



## **TOWN OF KENTVILLE POLICY STATEMENT G57 COMMITTEES OF COUNCIL**

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### **1.0 PURPOSE**

The purpose of this policy is to establish the policies and procedure for effective operation of the Committees of Council.

### **2.0 DEFINITIONS**

- 2.1 Quorum, the minimum number of members of a committee that must be present at any of its meetings to make the proceedings of that meeting valid. In this policy quorum is defined as 50% plus one.

### **3.0 SCOPE**

- 3.1 This policy is applicable to all committees of Council and all appointed members, which may include Council member and citizen appointees. To include:
- 3.1.1 defining the key areas of responsibility and the duties of each committee;
  - 3.1.2 establishing the membership, the term of appointment and the structure for the committees; and
  - 3.1.3 other terms of reference as required.
- 3.2 Nothing in this policy supersedes higher-level documents, bylaws or policy statements for those committees detailed under Commissions and Exceptions.

### **4.0 PROCEDURES**

- 4.1 General: The role of all committees is limited to advising Council unless otherwise stated in the bylaw or resolution governing that committee.
- 4.1.1 The Council may establish standing, special, ad hoc, and advisory committees. Each committee shall perform the duties conferred on it by legislation or the by-laws or policies of the Municipality.

- 4.1.2 The Council reserves the right to appoint persons who are not members of the Council. To determine the make-up of each committee, the skill sets required by its participants, and residency requirements.
- 4.1.3 Applications for appointment to the committees shall be invited by public advertisement.
- 4.1.4 All applicants must consent to criminal and background checks.
- 4.1.5 Policy G70 Meetings applies to all committee meetings.
- 4.1.6 Robert's Rules of Order shall apply to all committee meetings.

The rules of procedure, conduct, and debate that apply at Council meetings, pursuant to the Town's bylaws or policies, apply at committee meetings with any necessary modifications for context, except that no notices of reconsideration shall be permitted at committee meetings.

- 4.1.7 All committee members are subject to the Town of Kentville Code of Conduct in the execution of committee work.
- 4.1.8 The committee shall meet at such time and place as established, however, from time-to-time, may find it necessary to reschedule as determined by the secretary, chair, and/or a quorum of committee members.
- 4.1.9 No committee shall utilize external services, or otherwise commit the Town to money expenditures.
- 4.1.10 All governance resource requests from a committee to be considered by Council shall be sent to Council Advisory Committee on a request for decision form.
- 4.1.11 All reports, recommendations, information, resource requests and/or actions from a committee to be considered by Council shall normally be sent to Council Advisory Committee on a request for decision form.
- 4.1.12 Emergency, or time sensitive recommendations, may be provided directly to the Council Meeting for decision.
- 4.1.13 Meetings may be rescheduled without advance notice to deal with emergency or time sensitive recommendations. If a meeting is rescheduled without advance notice, it will be posted to the town social media stream.

4.1.14 In the event the committee fails to provide a report or recommendation to Council within any deadline set by Council, Council may proceed with a decision regarding a matter within the committee's mandate, without awaiting the committee report or recommendation.

4.2 Term: The term of Council appointed chair, Council appointments and citizen appointments shall be for two (2) year term reviewed annually.

4.2.1 Where a Council member is appointed to a committee, board or commission as a representative of the Council, the Council member's appointment ceases when the person ceases to be a Council member.

4.2.2 Except to the extent that committee membership is otherwise determined by Provincial legislation or statute, or a bylaw or policy of the Town of Kentville, committee membership shall be reviewed annually by Council in November, and/or within three (3) months following each municipal general election.

4.2.3 Any citizen member on a committee shall take a leave for one term following two consecutive terms. The following exceptions with approval of Council shall apply:

4.2.3.1 If no applications have been received for the expired term; or

4.2.3.2 If the member has a specialized expertise required for the committee.

4.2.4 The secretary of the board, commission or committee shall immediately notify the Council of a vacancy, and the Council shall fill the vacancy.

