

Town of Truro – Policy & Procedure Manual

Subject: Council Committees Policy
Policy Number: P100-031
Approval Date: January 10, 2022
Departments: All

1. This policy is entitled the *Council Committees Policy*.
2. This policy is made pursuant to section 24 of the MGA, which empowers Council to establish committees, and section 23(1)(c) of the MGA, which empowers Council to make policies providing for committees and conferring powers and duties upon them.
3. Where the terms of this Policy are inconsistent with the Terms of Reference for a committee, another Council policy or bylaw, or statute or agreement, the provisions of the Terms of Reference, other policy or bylaw, or statute or agreement shall prevail over the terms of this Policy.

Definitions

4. In this Policy:
 - (a) “CAO” means the Chief Administrative Officer for the Town;
 - (b) “MGA” means the *Municipal Government Act* (Nova Scotia);
 - (c) “Non-Resident Business Owner” means an individual who:
 - (i) does not reside in the Town, but resides within 10 km of the Town’s Civic Building at 695 Prince Street, Truro; and
 - (ii) pays property taxes to the Town or is the majority shareholder in a corporation that pays property taxes to the Town, which must not be in arrears;
 - (d) “Special Committee” means a short-term committee established by Council to inquire into or deal with a specific issue;
 - (e) “Standing Committee” means a committee of indefinite duration established by Council;
 - (f) “Statutory Committee” means a board, commission, or committee established pursuant to a specific enabling statute or agreement, including:

- (i) the Colchester-East Hants Regional Library Board established pursuant to the *Libraries Act* (Nova Scotia);
- (ii) the Board of Commissioners for the Truro Police Service established pursuant to the *Police Act* (Nova Scotia);
- (iii) the Board of Directors for the Rath Eastlink Community Centre;
- (iv) any other body established pursuant to enabling legislation or agreement which serves in an arms-length capacity on behalf of or in cooperation with the municipality;

(g) “Town” means Town of Truro.

Membership

5. Diversity

- (a) Membership of committees will be diverse, and broadly reflective of the community.
- (b) Membership will also reflect desired experience, knowledge, expertise, and geographic representation in the community.

6. Qualifications

- (a) In order to be eligible for membership of a committee, an individual must be a member of Council or reside in the Town of Truro and not be in arrears in payment of any property taxes to the Town.
- (b) Despite subsection (a):
 - (i) a Non-Resident Business Owner is eligible for membership of a Committee, provided that no more than one Non-Resident Business Owner may serve on each committee;
 - (ii) any student attending a school located in the Town of Truro is eligible for the Youth Council.

7. Appointments of Council Members of Committees

- (a) The Mayor will appoint members of Council to serve on committees.
- (b) Any member of Council not appointed to a committee may attend committee meetings as an observer but is not entitled participate in committee discussions or to vote.

- (c) The CAO is a non-voting member of every Standing Committee and Special Committee, but is not obligated to attend meetings and is not counted in determining if a quorum is present.

8. **Appointments of Citizen Members of Committees**

- (a) As and when required, the opportunities to serve as committee members will be widely advertised so that interested citizens can apply on an application form provided by the Town.
- (b) The Mayor and Deputy Mayor will recommend citizens for appointment to committees. Council will meet *in camera* to consider the applicants for committees, and will review the applications of the applicants and the recommendations of the Mayor and Deputy Mayor at that meeting.
- (c) Following the *in camera* meeting, Council will appoint citizen members to committees.
- (d) In considering appointments of citizens to committees, Council will consider the following:
 - (i) Personal and professional experience and background of the applicants in a field related to the work of the committee;
 - (ii) Applicants' education in a field related to the work of the committee;
 - (iii) Experience of the applicants in serving on committees and boards;
 - (iv) Ensuring that committee membership is diverse and representative of the community.
 - (v) Recommendations made by the applicable committee.

