



**TOWN COUNCIL AGENDA**

**December 8, 2020**

12:00 p.m.

YouTube Live

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Call to Order

1 Approval of Agenda

2 Minutes

2.1 Discussion of Council Policy and Committee Policy





## Town of Mahone Bay

Staff Report

RE: Council and Committee Policy

November 26, 2020

### **General Overview:**

This report is to provide Council with the opportunity to perform a regular review of the Council and Committee Policies with the start of the 2020-24 Council term.

### **Background:**

Following the 2020 Municipal and School Board Election, the Town of Mahone Bay 2020-24 Council was sworn in on November 8, 2020. As part of the regular review of policies, in particular the policies related to the guidelines and procedures for the conduct of meetings of Council and Committees of Council, Council has the opportunity to review the Council Policy and the Committee Policy as part of setting their mandate.

### **Analysis:**

The Town of Mahone Bay Council Policy provides a set of guidelines for Council meetings and a reference for Council procedures, meeting schedules and other logistics that enable Council to conduct their meetings with optimal efficiency. The Town of Mahone Bay Committee Policy provides similar guidelines for the conduct of Committees of Council, as well as outlining the committees which support the mandate of Council.

As part of the regular review of policies of the Town, Council may wish to review both the Council and Committee Policies to determine if there are amendments which would be beneficial to the 2020-24 Mahone Bay Town Council.

### **Financial Analysis:**

There are no significant financial implications for the review of the Council Policy and Committee Policy.

### **Links to Strategic Plan:**

#### 3.2 An Optimal Governance and Operations Structure

- Determine the optimal operations structure that results in the efficient delivery of services.

**Recommendation:**

It is recommended, that at the November 26, 2020 meeting of Council

**THAT Council receive this report for information.**

And that, should Council request consideration of any amendments to these policies, direction be provided to staff for presentation of amendments to the December 8, 2020 Council meeting.

Respectfully submitted,



Maureen Hughes  
Town Clerk and Deputy CAO



## **1.0 Purpose**

The purpose of this policy is to provide a standard set of guidelines concerning the procedures of Council and Town Council meetings. This policy will provide Council, staff and community members with a reference for Council procedures, meeting schedules, and roles and responsibilities of Council members.

All meetings of Council must be held in accordance with the Municipal Government Act.

## **2.0 Scope**

The Town Council Policy applies to all members of Town Council as well as Town staff and any members of the public in attendance or participating in a Town Council meeting and meetings of Town Council Committees (except as noted in the Town of Mahone Bay Committees policy).

The Town Council Policy will repeal and supersede any and all previous policies held by the Town of Mahone Bay regarding and/or governing Town Council and Town Council meetings.

## **3.0 Council**

**Town Council:** Council shall consist of seven elected members; five Councillors, a Deputy Mayor and a Mayor.

**Organization of Council:** At the first meeting of Council after a regular or special election, the Council shall meet and administer the required oaths and appoint one of their number to be Deputy Mayor.

**Responsibilities of Council:** Members of council are expected to review pre-meeting packages provided, attend Council meetings and committee meetings as scheduled, respond to correspondence and attend special events. Council members are to conduct themselves in accordance with expectations as set forth by the Town of Mahone Bay.

The Council provides direction on the administration of the Town to the Chief Administrative Officer. All council members are required to vote during meetings and any

non-vote will be deemed as a vote against the issue. No individual Council member shall instruct or give direction to an employee of the Town.

**Appointment of Deputy Mayor:** The candidate who received the most votes at the polls of the municipal election shall be appointed Deputy Mayor on their consent to this appointment. If the person appointed as Deputy Mayor ceases to be a member of Council, or if the candidate who received the most votes does not consent to the appointment, then the member of Council who received the next highest number of votes at the most recent election shall be appointed Deputy Mayor for the balance of the term on their consent to this appointment.

If those nominated for Council are acclaimed, then the Councillor with the longest service on Council shall be appointed Deputy Mayor, on their consent to this appointment. In the event that this isn't possible, the selection will be made by motion of Council. If the person appointed as Deputy Mayor ceases to be a member of Council then the member of Council with the next longest service on Council shall be appointed Deputy Mayor for the balance of the term on their consent to this appointment.

**Responsibilities of Deputy Mayor:** The Deputy Mayor will act in the absence or inability of the Mayor or in the event that the office of Mayor becomes vacant.

**Responsibilities of Mayor:** The Mayor will preside over meetings of Council. Prior to the meeting, the Mayor will consult with the CAO concerning the meeting agenda. The Mayor shall monitor the administration and government of the Town. The Mayor may call a special meeting should an issue arise that requires immediate attention. Where the Mayor determines that there is an emergency, the council may meet without notice or with such notice as is possible in the circumstances. The Mayor shall also act as a public spokesperson in the media; if required, this can be designated to another member of Council or staff.

#### **4.0 Council Meetings**

**Regular Council Meetings:** The Council meeting schedule is determined by Council, the CAO and the Town Clerk on an annual basis. No notice is provided for regular meetings.

**Special Council Meetings:** The Town Council shall hold Special Council meetings as may be necessary or expedient for the transaction of Town business. Special Council meetings will follow the same procedures as regular Council meetings. The CAO shall give the public three business days notice of special meetings by posting at the Town Hall and on the Town website. Failure to provide public notice does not invalidate the meeting.

**Emergency Meetings:** Emergency meetings are Special Council meetings held in response to an emergency as determined by the Mayor.

**Meeting Calendar:** There will be a meeting calendar available to Council and the public by January 2<sup>nd</sup> of each year, posted at the Town Hall and on the Town website. This calendar will list all regular meetings of the Town Council and council committees.

**Council Meeting Packages:** The Town Clerk shall distribute a Council package containing all the relevant documents for each regular or special meeting including: an agenda; minutes; documents corresponding to delegations or Council items; and staff reports or other materials necessary to the meeting as per the agenda. The Council package will be distributed a minimum of three business days prior to the meeting. For special meetings these timelines may be reduced. Council meeting packages for regular meetings will be posted on the Town website three business days in advance of the Council meeting; special meeting packages will be posted in advance if possible. Closed session materials that are pre-distributed to Council members or circulated in closed session are deemed confidential information and shall not be released to the public; physical and electronic copies are to be destroyed following the meeting.

**Agenda:** Draft agendas for Council meetings are completed through consultation between the CAO and Town Clerk. Agenda items may be added by Council members, Town staff and the public as specified in this policy.

