

Nominating Committee

Agenda

Tuesday, February 14, 2023

Following Council (approximately 11:30 am)

Council Chambers

Committee Members:

**Mayor Amanda M. McDougall-Merrill
Councillor Earlene MacMullin
Councillor Eldon MacDonald
Councillor Glenn Paruch
Councillor Steve Parsons
Councillor Darren O'Quinn**

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Cape Breton Regional Municipality

Nominating Committee

Tuesday, February 14, 2023

Following Council (approximately 11:30 am)

AGENDA ITEMS

Land Acknowledgement

Roll Call

1. **APPROVAL OF AGENDA:** (Motion Required)
2. **Approval of Minutes:** (Previously Distributed)
 - January 17, 2022
 - October 26, 2022
3. **Report on Call for Expressions of Interest - Citizen Representatives on Committees:** Deborah Campbell Ryan, Municipal Clerk (See page 4)

Background information:

- a) Copy of Newspaper Advertisement (See page 7)
- b) Terms of Reference for each Committee:
 - i) Board of Police Commissioners (See page 8)
 - ii) Audit Committee (See page 13)
 - iii) CBRM Heritage Advisory Committee (See page 14)
 - iv) Cape Breton Regional Library Board (See page 22)
 - v) Diversity Committee (See page 24)
- c) Excerpt from Committees RC4 Policy Outlining the Selection Process for Citizens (See page 27)

Note: A confidential Matrix of applicants for each Committee will be distributed separately.

Adjournment



M·E·M·O

To: Mayor Amanda M. McDougall-Merrill & the Nominating Committee
From: Deborah Campbell Ryan, Municipal Clerk
Date: February 7, 2023
Subject: Report on Call for Expressions of Interest – Citizen Representatives on Committees

As directed by the Nominating Committee at its October 26, 2022 meeting, expressions of interest for the citizen positions on various internal and external Committees were publicly advertised in the Cape Breton Post on December 31, 2022. Notice was also placed on the CBRM website, social media, Charity Village and the Cape Breton Partnership Job Board. The deadline for submissions was 4:30 p.m. on Thursday, January 19, 2023.

In response, there were a total of **twenty-two (22)** applications received, noting two applicants applied for two Committees. Below is a breakdown of submissions:

- a) Board of Police Commissioners: five (5)
- b) Audit Committee: one (1)
- c) Heritage Advisory Committee: seven (7)
- d) Cape Breton Regional Library Board: five (5)
- e) Diversity Committee: four (4)

The matrix outlining the particulars of each applicant is attached separately. Also current members who are seeking re-appointment are also duly noted.

Included in the other background information in the agenda is an excerpt from the RC4 Committees Policy outlining the selection process for citizen appointments.

Continued...

Next Steps:

The Nominating Committee shall review the submissions in terms of suitability based on the responsibilities for each Committee and then forward their recommendations to Council for appointments to each Committee.

At this point in the process, the applicants should be referenced only by their number on the matrix during discussions and in the motion to Council. Once they have accepted the appointments, their names will be publicly released at a future meeting of Council.

- a) **Board of Police Commissioners:** We require three (3) citizens for a two-year term. Past practice has been to appoint one representative from each Division of the Municipality (i.e. one from Central, East and North Divisions). We have received two (2) applications from Central; one (1) from East Division; and two (2) applications from North Division.
- b) **Audit Committee:** We require one (1) position for a two-year term. One (1) application was received.
- c) **Heritage Advisory Committee:** We require a minimum of three (3) and a maximum of seven (7) citizens for a two-year term, and we received seven (7) applications.
- d) **Cape Breton Regional Library Board:** We require two (2) positions for a two-year term. Five (5) applications were received.
- e) **Diversity Committee:** We require twelve (12) positions from various community stakeholder groups for a two-year term (see Governance Policy attached). Four (4) applications were received, noting that we did not receive any applications from the following stakeholder groups:
 - African Nova Scotia
 - Mental Health
 - Women's Group
 - Gay, Lesbian & Transgendered (LGBTQ)
 - Members at Large (2 more required)

With respect to the representatives from Cape Breton University and the Cape Breton-Victoria Regional Centre for Education, in the past they have requested that their institutions appoint their representatives as opposed to CBRM including them in the call for citizens. I would note we require one individual from each institution.