9. **Appointments to Committees - General**

- (a) Appointments to Standing Committees will be made in November, and at other times as vacancies arise.
- (b) Appointments to Special Committees will be made when and as required.
- (c) Appointments to Statutory Committees will be made in accordance with the relevant committee's enabling statute, bylaws or agreement.
- (d) The Terms of Reference of individual committees will specify the number of members to be appointed to the committee.

(e) Where external agencies are invited to nominate one of their members to a committee and choose not to do so, Council may fill the vacancy with a member of the community.

(f) Committee members will serve without pay at the pleasure of Council.

10. Applications for Membership are Protected

(a) All applications for membership on committees will be subject to the freedom of information and protection of privacy provisions of Part XX of the MGA when submitted to the Town.

11. Terms of Appointment for Standing Committees

(a) Subject to the Terms of Reference for a committee or another Council policy, each member of a Standing Committee, whether a member of Council or a citizen representative:

(i) shall be appointed for a three-year term, and, at the discretion of Council, may be appointed for a second three-year term;

(ii) may serve a maximum of two consecutive three-year terms;

(iii) who has served two consecutive three-year terms on the committee will be eligible for re-appointment to that committee, at the discretion of Council, after a one-year absence from the committee.

(b) Despite subsection (a):

(i) If at the conclusion of a committee member's second three-year term on a committee, there is no one else from Council (in the case of a Council position), or from the public (in the case of a citizen member), who wishes to be appointed to the committee, that person may, at the discretion of Council, be re-appointed for additional one year-term or terms, until another person wishes to join the committee;

(ii) If a member of a committee has expertise relating to the work of the committee for which the Town would otherwise be required to pay, there is no limit to the number of consecutive terms that person may be appointed to the committee.

(c) Appointments to committees shall, to the extent reasonably possible, be staggered, such that each year Council shall appoint one-third of the members of each committee.

- (d) Committee stability and membership continuity will be taken into account when considering re-appointments for a consecutive term.

12. Terms of Appointment for Statutory Committee

- (a) The term of appointment of Statutory Committee members is as provided in the applicable enabling statute, agreement or bylaws. Where the enabling statute, agreement or bylaws do not provide for the term of appointment of a Statutory Committee, the provisions of this Policy dealing with Standing Committees will apply.

13. Terms of Appointment of Special Committees

- (a) The term of appointment of Special Committee members is concurrent with the time frame provided to the Special Committee to complete its work, after which the members' terms expire unless extended by Council resolution.

14. Committee Vacancy Replacement Term

- (a) In the event of a vacancy, the person appointed to fill the vacancy shall be a committee member for the remainder of the term.

15. Attendance of Members at Meetings

- (a) Unless otherwise provided in the enabling statute, bylaws or agreement for a Statutory Committee, any member who is absent from three consecutive committee meetings without leave of absence by resolution from the committee will cease to be a member of the committee, and the CAO shall advise Council of the vacancy.

16. Removal of Member from Committee

- (a) At the request of the committee or on its own initiative, Council may remove or request the resignation of any of its committee appointees, whether a citizen member or Council member, for malfeasance or any other good and sufficient cause.

17. Resignation of Member

- (a) Any citizen member of a committee wishing to resign from the committee is requested to provide the resignation in writing to the committee Chair with a copy to the CAO, who will inform Council of the vacancy.
- (b) A Council member of a committee may ask to leave a committee prior to the expiration of their term, and the Mayor may grant such request if the Mayor believes it would not unduly impact the work of the committee.

18. Staff Support

- (a) Staff will be appointed to committees by the CAO. The staff is not a member of the committee and therefore is not entitled to vote. The responsibilities of the staff include:
 - (i) Providing information and professional advice;
 - (ii) Supporting the Chair in developing agendas, arranging meetings, and promoting effective committee functioning;
 - (iii) Ensuring the preparation of draft minutes;
 - (iv) Preparing presentations for the committee that may also be shared with the general public;
 - (v) Providing an orientation to the work of the committee when required;
 - (vi) Any other projects or tasks approved by the CAO.