Council agendas are posted on the Town website and in pre-determined public locations three business days prior to the Council meeting.

**Minutes:** At regular meetings of Council, except when Council resolves to defer the approval of minutes for a maximum of one additional meeting, the minutes of the previous regular meeting and subsequent special meetings will be reviewed and after all necessary corrections and amendments have been made, the minutes shall be approved by Council. To facilitate this process draft minutes will be circulated five business days prior to each regular meeting and the Town Clerk will bring an updated version reflecting any suggested corrections to the meeting for approval. The minutes shall be restricted to a record of the date, location, time, Council members and staff present, and the outcomes and actions taken on all agenda items. The approved minutes will be signed by the Clerk and the Mayor, or their designates. The original, signed and sealed minutes shall be kept by the Clerk. Within three business days of approval, minutes will be uploaded onto the Town website.

**Recordings:** Regular Town Council Meetings and Special Town Council Meetings will be recorded and uploaded to the Town of Mahone Bay's video platform for public viewing and information. Audio recordings will be taken as a backup but will not generally be



saved. Closed sessions will not be recorded. The approved written Minutes for meetings, presented to Council by the Town Clerk, remain the official record of Council meetings.

Delegations will be advised that the meetings are recorded.

**Staff:** The Chief Administrative Officer and the Town Clerk will generally be in attendance at meetings of Council. The CAO will assist and inform Council, the Clerk will keep a record of the meeting and may, at the discretion of the Clerk, appoint recording secretaries as appropriate. Other members of staff may be present at the invitation of Council, as directed by the CAO.

**Quorum:** As per the Section 20 of the Municipal Government Act quorum will be achieved by a majority of the maximum number of persons that may be elected to Council. In the case of quorum not being met within 15 minutes of the appointed meeting time, or if quorum is lost during a meeting, the meeting will be adjourned and rescheduled.

**Chairperson:** Once quorum is met, the Mayor, if physically in attendance, will chair the meeting. If the Mayor is not expected to be present or is not present within 15 minutes of the meeting's starting time, the Deputy Mayor shall take the chair and preside during the meeting or until the arrival of the Mayor. If neither the Mayor nor Deputy Mayor is physically in attendance within fifteen minutes of the meeting's starting time, the Chief Administrative Officer shall call the meeting to order and the Councillors present shall appoint one of the members the Chair and they will preside during the meeting or until the arrival of the Mayor or Deputy Mayor.

The Chair may vote on any motion but may not introduce motions. If the Chair wishes to introduce a motion they may request that another member of Council temporarily take the Chair; this will be recorded in the minutes.

**Breaks:** Once a meeting has exceeded 2 hours, the Chair will entertain a motion for a 15 minute break.

**Order of Business:** The order of business at a regular or special Council meeting shall generally adhere to the following structure:

- a) The Chair will call the meeting to order;
- b) Approval of the meeting agenda;
- c) Approval of the Minutes of the last regular meeting and of any special meeting(s) held since the last regular Council meeting;
- d) Consideration of delegations;
- e) Correspondence – actionable items;
- f) Correspondence – information items;

- g) Consideration of reports of staff;
- h) Motions or items brought forward by Council;
- i) Reports from Council Committees and external boards and commissions of which the Town is a member
- j) New Business;
- k) Closed session if required;
- l) Adjournment.

**Approval of Agenda:** At the beginning of each Council meeting, Council shall approve the meeting's agenda. At this time an item can be added by a Council member under the category of New Business. If an item is deemed to be of a time-sensitive nature it may be added under Items brought forward by Council with a motion to amend the agenda, if this motion fails the item may still be added under New Business.

**Delegations:** Organizations or individuals are able to make presentations, in person, at Town Council meetings. A maximum of two delegations can be scheduled for any one meeting of Council unless emergency situations exist or there is cause for more presentations as determined by the CAO and Mayor.

Delegations must generally submit a completed Delegation Application Form (attached as a schedule to this policy) to the Clerk for approval a minimum of five business days prior to the Council meeting; applications are available at Town Hall and on the Town website. Invited delegations will not be requested to complete the delegation form and may be afforded more time at the discretion of the Chair.

Approved delegations are allotted 10 minutes to present to Council; if more time is needed for special consideration, a special meeting can be scheduled to receive the presentation of a delegation.

The Chair shall interrupt the presentation when the 10 minute timeframe is exceeded and ask direction from Council on whether the presentation shall continue. If the Chair rules that the delegation is concluded, the person or persons appearing shall withdraw, and the decision of the Chair shall not be subject to challenge.

No motions or decisions shall be introduced by Council concerning a delegation's requests at the same Council meeting as the presentation save for motions to refer an issue to a Council Committee or to staff.

**Correspondence:** Correspondence to Council and/or correspondence requiring the attention of Council will be placed on the agenda in two categories; Action (for correspondence requiring a response of Council) or Information. Correspondence must have a full name, address or place of residence, and contact information included; anonymous correspondence will not be accepted. For a piece of correspondence to be



added to the agenda for an upcoming council meeting, it must be received by the Town Clerk no later than five business days before the meeting.

**Staff Reports:** Reports from staff will be provided to Council in the Council package; the reports may include recommendations which require motions. A report on tasks previously assigned by Council will be provided on each agenda. The CAO will respond to questions regarding the reports.

**Policy Approval Process:** Policies proposed for adoption, amendment or repeal shall be circulated to Council by the CAO and will then be presented for discussion at the next meeting of Town Council. The policy will then be presented for consideration at the next meeting of Council that is held no less than seven (7) days following the date received for consideration and will appear on the agenda under Staff Reports.

**By-Law Approval Process:** By-laws proposed for adoption, amendment or repeal shall be presented at a meeting of Council and given first reading by motion. At least fourteen days before a by-law is read for a second time, notice of Council's intent to consider the by-law shall be published in a newspaper circulating in Town, posted at the Town Hall and posted on the Town website. The notice shall state the object of the by-law, the date and time of the hearing provided for public input, and of the meeting at which the council proposes to consider it and the place where the proposed by-law may be inspected. Council will schedule a hearing prior to second reading, generally immediately prior to the Council meeting where second reading is on the agenda. Only Council members present at the hearing may vote on the motion for second reading. On receiving second reading a notice of the By-Law's adoption, amendment or repeal shall be published in a newspaper circulating in Town.

