

- Added “Term of Appointment” and Forestry Advisory Committee; removed all provisions and references related to citizen members on committees

Amended November 20201

- Added CAO Review Committee