Continued...

I have had discussions with the Director of Human Resources regarding the future direction of the CBRM Diversity Committee. Given the ongoing challenges with recruiting volunteer citizens for same and that the current terms of existing Committee members are expiring, it may be an appropriate time for the Human Resources Department to explore revisions to the existing *Policy*, committee structure, and mandate, which would be brought back to Council with recommendations.

Therefore ***it is recommended*** that the Nominating Committee refer this matter to Council with a recommendation that the Director of Human Resources be requested to explore revisions to the existing *CBRM Diversity Committee Governance Policy*, committee structure, and mandate, and report back to Council with recommendations.

Further, the Clerk's office will contact the 4 applicants for this Committee to advise them of same, and that their names will be kept on file.

I would point out that in my report to the Nominating Committee on October 26, 2022, I did include the Accessibility Advisory Committee and the Port of Sydney Development Corporation in my recommendation to call for citizens. However after the meeting, I consulted with their staff representatives and they asked that we not proceed at this time.

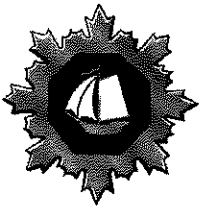
Thank you.

Yours truly,

Original signed by:

**Deborah Campbell Ryan,
Municipal Clerk**

Attachments



Cape Breton Regional Municipality

Citizen Representation on Committees Call for Expressions of Interest

The Council of the Cape Breton Regional Municipality requires, from time to time, the services of citizens who would be willing to serve as volunteer members on various Committees of Council, or exterior Committees to which CBRM appoints Citizens.

Currently there are vacancies on the following Committees:

- **Board of Police Commissioners** (*three positions for a two-year term – with one from Central, North and East Divisions of CBRM. Successful applicants must consent to a criminal record background check as per Section 77 (2) of the NS Police Act Regulations*)
- **Audit Committee** (*one position for a two-year term*)
- **Diversity Committee** (*two-year term for specific stakeholder groups – see Governance Policy*)
- **CBRM Heritage Advisory Committee** (*three to five positions for a two-year term*)
- **Cape Breton Regional Library Board** (*two positions for a two-year term*)

The Terms of Reference/Roles for these Committees can be found on the CBRM website: <https://cbrm.ns.ca/clerks-department.html>

Residents of the Cape Breton Regional Municipality who are interested in serving on these Committees should forward a letter of application, together with their Resume, to the CBRM Clerk's Office. Applicants should clearly indicate their interest in serving on the Committee and outline all qualifications and experience/volunteer work in the related field, by **4:30 p.m. on Thursday, January 19, 2023** to:

Deborah Campbell Ryan, Municipal Clerk
Cape Breton Regional Municipality
City Hall - 320 Esplanade, Suite 405
Sydney, NS B1P 7B9

Or Fax it to: 902-564-0481
Or Email: ClerksOffice@cbrm.ns.ca

* **Please Note:** The applications will be considered at Nominating Committee/Council meetings that are open to the public.

Signed: Deborah Campbell Ryan, Municipal Clerk

Cape Breton Post
Sydney Section (**size only as required**)
Saturday, December 31, 2022

Also posted on CBRM Social Media, Charity Village, CB Partnership Job Board

Municipal Police Boards

Authority of Boards of Police Commissioners under the Nova Scotia Police Act

Authority of the Police Board Chair

On behalf of the board, the board chair or the chair's delegate may give advice or direction, in writing, to the chief officer on any matter within the jurisdiction of the board under this Act, 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.

Sec. 52

Training for Police Boards

The members of a board shall undergo any training that may be provided for members of the board or required by the Minister or by the regulations.

Sec. 54

Setting the Police Department's Annual Budget

The board shall annually cause the chief officer to prepare a budget for the police department.

Sec. 53 (1)

The board shall ensure that the budget prepared pursuant to subsection (1) is consistent with those matters referred to in subsection 55(3).

Sec. 53 (2)

The budget prepared pursuant to this Section shall be submitted to council by the board for approval.