**Town Council Committee Reports:** Town Council Committee Reports will be presented by one of the Council members who sits on the Town Council Committee. The complete draft minutes from each committee meeting will be provided to all of Council for their review in the Council package following their preparation. The Council member will present only the critical highlights of the meetings and motions or items requiring Council action or direction.

**Items brought Forward by Council:** Any member of Council may bring forward items of business or interest for consideration by Council. Motions can be made on these items during the meeting. To add a Council item to the agenda Council members must contact the Town clerk in writing in a minimum of five business days prior to the meeting date requesting the item be added; the Council member must provide sufficient background information for inclusion in the meeting package.

Staff will provide Outlook invitations to Council members for all regular meetings of Council in a calendar year by January 2<sup>nd</sup> of that year; once accepted, Council members will receive an automated reminder to submit agenda items one week prior to each meeting.

**New Business:** New Business presents an opportunity to raise subjects not previously discussed or included on the meeting Agenda. Council members can provide Notice(s) of Motion for upcoming meetings of Council; motions cannot be made under New Business. The Council member making the Notice of Motion will provide the motion to the Town Clerk for submission to Council in the next Town Council meeting package. Under New Business, Council members may bring forward items of interest to Council and the public and/or ask questions of the CAO.

**Closed Sessions:** The Council may meet in closed session to discuss matters relating to:

- 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 relations;
- e. Contract negotiations;
- f. Litigation or potential litigation;
- g. Legal advice eligible for solicitor-client privilege;
- h. Public security;

No decision shall be made in closed session except a decision concerning procedural matters or to give direction to staff of, or solicitors for, the Town.

The meeting minutes will note the reason Council met in closed session and the duration, but no other information.

## **5.0 Meeting Procedures**

### **5.1 Motions, Voting and Speaking:**

- a) All motions shall be decided by majority vote of those present. An abstention will be considered a vote against the motion. If a motion fails to secure a majority of yes votes it will be considered to have failed.
- b) A motion may be withdrawn by the mover at any time, with the consent of the seconder, before the Council has voted on it.

- c) Prior to beginning a vote on any motion a Council member may request a role-call vote. If a role call is so requested the Chair will read each member's name in alphabetical order by surname and the member will reply with a yes or no vote.
- d) When any question is before Council only the following motions can be made:
  - i) A motion to amend the original motion;
  - ii) A motion to refer the question to any committee;
  - iii) A motion to defer the consideration of the question to a time specified by motion;
  - iv) A motion that the question be put to a vote;
- e) A motion that the question be put to a vote shall be put to a vote without further amendment or debate, but a motion that the question be put to a vote will not itself be put to a vote until every Council member who has not spoken on the question and wishes to speak has been heard.
- f) Once a motion has been put to a vote the same motion will not be reintroduced for Council's consideration unless significant new information has been provided to Council. The Council will vote to reconsider a motion prior to the motion itself being put before Council.
- g) The Chair will start every question by asking "Is Council ready for the question?" and if no Council member speaks, the chair shall ask the question, after which no Council member is permitted to speak on the motion. A motion must be seconded before it is debated or discussed.
- h) The following questions will be decided without debate:
  - i) A motion to reconsider;
  - ii) A motion to allow any person other than the Council Members or CAO to address the Council;
  - iii) A motion to adjourn.
- i) Every Council member, prior to speaking on any question or motion, will raise their hand and wait to be acknowledged by the Chair before speaking. If more than one Council member raises their hand to speak at the same time, the Chair shall decide will be allowed to speak first.
- j) No Council member may speak more than twice, without the permission of Council, on any motion except to explain a misconception of their remarks. The mover of a motion shall have the right to reply and sum up in closing the debate; this shall be for a maximum of two minutes and shall not count against the limit of two opportunities to speak on a motion.

- k) No Council member shall speak more than two minutes upon any matter at one time, without the leave of Council.

## **5.2 Points of Order:**

- a) It shall be the duty of the Chair, and the privilege of Council members, to call any Council Member to order, who violates any rules contained in this policy. A point of order must be decided before the subject under consideration can proceed.
- b) When a Council member is called to order, the Council member shall remain seated and silent until the point is determined.
- c) A point of order is not debatable amongst other members of Council, unless the Chair invites discussion in an effort to assist in making a ruling. If the Chair permits discussion of a point of order, no member of Council is permitted to speak more than once.
- d) Decisions of the chair on points of order or procedure are not debatable but are appealable by any member of Council. When an appeal is made from the decision of the Chair, the Chair shall simply state the question, "Shall the decision of the Chair be sustained?" which shall be voted on without debate.
- e) If a Council member resists the rules of Council, intentionally obstructs the business of Council or disobeys the decisions of the Chair, or of Council on appeal, on any question of order or practice, after being called to order by the Chair, or otherwise disrupts the proceedings of Council, the member of Council may be ordered by the Chair to leave the Council table provided that a majority vote of Council sustains the expulsion.

If the Council member refuses to leave the table, the Chair may order the member of Council be expelled and excluded from the Council Chambers. Such member of Council may, by vote of Council, later in the meeting or at a subsequent meeting be permitted to re-enter Council Chambers and to resume participation in Council's business with or without conditions.

- f) If any question arises that is not provided for by applicable legislation or this policy, it shall be decided according to the ruling of the Chair.

### **5.3 Attendance at Council Meetings:**

- a) Persons who are not Council members or employees of the Town of Mahone Bay who are in attendance during a meeting of Council shall observe silence and order in Council Chambers, unless given permission to speak. Any such persons disturbing the proceedings of Council will be called to order by the Chair, and, if they fail to comply, will be expelled from Council Chambers by the Chair; a majority vote of Council shall be required to sustain the expulsion. Such member of the public may, by vote of Council, later in the meeting or at a subsequent meeting, be permitted to re-enter Council Chambers, with or without conditions. An order of the Chair to expel a person from the Council Chambers constitutes a direction from the Town of Mahone Bay to leave the premises.

### **6.0 General**

**Questions:** For 10 minutes following a Council meeting, there will be an opportunity for the public in attendance to ask questions of Council. Questions must be related to the meeting's agenda. Council members are not obligated to answer.

**Professional Conduct:** All Council members, staff and members of the public are encouraged to maintain professional standards of conduct during all meetings of Town Council. Abusive language or actions can result in expulsion from the meeting, Council Chambers and/or the building. Threatening language, violence, or destruction of property can result in intervention by the RCMP.