#### 4.3 Remuneration

4.3.1 A committee member who is a Council member:

4.3.1.1 is not entitled to additional remuneration for serving on the committee; and

4.3.1.2 may be reimbursed for expenses incurred as a committee member.

4.3.2 A committee member who is not a Council member:

- 4.3.2.1 shall be paid an honorarium for serving on the committee, based on the previous year's record of meetings which will be paid out annually as per Schedule A; and
- 4.3.2.2 may be reimbursed for expenses incurred as a committee member.

#### 4.4 Membership

- 4.4.1 Committee members should be residents of the Town of Kentville.
- 4.4.2 Any person appointed by Council as a member of a board, commission or committee, pursuant to this policy or any Act of Legislature, who is absent from three consecutive regular meetings ceases to be a member.
- 4.4.3 Committees will be chaired by a seated member of Council unless mandated by a higher legislation. However, if Council does not appoint a chair, the committee shall elect a chair from one of its members. 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 powers and responsibilities at committee meetings that are conferred upon the chair at Council meetings, pursuant to the Town of Kentville's bylaws or policies, with any necessary modifications for context
- 4.4.4 Council may appoint an employee of the Town to serve as secretary, with a voice but no vote. If the Chief Administrative Officer, or Council 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.

#### 4.5 Meetings

- 4.5.1 A majority of the members of a committee constitutes a quorum (50%+1).
- 4.5.2 All committees meet quarterly, unless other terms are specified. The committee should establish regular meeting times for the committee.
- 4.5.3 Committees may ideally move or cancel a regularly scheduled meeting with three (3) business days' notice to all members, the CAO and the public.

- 4.5.4 Special meetings of a committee may ideally be called by the Chair with three (3) business days' notice to the members and the CAO.
- 4.5.5 Subject to the principles set out in the Municipal Conflict of Interest Act, all voting committee members present including the person presiding shall vote on a question.
- 4.5.6 All meetings of the committee are open to the public.
- 4.5.7 No member of a committee shall give specific direction to any staff member either at any committee meeting or at any other time. The responsibility for giving specific direction to staff shall reside with the CAO.
- 4.5.8 A committee may choose to endorse the report of Staff to Council or offer a different solution (alternative); in either instance, the staff report should always be attached.

#### 4.6 Administration

- 4.6.1 The CAO shall arrange for an orientation session for each new committee member upon that member's appointment to the committee. The purpose of the orientation session is to familiarize the member with the role of the committee, the policies and procedures of the Town which affect the committee and all other information which will assist the member to make a meaningful contribution to the work of the committee.
- 4.6.2 Meeting agendas shall be prepared by the committee chair and secretary or staff representative and circulated to committee members and ideally posted for the public at least three (3) business days before the scheduled meeting.
- 4.6.3 The secretary shall keep minutes of the committee meetings, in accordance with policies of the Town.
- 4.6.4 The committee secretary shall ensure that the minutes of each previous meeting and meeting packages are forwarded to all members of the committee at least three (3) business days prior to the meeting.
- 4.6.5 The minutes of all committee meetings are to be recorded and reviewed by the committee chair. The minutes shall be approved prior to public distribution and shall be annotated as being approved, once approved at a subsequent meeting.

#### 4.7 Standing Committees

4.7.1 The following Standing Committees shall be appointed by Council:

4.7.1.1 Council Advisory Committee;

4.7.1.2 Audit Committee; and

4.7.1.3 CAO Evaluation Committee.

4.8 Council hereby establishes the **Council Advisory Committee** as a standing Committee of Council.

4.8.1 Membership

4.8.1.1 The chair of the Council Advisory Committee is the Mayor

4.8.1.2 The secretary is appointed by the CAO, who shall keep minutes of the Committee meetings.

4.8.1.3 Council Advisory Committee consists of all Council members, and membership on the committee automatically extends to Council members, without the necessity of a formal appointment by Council, and automatically terminates upon the termination of a person's status as a Council member.