19. Meeting Schedules

- (a) Standing Committees and Special Committees will establish their own meeting schedules in consultation with the CAO.
- (b) Statutory Committees will meet as provided in their enabling statute, bylaws or agreement.

20. Quorum

- (a) For Standing Committees and Special Committees, a majority of the members constitutes a quorum, provided that at least one Council member is in attendance.
- (b) For Statutory Committees, quorum is determined in accordance with the committee's enabling statute, bylaws or agreement.
- (c) In the event of no quorum after 20 minutes past the scheduled start time, or if quorum is lost during a meeting, the committee's official business will cease, the names of those present will be recorded, members will be permitted to leave, and staff will excuse themselves from the meeting.

21. Chair and Vice-Chair

- (a) Each committee will elect a Chair and Vice-Chair in November of each year.

- (b) The role of the Chair is to carry out the following duties:
- (i) Set the agenda;
 - (ii) Ensure the committee follows the agenda;
 - (iii) Prevent new issues from side-tracking the agenda;
 - (iv) Limit additions to the agenda;
 - (v) Establish and maintain order and decorum;
 - (vi) Respect members' views and be open-minded;
 - (vii) Ensure all members have the opportunity to participate by encouraging those who hold back and preventing others from dominating the discussion;
 - (viii) Seek agreement and build consensus;
 - (ix) Close debate and guide the group to resolution in a timely manner;
 - (x) Assist members to word motions clearly and succinctly;
 - (xi) Participate in discussion but focus on presiding over the meeting.
- (c) The role of the Vice-Chair is to chair meetings as required in the absence of the Chair.

22. Agendas and On-Table Items

- (a) The Chair, in consultation with staff, sets the committee agendas, which are prepared and distributed to committee members.

23. Rules of Procedure

- (a) Committees shall follow the meeting procedures set out in the Town's *Council Meetings Bylaw*, with such changes as the circumstances require.
- (b) Questions of procedure which cannot be resolved by the committee will be referred to the CAO.

24. Voting

- (a) All members of a committee, including the Chair and Vice-Chair, will have a vote on any question before it, and in all cases, in the event of a tie vote, the motion will be defeated. Any member who abstains from voting, without having declared a conflict

of interest and leaving the meeting, will be deemed to have voted in the negative.

25. Conflict of Interest

- (a) Committee members are subject to the *Municipal Conflict of Interest Act* (Nova Scotia).
- (b) Committee members will not use the committee member contact list for personal or non-Town related business purposes.

26. Authority

- (a) Committees do not have the authority to communicate with other levels of government, pledge the credit of the Town, or authorize any expenditures to be charged against the Town.

27. Budget

- (a) Committees may request budget funds from Council in accordance with the Town budget preparation schedule and procedure.
- (b) Committees will have reasonable use of miscellaneous Town services, such as photocopying, paper supplies, and meeting areas, which are primarily provided through staff.

28. Personal Liability

- (a) No member of a committee shall be liable in their personal capacity for any debt or liability of the committee.

29. New Committees

- (a) In considering the formation of a new committee, Council will request staff to prepare a report to Council that includes a terms of reference for consideration by Council prior to establishing the committee.

30. Meetings Open to Public

- (a) All meetings of committees are open to the public and no person shall be excluded except in cases of improper conduct, or where the committee is considering an item where, in accordance with section 22 of the MGA, the committee is permitted or required to meet *in camera*.

31. Delegations to Committees

- (a) Delegations and presentations to committees must be approved by the Chair in advance of the meeting, and must be limited to 10 minutes unless a longer period is agreed to by unanimous vote of committee members present or in advance by the Chair. Once the delegation has presented their remarks, committee members may ask questions for clarification if permitted to do so by the Chair. Once the delegation presentation is concluded and questions have been addressed, the delegation must not be permitted to participate further in the committee deliberations on the issues raised by the delegation.

32. Repeal of Committees of Council Membership Policy

- (a) The Committees of Council Membership Policy, Policy Number P100-001, is repealed.