**Conflict of Interest:** Any Council member with a conflict of interest related to motion or actions of Council, as per the Municipal Government Act, subject to the Municipal Conflict of Interest Act, must declare this conflict. If this conflict occurs in open session, the Council member must excuse themselves from the Council table during the time which the topic is under consideration; if this conflict occurs in closed session, the Council member must excuse themselves from the meeting room during the time which the topic is under consideration. The Clerk will record the date, Councillor's name and the topic of conflict, to be filed with the Council minutes.



**Conducting Meetings by Electronic Facilities:** A Council or council committee meeting may be conducted by means of electronic facilities, when a member of Council is unable to attend in person. When it is the norm that Council meetings are held in person, electronic participation by a member will be permitted for a maximum of two (2) consecutive regular meetings of Council without leave of Council.



A Council member participating by means of an electronic facility is deemed to be present at the meeting, can be counted toward quorum and can vote, including casting the deciding vote in the event of a tie. If communication is lost during the meeting and cannot be reconnected, the minutes shall reflect when the Council member left the meeting.

A person can only participate electronically in a closed portion of a meeting if they assure Council that they are in a secure location where no other parties can view or hear any part of the closed session. Under no circumstances is any portion of the closed session to be recorded.

While it will generally be the norm that meetings of Council and council committee meetings are held in person, in the event that an in-person meeting is not possible due to extenuating circumstances, a remote meeting may be called and in such case the same expectations of transparency and opportunity for public participation as laid out elsewhere in this policy will be maintained as for a physical meeting (via live broadcast on the Town of Mahone Bay's video platform). When a Council meeting will be conducted remotely using electronic facilities this information will be included on the agenda for public information.

Clerk's Annotation for Official Policy Book	
Date of notice to Council Members of Intent to Consider [minimum 7 days notice]	<u>May 28, 2020</u>
Date of Passage of Policy	<u>June 9, 2020</u>
 Town Clerk	 Date

# Town of Mahone Bay

## Committees Policy

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### 1.0 Purpose

The purpose of this policy is to manage the creation and dissolution of Town Council Committees as required and to provide Council, staff and community members with a reference for council committees.

This policy will serve as a reference in the formation of new Town Council Committees. This policy will provide guidelines for the organization of committees, committee membership, meeting practices, and roles of committee members.

This policy will include a list of current Town Council Committees.

### 2.0 Scope

The Committees Policy applies to all Town of Mahone Bay Committees of Council, at all times and without exception. The following provisions shall apply to all Town Council Committees listed in this policy, except where the policy specifically provides otherwise.

The Committees Policy will repeal and supersede any and all previous policies held by the Town of Mahone Bay regarding and/or governing Town Council Committees.

### 3.0 Terms

**Town Council Committees:** Section 24 of the Municipal Government Act provides that Council may establish standing, special and advisory committees. Town Council Committees are formed by motion of Council amending this policy to add to the list of current committees and associated schedules. The purpose of every Town Council Committee is to serve the community in some meaningful and recognizable way and to make recommendations in this regard to Council. Council Committees may be comprised of Council members, Town staff and public members (a Committee's Terms of Reference may provide additional criteria).

Committees will submit regular written reports or minutes to Council for review and will present recommendations for Council approval. This will generally take place at the next regular Council meeting following the date of the Committee meeting (or at the next regular Council

meeting thereafter, if Council meets less than seven business days after the Committee's meeting date, to allow for the preparation of minutes).

All Town Council Committees are expected to:

- Review and advise Council on any matter referred by Council;
- Receive delegations and correspondence related to the Committee's mandate;
- Conduct community and stakeholder consultation and engagement and report to Council;
- Make recommendations to Council related to the Committee's mandate;
- Identify and recommend to Council external funding sources supporting the Committee's mandate;
- Collaborate with other Committees of Council;
- Provide recommendations to the Town's annual budget – if any – no later than the end of January of each year;
- Provide regular public reports to Council in the form of Minutes.

Town Council Committees do not:

- Make financial commitments on behalf of the Town;
- Provide direction to Town staff.

**Standing Committees** – Council Committees comprised primarily of Council members with some public members, generally meeting as required to fulfill the obligations of Council under legislation or by-law.

**Advisory Committees** – Council Committees with an advisory purpose focused on a particular area of municipal responsibility, comprised primarily of public members with no more than three members of Council appointed. Agenda items may be referred by Council, or added by members to encourage discussion. In accordance with their specific mandate, Advisory Committees may recommend to Council long-term strategic plans and related annual work plans (setting goals and timelines) including budget recommendations. Advisory Committees generally meet monthly or bimonthly.

**Citizen Advisory Committees** – Advisory Committees comprised in accordance with Provincial legislation to provide a public forum for consideration of specific topics. Agenda items

are generally referred by Council. Citizen Advisory Committees meet as necessary to fulfill their mandate.

**Special Committees** - Ad-hoc committees established by Council for a special purpose; will have a finite mandate / duration specified in establishing motion. Consideration will be given to whether a special committee or special meetings of the Town Council are the more appropriate option in each case.

**External Committees, Boards & Commissions:** Town Council members and members of the public are also appointed to serve on various external committees, boards and commissions. Members so appointed under this policy shall represent the interests of the Town at all times while serving in this capacity, conduct themselves in accordance with expectations as set forth by the Town of Mahone Bay, and ensure the Town Council is kept well informed as to the proceedings of the committee, board or commission.

**Terms of Reference:** Town Council Committees require Terms of Reference for members to promote and adhere to which are clear in purpose and easily recognizable as being for the public good. The mandate must be one which members can work toward with tangible outcomes easily recognizable by the community, on the whole, as positive and valuable. All current Town Council Committees' Terms of Reference will be included as schedules to this policy. Generally, each Committee's Terms of Reference will include: Background, Committee Mandate, and Committee Membership.

Advisory Committees are responsible to review their Terms of Reference and make recommendations to Council for their amendment as deemed necessary or desirable by the Committee.

#### **4.0 Roles and Responsibilities**

**Role of Committee Chair:** The Chair is appointed annually or when the position becomes vacant. Council may appoint a Chair of any committee from the membership by motion. If Council does not appoint a Chair, the Chair will be determined from the membership by the committee members. Committees may remove and appoint a Chair as deemed necessary, by way of a recommendation to Council. Town Staff may not serve as Chair.