4.8.2 Mandate:

4.8.2.1 To discuss, consider, advise and make recommendations to Council concerning the affairs of the Town, that may come before Council in advance of Council making decisions, or taking action, on such matters, except where Council determines that consideration by this committee is unnecessary or inadvisable, and except that the following matters shall normally be dealt with by Council, without having to be forwarded to the Council Advisory Committee for its recommendations:

(a) Correspondence

(b) First or Second Reading of bylaw enactments, amendments or repeals;

(c) Procurement matters;

(d) Emergency or time sensitive requests for decision; and

(e) Matters which are the subject of a statutory hearing by Council.

4.8.3 Regularly review and revise Council priorities.

4.8.4 Prepare and update (at regular intervals) the Town's strategic plan.

4.8.5 Act as an oversight board reviewing and accepting the monthly reports on the Town's operations and services.

4.8.6 Review all requests for decision or direction as submitted by, or through, the CAO concerning the administration, plans, policies and programs of the Town, prior to submission to Council.

4.8.7 Review the recommendations submitted by the CAO concerning the position the Town should take regarding legislation, government initiatives, inter-municipal relations and other matters which affect public policy.

4.8.8 Exercise the authority of Council, pursuant to Part XV – Dangerous or Unsightly Premises of the Municipal Government Act that is not delegated to the administrator.

4.8.9 Administration and Meetings

4.8.9.1 Unless otherwise specified, regular meetings of Council Advisory Committee shall be held as detailed by Policy G70 Meeting Policy and the annual meeting calendar. However, meetings 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 Council, with any necessary changes for the context.

4.8.9.2 All minutes of meetings, and records of the Committee shall be open to the public, except as expressly authorized by law. These closed (In Camera) meetings will involve one of the following matters:

(a) Acquisition, sale, lease and security of municipal property;

- (b) Setting a minimum price to be accepted by the Municipality at a tax sale;
- (c) Personnel matters;
- (d) Labour negotiations;
- (e) Litigation or potential litigation;
- (f) Legal advice eligible for solicitor-client privilege; and
- (g) Public security.

4.9 Council hereby establishes the **Audit Committee**, as a standing Committee of Council.

4.9.1 Membership

- 4.9.1.1 The Mayor is Chair of the Audit Committee.
- 4.9.1.2 The Audit Committee consists of two (2) additional Council members.
- 4.9.1.3 The Audit Committee consists of two (2) citizen representatives appointed by Council for a two-year term of service, which will be reviewed annually.

4.9.2 Mandate:

- 4.9.2.1 A detailed review of the financial statements of the Town of Kentville with the auditor.
- 4.9.2.2 An evaluation of internal control systems and any management letter with the auditor.
- 4.9.2.3 A review of the conduct and adequacy of the audit.
- 4.9.2.4 Such matters arising out of the audit as may appear to the Audit Committee to require investigation.
- 4.9.2.5 Such other matters as may be determined by the Council to be the duties of an Audit Committee.
- 4.9.2.6 Subsequent to the conduct of the audit, review of the audit material and discussion with the auditor, the audit committee shall recommend the following to Council:



(a) acceptance of the audit;

(b) reappointment of the auditor subject to terms of contract. The auditor is normally engaged for a three (3) year contract and re-appointed annually; and

(c) reappointment of the two (2) citizen representatives.

#### 4.9.3 Administration and Meeting

4.9.3.1 Unless otherwise specified, regular meetings of the Audit Committee shall be held twice annually. One meeting scheduled prior to the annual audit and a second meeting scheduled following conclusion of the audit.

