

MUNICIPALITY OF THE COUNTY OF ANNAPOLIS POLICY AND ADMINISTRATION MANUAL		AM - 1.3.6.14
Section Procedure & Organization of Council	Subject Margaretville Source Water Protection Advisory Committee Policy	

GENERAL

1. This policy is entitled “**Margaretville Source Water Protection 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*.
 - **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:
 - (a) advice and support of the Chief Administrative Officer OR the Municipal Clerk or his or her designate;
 - (b) use of the county’s facilities and supplies for meetings, arranged through the Secretary or the Municipal Clerk;
 - (c) 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:
 - (1) acquisition, sale, lease and security of municipal property;
 - (2) setting a minimum price to be accepted by the municipality at a tax sale;
 - (3) personnel matters;
 - (4) labour relations;
 - (5) contract negotiations;
 - (6) litigation or potential litigation;
 - (7) legal advice eligible for solicitor-client privilege; and
 - (8) 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 Source Water Protection Advisory Committee is established pursuant to the *Nova Scotia Drinking Water Strategy*.
25. The committee shall exist as an advisory committee of Municipal Council.
26. The committee shall exist for the purpose of developing and monitoring a source water protection plan for the Margaretville Water Supply Area.
27. The specific objectives of the committee are to provide advice to Municipal Council and its' Water Utility:
 - to consult with appropriate stakeholder and governmental representatives to attempt to satisfy water quantity and quality concerns;
 - about sources of contamination in the Margaretville Water Supply Area;
 - about the management options available; and
 - about the ongoing effectiveness of the Margaretville Source Water Protection Plan.
28. The committee shall be comprised of council and citizen members as follows:
 - Municipal Council shall appoint, in total, not more than one (1) council member and not more than four (4) citizen members.
 - The council appointee shall normally be the councillor from District 2.
 - One (1) citizen appointee shall be a person who owns property within the Margaretville Water Supply Area, but does not necessarily reside in the Margaretville Water Supply Area.
 - One (1) citizen appointee shall be a person who owns or resides in a property presently supplied with water from the Margaretville Water Supply.
 - Two (2) additional citizen appointees may be appointed meeting the criteria of either section (3) or (4).

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>	

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Amendments:

September 2020:

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

April 2021

Deleting sub-sections 28 (4) and (5):

- ~~*One (1) citizen appointee shall be a person whose property is presently supplied with water from the Margaretville Water Supply.*~~
- ~~*Two (2) additional citizen appointees may be appointed meeting the criteria of either section (c) or (d).*~~

and replaced with the following:

- *One (1) citizen appointee shall be a person who owns or resides in a property presently supplied with water from the Margaretville Water Supply.*
- *Two (2) additional citizen appointees may be appointed meeting the criteria of either section (3) or (4).*

Deleting 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.