The Chair of a Town Council Committee is entitled to speak and vote on any motion. The Chair will call the meeting of the committee to

order and ensure appropriate procedures are followed (as specified in the Town of Mahone Bay Town Council Policy). The Chair will serve as the representative of the committee at official functions; however, this function can also be delegated to another member(s) of the committee as required.

**Role of Committee Secretary:** The Committee Secretary is always a non-voting staff member designated by the CAO. The Secretary will prepare the agenda and keep the minutes of the committee meetings in accordance with the Town of Mahone Bay Town Council Policy. The Secretary will provide agendas and minutes to the membership and the Town Clerk for submission to Council and for public access. The Secretary will have the following responsibilities:

- a) to collect agenda items and input from committee members and issue the agenda, along with any other required documents, to the committee prior to the meeting;
- b) prepare and issue minutes of meetings in a timely fashion; and,
- c) ensure that the activities of the committee are communicated effectively to the community, prepare any press releases and coordinate with the Town's website manager to ensure that pertinent information is made available to the public.

**Role of Committee Members:** All members of Town Council Committees are expected to:

- a) Understand the mandate of the Committee and its relationship to Council, as well as relevant Town policies;
- b) Understand their role as a Committee member;
- c) Understand the role of the Committee Chair, Council members and Town staff;
- d) Strive to attend all scheduled and special committee meetings;
- e) Recognize any limitations on your participation and inform the chair of these limitations;
- f) Prepare for meetings by reading agendas and any background information supplied;
- g) Actively participate in the discussion and decision-making process;
- h) Undertake any work assigned, including special projects, participation on subcommittees and research;
- i) Participate in ongoing training and regular workshops when appropriate;
- j) Be open-minded and allow for a variety of opinions to be heard;



- k) Respect the individual worth and dignity of opinions of other Committee members and maintain a high degree of decorum;
- l) Refer to the Chair for questions and procedure;
- m) Ask questions, and seek clarification through the Chair or staff;
- n) Respect the decisions and finality of Council;
- o) Clearly identify and orally disclose any conflict of interest, and refrain from any discussion which could influence the opinions of Committee members;
- p) In a public forum, clearly identify when they are speaking in their capacity as a committee member, or as an independent citizen, where appropriate;
- q) As a representative of the Town, conduct themselves in accordance with expectations as set forth by the Town of Mahone Bay; and
- r) Sign and adhere to the Town of Mahone Bay Code of Conduct.

## **5.0 Committee Membership:**

Council Committees may be comprised of Council members, Town staff and public members as specified in their Terms of Reference, appointed in accordance with this policy. Advisory Committees, excluding Citizen Advisory Committees, will generally be comprised of two members of Council, one or more non-voting staff members, including the designated Committee Secretary, with the remaining membership consisting of representatives of stakeholder or community organizations and/or individuals with particular skill sets relative to the committee (a Committee's Terms of Reference may provide additional criteria). Wherever possible Committees will consist of an uneven number of voting members. Council will remove committee members by motion as deemed necessary to ensure the proper functioning of the committee.

Voting members of Town Council Committees must be residents of the Town, owners of property within the Town, or currently active members of stakeholder or community organizations as per each committee's Terms of Reference. The majority of voting members of Town Council Committees must be residents of the Town. No Town Council Committee shall have more than nine voting members.

### **5.1 Appointment of Committee Members:**

#### **Council Member Appointment**

- Upon the swearing in of the Town Council following a municipal election, and every two years thereafter during the life of a Council,

the Mayor shall consult with members of Council and present to Council a list of proposed Council member appointments to Town Council Committees and external committees, boards and commissions.

- Unless otherwise governed by policy or legislation, Council appointments to committees, boards and commissions shall be made for a two year term and such appointments shall be by motion of Council.
- If a vacancy should occur, Council may leave the position vacant for the balance of the term or appoint a replacement for the vacancy by motion of Council.
- The Mayor shall be a non-voting member of all Town Council Committees in which the participation is ex-officio.

### **Staff Member Appointment**

- The Town staff person(s) holding the position(s) specified in the Committee's Terms of Reference on a permanent or acting basis will be considered members of the Committee; if the specified staff person is unavailable to attend a meeting the CAO may send a designate.
- Additional Town staff persons may be directed to attend meetings of Town Council Committees by the CAO but will not be considered Committee members.
- Town Staff are always non-voting members on Town Committees.
- The CAO shall be a non-voting ex-officio member of all Town Council Committees.

### **Public Member Appointment**

- Unless otherwise governed by policy or legislation public member appointments to Town Council Committees will be made on a calendar basis in December of each year for an appointment of two years beginning in January. Council may terminate any public member appointment by motion at any time.
- If a vacancy should occur, Council may leave the position vacant for the balance of the term or appoint a replacement for the vacancy by motion of Council.
- The Town will advertise all vacancies for public members on Town Council Committees prior to the expiration date of the term of office and additionally as required to fill unanticipated vacancies.
- Vacancies will be advertised by circulating a notice to all residents of the Town through Canada Post and on the Town website. Such notices will include the selection criteria contained in this policy.
- Application forms (attached as a schedule to this policy) will be available at the Town Hall and on the Town website.

- All applicants (including those re-offering) must complete an application form and submit it on, or before, the deadline date indicated.
- The Terms of Reference for a Council Committee may require one or more public members to serve as representatives of a stakeholder or community organization with candidate nominations being forwarded for Council's consideration. Completed application forms are still required and must be submitted on, or before, the deadline date indicated.
- Selection process:
  - Members of the Town Council will review those applications received, selecting those individuals most suitable for the positions available.
  - If there are only enough applicants to fill the available vacancies and Council approves the candidate offering for the position, no further assessment is necessary.
  - If there are more than enough applicants to fill the available vacancies Council will score the candidates according to the following criteria:
    - Committee experience (on a committee of council or equivalent committee of any organization) – 1 point per year of experience to a maximum of 4;
    - Educational, work, and volunteer experience relevant to the Committee's mandate – 1 point per year of experience to a maximum of 4;
    - Demonstrated suitability and support for the values outlined in the Council's Strategic Plan – up to 2 points;
    - Demonstrated ability to attend regular Committee meetings and related events – up to 2 points;
    - Demonstrated proficiency with computers – up to 2 points;
    - Diverse and balanced representation of the community – up to 2 points;
    - Additional criteria as provided in the Committee's Terms of Reference – up to 4 points.
  - The scoring for each candidate would be the sum of the points received from each member of Council based on the criteria. Candidates will then be ranked in order of the highest total of points received. This ranking would be a guideline for Council to use in the appointment of public members.
  - Notwithstanding the ranking of any candidate, the final selection and appointment to Town Council Committees is at the sole

discretion of Council by motion. The Town Council is not obligated to appoint any candidate and may instead re-advertise for public members as needed.