4.9.3.2 All minutes of meetings, and records of the committee shall be open to the public.

4.10 Council hereby establishes the **CAO Evaluation Committee**, as a standing Committee of Council.

#### 4.10.1 Membership

4.10.1.1 The Mayor is Chair of the CAO Evaluation Committee.

4.10.1.2 The CAO Evaluation Committee consists of two (2) additional Council members

#### 4.10.2 Mandate:

4.10.2.1 To provide a written performance evaluation with a formal record of performance and appraisals of the CAO's achievement of agreed-upon goals, and of the organization's performance in achieving its goals. The committee shall lead an annual appraisal of CAO using the Canadian Association of Municipal Administrators Performance Evaluation Toolkit. The evaluation period is 1 January – 31 December. The debriefing of performance and objectives should be conducted prior to 31 March.

4.10.2.2 Evaluation sheets shall be distributed to all members of Council and the Directors in January. Each member of Council and the Directors will evaluate and score the CAO's performance individually. The evaluations will be returned to the committee in February. The committee will conduct the overall evaluation and present the findings to the CAO, including new goals and objectives for the upcoming year prior to 31 March. The evaluation will be reviewed with the members of Council.

4.10.2.3 Subsequent to the conduct of the CAO appraisal, the CAO Evaluation Committee shall place a copy of the annual appraisal in a sealed envelope for inclusion on the CAO personnel file.

4.10.2.4

#### 4.10.3 Administration and Meeting

4.10.3.1 Unless otherwise specified, regular meetings of the CAO Evaluation Committee shall be held three times annually. One meeting scheduled prior to the CAO's annual review, one meeting after all input is received and a third meeting scheduled following conclusion of the annual appraisal.

4.10.3.2 All minutes of meetings, and records of the committee shall be closed to the public, under the MGA part 1 paragraph 22(2)(c) personnel matters. One signed copy of the appraisal shall be provided to the CAO and a second signed copy shall be placed in a sealed envelope and placed on the CAO's personnel file.

4.11 Ad Hoc Committees: Council may appoint special ad hoc committees from time to time to undertake the review of a specific issue or short-term project and to remain in place only if there is a continuing need for the work of that Committee. Ad Hoc Committee members will not normally receive an honorarium, unless determined and approved by Council prior to stand-up of the committee. Committees will:

4.11.1.1 be determined as issues dictate;

4.11.1.2 be provided with clear terms of reference specific to their cause, reporting and completion criteria;

4.11.1.3 consist of citizens and/or members of Council, as appointed by Council; and

4.11.1.4 report and submit recommendations to Council Advisory Committee.

4.12 Commissions and Exceptions

**4.12.1 Kentville Water Commission**

4.12.1.1 The Kentville Water Commission is subject to oversight by the Nova Scotia Utility and Review Board for regulation of water rates and the Nova Scotia Environment for the regulation of water safety issues and annual reporting. The Water Commission exercises its mandate through the following:

4.12.1.1.1 Approval of the Capital budget;

4.12.1.1.2 Approval of the Operational budget;

4.12.1.1.3 Review and promulgation of the Annual Report; and

4.12.1.1.4 Review of Water Commission Operations with provincial regulations.

4.12.1.2 Membership: The commission is comprised of the Mayor as chairperson, three (3) Councillors, one (1) citizen representative, a representative from the Kentville Volunteer Fire Department, and a representative from the County of Kings as voting members. The CAO, Director of Planning, Director of Public Works and representative from the Department of the Environment provide technical expertise with a voice but no vote.

4.12.1.3 Term: One citizen representative will be appointed by Council for a two- year term of service and reviewed annually.

4.12.1.4 Meeting: The Kentville Water Commission meets quarterly to review operational matters and annually for budget planning.