## **6.0 General**

**Meeting Procedures:** Meetings of Town Council Committees will generally adhere to the meeting procedures specified in the Town of Mahone Bay Town Council Policy. Quorum at a meeting of a Town Council Committee shall be the same as quorum at a Town Council meeting (a majority of voting members) pursuant to provincial legislation.

Committees shall meet at such a time and place as set out at the preceding meeting or at such other time and place as Council, the Committee Chair, or a quorum of committee members decides, with at least three business days advance notice to members and the public. Committees which meet on a regular basis will endeavor to keep a regular meeting day, e.g., the third Monday of the month.

Additional meetings may be scheduled by the Committee Chair not less than 10 days before or after a regularly scheduled meeting. In the case of Advisory Committee meetings (e.g. Heritage Advisory, Planning Advisory) which receive requests concerning matters to be forwarded to Council for approval, the Chair will give consideration to potential financial implications in consideration of a request for a special meeting. The Chair shall retain the right to modify a request for a Special Meeting (e.g. time, date) and/or to reject a request for a Special Meeting for any reason, including but not limited to staff workload and strategic priorities, availability of committee members, meeting space availability, or concerns relating to providing appropriate notice and advertisement to the public.

The date, time and location of committee meetings shall be posted by the Secretary by providing a copy of the agenda to committee members and the Town Clerk. The Clerk will post the agenda and minutes for the public; all meeting dates and times, agendas and minutes of the committee shall be open to the public except as expressly authorized by law.

**Agenda Items:** In accordance with procedures specified in the Town of Mahone Bay Town Council Policy all agenda items must be forwarded to the Secretary at least five business days prior to the next scheduled meeting. The committee agenda, along with the meeting

package, will be distributed to committee members at least three business days prior to the next scheduled meeting.

**Resources/Accounts:** Where applicable, Town Council Committees will be allocated funds as a component of the Town's annual budget for purposes directly related to their mandate as specified in their Terms of Reference; committees are generally expected to submit an annual work plan to Council outlining how these funds will be used no later than the end of January of each year. Individual committee members, with the exception of authorized Town staff, do not have the power to expend funds on behalf of the Committee or the Town.

Subject to motion(s) of Council, the resources which may be utilized by the Committee, in addition to expense claims for committee business through the CAO, include:

- a) advice and support of the Committee Secretary (member of staff) and/or other Town staff as designated by the CAO;
- b) use of the Town's facilities and supplies for meetings, including, photocopying, postage and other administrative needs as approved by the CAO;
- c) use of external services necessary to discharge the Committee's Terms of Reference (e.g. advertising), as approved by the CAO;
- d) such other resources reasonably required, through the CAO in accordance with any allocation provided in the annual budget.

The members of the committee shall serve without remuneration but may be paid such expenses as are necessarily incurred by each member in the discharge of duties approved by the committee.

**Professional Public Conduct:** Members of any Town Council Committee will follow all applicable Town of Mahone Bay policies and/or by-laws while serving in the community and/or representing the Town as part of a Town Council Committee.

**Conflict of Interest:** Any member of a Town Council Committee with a conflict of interest related to motions or actions of the committee, must acknowledge the conflict and follow the same procedures as those followed by Council; have the conflict recorded in the minutes and be excused from participation in the meeting during the time which the topic is under consideration. As each Council Committee meeting is called to order the Chair will remind members of this procedure.



**Council Review:** In the event that a Town Council Committee ceases to function as prescribed by this policy or as set out in the committee's Terms of Reference, or ceases to meet for three or more successive scheduled meetings, or is unable to meet with quorum for three or more successive scheduled meetings, or at any time, Council may proceed with a review of the viability of the committee and determine whether to dissolve. Town Council Committees can only be dissolved through motion of Council amending this policy; Town Council Committees dissolved by motion of Council, can be so without consultation with the Committee members. In the instance that a Committee is dissolved, the dissolution will be posted on the Town website and all the Committee members will be notified prior to the next scheduled meeting.

**Current Town Council Committees List:**

**Standing Committees:**

- Audit & Finance Committee
- Cemetery Committee

**Advisory Committees:**

- Age-Friendly Community Committee
- Economic Development Committee
- Asset Management Committee

**Citizen Advisory Committees:**

- Planning Advisory Committee
- Heritage Advisory Committee
- Police Advisory Board
- Oakland Lake Watershed Advisory Committee

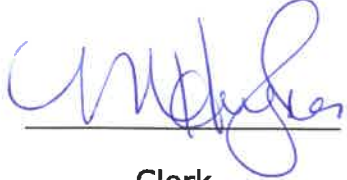
**Clerk's Annotation for Official Policy Book**

Date of Notice to Council Members of Intent  
to Consider {7 days minimum notice}:

October 24, 2019

Date of Passage of Policy:

November 12, 2019



Clerk

Nov. 13/19

Date



## **Audit & Finance Committee** **Terms of Reference**

### **Background**

The Audit & Finance Committee is established to comply with the requirements of the Nova Scotia Municipal Government Act that the Town Council shall annually appoint an audit committee which shall meet at least twice in each fiscal year.

### **Committee Mandate**

The responsibilities of the Audit & Finance Committee shall include:

- (a) a detailed review of the financial statements of the Town with the municipal auditor;
- (b) an evaluation of internal control systems and any management letter with the auditor;
- (c) a review of the conduct and adequacy of the audit;
- (d) such matters arising out of the audit as may appear to the audit committee to require investigation;
- (e) such other matters as may be determined by the Council to be the duties of an audit committee; and,
- (f) any other matters as may be determined by the Council.

In addition to the responsibilities assigned to the Committee by the Municipal Government Act, Council has determined that the Audit & Finance Committee will review financial updates provided by the Manager of Finance and make recommendations to Council concerning the financial policies and practices of the Town.

The Audit & Finance Committee shall generally meet twice each year. Voting membership on the Audit and Finance Committee will be restricted to residents of the Town of Mahone Bay.

### **Committee Membership**

The membership of the Audit & Finance Committee shall include:

- All members of the Town Council;
- The CAO (non-voting);
- The Manager of Finance (non-voting); and,
- Two public members

In the selection of public members preference will be given to applicants with demonstrated experience interpreting financial statements.

## **Cemetery Committee** **Terms of Reference**

### **Background**

The Cemetery Committee is established under the Town's Cemetery By-Law January 14<sup>th</sup>, 2014, with responsibility over Park and Bayview Cemeteries.

### **Committee Mandate**

The responsibilities of the Cemetery Committee as assigned in the Cemetery By-Law shall include:

- (a) Approving the transfer of title to cemetery lots;
- (b) Setting criteria for memorials;
- (c) Approving the placements/relocations/removals of memorial structures and objects in the cemeteries;
- (d) Varying interment and disinterment procedures if necessary;
- (e) Advising staff concerning the care of the cemeteries; and,
- (f) Establishing fees, rules and regulations pertaining to the cemeteries by recommendation to the Town Council.

The Cemetery Committee shall generally meet on a quarterly basis.

### **Committee Membership**

The membership of the Cemetery Committee shall include:

- Three members of the Town Council;
- The Director of Operations (non-voting);
- Another Town employee designated as Secretary by the CAO (non-voting);
- One public member representing Mahone Funeral Home; and,
- One other public member.

In the selection of public members preference will be given to applicants with family members interred in Park Cemetery or Bayview Cemetery.

## **Age-Friendly Community Committee** **Terms of Reference**

### **Background**

The Age-Friendly Community Committee was originally established by Council in 2011 as a commitment to consulting with residents on the age-friendliness of the Town.

The overall purpose of the committee is to provide leadership, consultation and engagement activities in the process of making the Town of Mahone Bay an inclusive age-friendly community as described by the World Health Organization's 8 domains of Age Friendly Communities:

1. Outdoor spaces and buildings
2. Transportation
3. Housing
4. Respect and social inclusion
5. Social participation
6. Communication and information
7. Civic participation and employment opportunities
8. Community support and health services

### **Committee Mandate**

The responsibilities of the Age-Friendly Community Committee shall include the following:

The responsibilities of the Age-Friendly Community Committee shall include the following:

- (a) Promoting an age-friendly culture by raising awareness of the importance of social participation and inclusion of citizens;
- (b) Developing knowledge and skills amongst local stakeholders and residents related to age-friendly communities;
- (c) Reviewing Town programs and services, and making recommendations to Council to remove barriers to participation by people of all ages;
- (d) Identifying effective ways to engage youth and older adults in stakeholder consultation when seeking public feedback on Town initiatives;
- (e) Collaborating with other Town Committees on projects affecting older adults and/or youth;
- (f) Promoting the development of age-friendly business premises and practices within the local business community; and,



- (g) Collaborating with local and regional organizations to develop and promote programs, events and practices in the area to enhance participation by people of all ages.

The Committee discharges its responsibilities via recommendations to Council, which independently considers the recommendations of the committee. Should Council approve a Committee recommendation, Town staff and resources can be allocated to support the Committee's mandate.

The Committee is expected to work toward the development of a 5-year Age-Friendly Community Plan and thereafter to conduct an annual review of the Plan and recommend a related work plan to Council.

The Age-Friendly Committee shall generally meet monthly.

### **Committee Membership**

The membership of the Age-Friendly Committee shall include:

- Two members of the Town Council;
- A Town employee designated as Secretary by the CAO (non-voting); and,
- Up to seven public members as appointed by Council.

In the selection of public members, preference will be given to older adults, youth and applicants who are connected with local organizations that serve older adults and youth.

## **Economic Development Committee** **Terms of Reference**

### **Background**

The overall purpose of the Economic Development Committee as determined by Council is to provide leadership and engagement activities to promote the economic development of the Town of Mahone Bay.

### **Committee Mandate**

The responsibilities of the Economic Development Committee shall include:

- (a) Promoting a local investment climate;
- (b) Supporting the marketing and branding of the Town;
- (c) Promoting livability and resident attraction / retention;
- (d) Supporting the coordination / growth of local events;
- (e) Promoting tourism and enhancing the visitor experience;
- (f) Supporting buy-local / import substitution initiatives; and,
- (g) Promoting commercial opportunities and land development.

The Committee discharges its responsibilities via recommendations to Council, which independently considers the recommendations of the committee. Should Council approve a Committee recommendation, Town staff and resources can be allocated to support the Committee's mandate.

The Committee is expected to work toward the development of a 5-year Economic Development Plan and thereafter to conduct an annual review of the Plan and recommend a related work plan to Council.

The Economic Development Committee shall generally meet monthly.

### **Committee Membership**

The membership of the Economic Development Committee shall include:

- Two members of the Town Council;
- A Town employee designated as Secretary by the CAO (non-voting);
- One public member representing the Mahone Bay Chamber of Commerce; and,
- Up to four additional public members as appointed by Council.

In the selection of public members preference will be given to owners and operators of businesses operating in the Town of Mahone Bay.

## **Asset Management Committee** **Terms of Reference**

### **Background**

The overall purpose of the Asset Management Committee as determined by Council is to provide leadership and engagement activities to ensure public assets are managed in a proactive and sustainable manner for current and future generations.

### **Committee Mandate**

The responsibilities of the Asset Management Committee shall include:

- (a) Researching, critiquing and recommending a draft Asset Management Policy to Council;
- (b) Reviewing the preliminary infrastructure report asset class by asset class;
- (c) Based on current service provision and existing assets, assisting in the development of Level of Service (LOS) definitions that are clear, concise, and jargon free;
- (d) Considering appropriate levels of service, assess service delivery risks, recommend service targets to Council;
- (e) Setting clear, efficient guidelines for communications with the purpose of:
  - Providing regular progress updates to Council
  - Providing regular progress updates to the public;
- (f) Designing a public engagement strategy; and,
- (g) Researching successful practices in Asset Management when it comes to establishing priorities and achieving results in small communities.

The Committee discharges its responsibilities via recommendations to Council, which independently considers the recommendations of the committee. Should Council approve a Committee recommendation, Town staff and resources can be allocated to support the Committee's mandate.

The Committee is expected to work toward the development of a long-term Asset Management Plan and thereafter to conduct an annual review of the Plan and recommend a related work plan to Council.

The Asset Management Committee shall generally meet monthly.