**4.12.2 Kentville Source Water Protection Advisory Group**

- 4.12.2.1 The Kentville Source Water Protection Advisory Group is subject to oversight by Nova Scotia Environment for the regulation of water safety issues. Additionally, the SWPAG is responsible for the Land Use Bylaw wellfield protection (para 4-44) of the source water area and Source Water Protection Plan. The SWPAG also has a responsibility for the protection and monitoring of the McGee Lake Surface Water Reservoir.
- 4.12.2.2 Membership: The SWPAG is comprised of the Mayor as chairperson, one (1) Councillor, one (1) citizen representative, a representative from the Kentville Volunteer Fire Department, and a representative from the County of Kings as voting members. The CAO, Director of Planning, Director of Public Works and representative from the Department of the Environment provide technical expertise with a voice but no vote.
- 4.12.2.3 Term: One citizen representatives will be appointed by Council for a two- year term of service and reviewed annually.
- 4.12.2.4 Meeting: The Kentville Source Water Protection Advisory Group shall meet quarterly.

#### **4.12.3 Investment Advisory Committee**

- 4.12.3.1 The Investment Advisory Committee is appointed by Council to monitor the investment portfolio and investment activities pursuant to the Perpetual Reserve Fund Policy for the funds invested from the sale of the Kentville Electric Commission. Nova Scotia Bill # 20 – Town of Kentville and Kentville Electric Commission Sale of Assets Act stated that “The Town shall establish a Special Perpetual Reserve Fund.” Direction is provided within Town of Kentville’s Policy Statement G26 – Investments – Perpetual Reserve Fund Policy.
- 4.12.3.2 Membership: The Investment Committee consists of two ( 2) Council members (one of which can be the Mayor) and two (2) citizen appointees, as voting members. The Investment Committee uses the services of a professional investment manager/advisor, approved by Council.

4.12.3.3 Term: Two (2) citizen representatives will be appointed by Council for a two- year term of service and reviewed annually. The professional investment manager/advisor, approved by Council is contracted to a four-year term, reviewed annually.

4.12.3.4 Meeting: The investment Committee meets monthly with the Investment Manager/Advisor to review the past month's progress and the position of the Fund.

#### **4.12.4 Accessibility Advisory Committee**

4.12.4.1 The Accessibility Advisory Committee (AAC) advises Council on the elimination of Barriers faced by people with Disabilities and acts as a liaison with external bodies on Barriers to participation in public life and to the achievement of social, cultural and economic well-being of people with Disabilities. The committee will advise Council in the preparation, implementation and effectiveness of its Accessibility Plan.

4.12.4.2 Membership: The committee will consist of seven (7) voting members who reside within the boundaries of the Town who are entitled to honoraria. At least three (3) of the members of the AAC must be persons with Disabilities or representatives from organizations representing persons with Disabilities. Two (2) members will be members of Council. The Chair and Vice-Chair will be appointed annually by the committee. In addition to these committee members, a staff Recording Officer may be appointed as a non-voting member of the committee.

4.12.4.3 Term: The committee will advise Council in the preparation, implementation and effectiveness of its Accessibility Plan, and membership will be for the term required to establish this Plan.

4.12.4.4 The advisory committee meets six times per year or more as needed.

## **5.0 ASSOCIATED DOCUMENTS**

### **5.1 Schedule A – Non-Council Honorariums**

5.2 Policy G16 Code of Conduct

5.3 Policy G70 Meeting Policy

5.4 Policy G26 – Investments – Perpetual Reserve Fund Policy

5.5 Policy G4 Travel Meals and Miscellaneous Expenses

## **6.0 POLICY REVISION HISTORY**

Date Created:	September 27, 2010
Revisions:	July 25, 2011
	October 28, 2013
	June 29, 2015
	November 26, 2018
	June 24, 2019
	September 30, 2019
	January 27, 2019

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Chief Administrative Officer, Kelly Rice

## **SCHEDULE A – NON-COUNCIL HONORARIUMS**

Monthly Meetings	\$400.00 per year
Bi-monthly Meetings	\$200.00 per year
Quarterly Meetings	\$200.00 per year

Ad Hoc Committee members will not normally receive an honorarium, unless determined and approved by Council prior to stand-up of the committee.

Non-Council Committee Member expenses shall be consistent with Policy G4 "Travel, Meals and Miscellaneous Expenses".