## **Committee Membership**

The membership of the Asset Management Committee shall include:

- Two members of the Town Council;
- The CAO (non-voting);
  
- The Manager of Finance (non-voting); and,
- Up to five public members as appointed by Council.

In the selection of public members preference will be given to applicants with backgrounds in civil engineering, finance and other related fields.

## **Planning Advisory Committee** **Terms of Reference**

### **Background**

The Planning Advisory Committee is established under Section 200 of the Nova Scotia Municipal Government Act which provides that a municipality may, by policy, establish a Planning Advisory Committee.

The purpose of a planning advisory committee is to advise Council respecting the preparation or amendment of planning documents and respecting planning matters generally.

### **Committee Mandate**

The responsibilities of the Planning Advisory Committee shall include:

- (a) Reviewing planning matters referred by Council and making recommendations to Council with respect to planning matters including Development Agreements and amendments to the Municipal Planning Strategy and Land-Use By-Law.

The Committee is expected to conduct an update of the Municipal Planning Strategy and Land-Use By-Law every 10 years and recommend amendments to Council as they arise.

The Planning Advisory Committee meets no more than monthly and only as required to discharge its responsibilities. Any additional meetings shall be scheduled in accordance with Section 6.0 Meeting Procedures of the Town of Mahone Bay Committees Policy.

### **Committee Membership**

The membership of the Planning Advisory Committee shall include:

- Three members of the Town Council;
- Planning staff (non-voting);
- A Town employee designated as Secretary by the CAO (non-voting);  
and
- Up to four public members as appointed by Council.

Voting membership on the Planning Advisory Committee will be restricted to residents of the Town of Mahone Bay.

## **Heritage Advisory Committee** **Terms of Reference**

### **Background**

The Heritage Advisory Committee is established under the Heritage Property By-Law dated April 12<sup>th</sup>, 1988 pursuant to the Nova Scotia Heritage Property Act.

### **Committee Mandate**

The responsibilities of the Heritage Advisory Committee shall include making recommendations to Council concerning:

- (a) The inclusion of buildings, public-building interiors, streetscapes, cultural landscapes and areas in the municipal registry of heritage property;
- (b) An application for permission to substantially alter or demolish a municipal heritage property;
- (c) Building or other regulations that affect the attainment of the intent and purpose of the Heritage Property Act; and,
- (d) Any other matters conducive to the effective carrying out of the intent and purpose of the Heritage Property Act; and
- (e) Initiatives to foster interest and community support for the registration of heritage properties.

The Heritage Advisory Committee meets no more than monthly and only as required to discharge its responsibilities. Any additional meetings shall be scheduled in accordance with Section 6.0 Meeting Procedures of the Town of Mahone Bay Committees Policy.

### **Committee Membership**

The membership of the Heritage Advisory Committee shall include:

- Two members of the Town Council;
- A Town employee designated as Secretary by the CAO (non-voting);
- A Town Researcher, as designated by the CAO (non-voting);
- Up to two members representing the Mahone Bay Founders Society; and
- Up to two additional public members as appointed by Council.

## Committees Policy

In the selection of public members preference will be given to applicants with backgrounds in architecture or history and those with a demonstrated knowledge of the history and heritage of the Town of Mahone Bay.

Voting membership on the Heritage Advisory Committee will be restricted to residents of the Town of Mahone Bay.



**Police Advisory Board**  
**Terms of Reference**

**Background**

The Police Advisory Board is established to comply with the requirements of the Nova Scotia Police Act.

The function of an advisory board is to provide advice to the Council in relation to the enforcement of law, the maintenance of law and order and the prevention of crime in the municipality, but the advisory board shall not exercise jurisdiction relating to complaints, discipline, personnel conduct or the internal management of the Royal Canadian Mounted Police.

**Committee Mandate**

The responsibilities of the Police Advisory Board, subject to the police contract or policing agreement, shall include:

- (a) Determining, in consultation with the chief officer or the chief officer's designate, priorities, objectives and goals respecting police services in the community;
- (b) Ensuring the chief officer establishes programs and strategies to implement the priorities, objectives and goals respecting police services;
- (c) Ensuring that community needs and values are reflected in policing priorities, objectives, goals, programs and strategies;
- (d) Ensuring that police services are delivered in a manner consistent with community values, needs and expectations;
- (e) Acting as a conduit between the community and the police department;
- (f) Recommending policies, administrative and organizational direction for the effective management of the police department; and
- (g) Reviewing with the chief officer or the chief officer's designate information provided by the chief officer respecting complaints and internal discipline.

The Police Advisory Board must hold a meeting at least every three months.

On behalf of the Police Advisory Board, the Chair or the Chair's delegate may, in accordance with an agreement made pursuant to clause 36(1)(b) of the Nova Scotia Police Act, give advice in writing to the chief officer, but not to other members of the police department and, for greater certainty, no other member of the board shall give advice or direction to a member of the police department.

## **Committee Membership**

The membership of the Police Advisory Board shall include:

- Two members of the Town Council;
- A Town employee designated as Secretary by the CAO (non-voting);
- Two public members as appointed by Council; and,
- One member appointed by the NS Minister of Justice.

Voting membership on the Police Advisory Board will be restricted to residents of the Town of Mahone Bay.

## **Oakland Lake Watershed Advisory Committee** **Terms of Reference**

### **Background**

The Oakland Lake Watershed Advisory Committee is established under the Nova Scotia Environment Act - Oakland Lake Watershed Protected Water Area – July 18<sup>th</sup>, 2007.

### **Committee Mandate**

The responsibilities of the Oakland Lake Watershed Advisory Committee shall include:

- (a) Reviewing correspondence received from owners of properties within the Oakland Lake Watershed Protected Water Area and matters referred by Council and making recommendations to Council with respect to the Oakland Lake Watershed Protected Water Area.

The Committee is expected to conduct an annual review of the Oakland Lake Watershed Protection Plan and recommend amendments to Council as required.

The Oakland Lake Watershed Advisory Committee meets a minimum of once annually or as required to discharge its responsibilities.

### **Committee Membership**

The membership of the Oakland Lake Watershed Advisory Committee shall include:

- Two members of the Town Council;
- Two representatives of the Municipality of the District of Lunenburg, one member of the Municipal Council and one staff (non-voting);
- A Town employee designated as Secretary by the CAO (non-voting);
- A member of the public who is an owner of property within the Oakland Lake Watershed Protected Water Area; and,
- One member appointed by the NS Minister of Environment.