Sec. 53 (3)

Functions

Function of the Police Board

The function of a board is to provide

- a. civilian governance on behalf of the council in relation to the enforcement of law, the maintenance of law and order and the prevention of crime in the municipality; and
- b. the administrative direction, organization and policy required to maintain an adequate, effective and efficient police department,

but the board shall **not exercise jurisdiction** relating to

- c. complaints, discipline or personnel conduct except in respect of the chief officer of the municipal police department;
- d. a specific prosecution or investigation; or
- e. the actual day-to-day direction of the police department.

Sec. 55 (1)

With the approval of the Minister, the council, by by-law, may prescribe

- a. the additional or more specific roles and responsibilities of a board; and
- b. the rules and regulations governing proceedings of a board, and the board has sole jurisdiction over the matters so delegated to it.

Sec. 55 (2)

Specific Functions of the Police Board

Without limiting the generality of subsection (1), a board shall

- a. determine, in consultation with the chief officer, priorities, objectives and goals respecting police services in the community;
- b. ensure the chief officer establishes programs and strategies to implement the priorities, objectives and goals respecting police services;
- c. ensure that community needs and values are reflected in policing priorities, objectives, goals, programs and strategies;
- d. ensure that police services are delivered in a manner consistent with community values, needs and expectations;
- e. act as a conduit between the community and the police service providers;
- f. recommend policies, administrative and organizational direction for the effective management of the police department;
- g. review with the chief officer information provided by the chief officer respecting complaints and internal discipline;
- h. ensure a strategic plan and business plan is in place; and
- i. ensure the department is managed by the chief officer according to best practices and operates effectively and efficiently.

Sec. 55 (3)

Responsibilities

Staff Composition of a Municipal Police Department

A municipal police department shall consist of a chief officer and such other members, special constables, by-law enforcement officers and civilian employees as the council, after consultation with the board, may from time to time determine.

Sec. 37(1)

Staffing Matters

Members, special constables, by-law enforcement officers and civilian employees of a municipal police department, other than the chief officer, shall be appointed, promoted, suspended, dismissed or reinstated by the board on the recommendation of the chief officer or by the chief officer in accordance with a by-law made by the municipality for that purpose.

Sec. 37(4)

Policy Regarding Police Extra Duty and Off Duty Employment

Every board shall establish a written policy respecting **extra-duty employment** by members of its police department and the policy shall

- a. define extra-duty employment;
- b. provide that requests for a member of the police department to be employed on extra duty be made to the chief officer;
- c. require that a member of the police department engaged in extra-duty employment be in uniform except where the chief officer determines that plain clothes are required;

- and
- d. require that at all times while on extra duty the member of the police department is under the orders of the police department and no one else.

Sec. 56(1)

Every board shall establish a written policy respecting **off-duty employment** by members of its police department and the policy shall

- a. define off-duty employment;
- b. set policy guidelines regarding permitted and prohibited off-duty employment;
- c. prohibit a member of the police department from engaging in the business of serving civil process documents or in the private investigator or private guard business; and
- d. prohibit a member of the police department from being in uniform while engaged in off-duty employment.

Sec. 56(2)

The chief officer shall determine whether employment is extra-duty employment or off-duty employment and whether a particular kind of off-duty employment is permitted or prohibited within the off-duty police policy.

Sec. 56(3)

Upon Receiving a Complaint Related to the Chief of Police

A complaint respecting the conduct or performance of duty of a member of a municipal police department who is the chief officer shall be referred to the board.

Sec. 73(1)

The board shall investigate the complaint and attempt to resolve the complaint.

Sec. 73(2)

The board may designate a person to investigate the complaint and report to the board.

Sec. 73(3)

A person conducting an investigation pursuant to this Section is a special constable and has all the powers and immunities of a peace officer during the investigation and any hearing related to the matter under investigation.

Sec. 73(4)

Where the complaint is not satisfactorily resolved by the board and where the person making the complaint or the chief officer has requested a review of that decision by the Review Board, the complaint shall be referred to the Complaints Commissioner in accordance with the regulations.

Sec. 73(5)

The board shall report all complaints concerning a chief officer to the Complaints Commissioner at the time and in the manner prescribed by the regulations.

Sec. 73(6)



For more information call
902-424-4030

Excerpt from NS Police Act Regulations

Municipal Boards of Police Commissioners

Board member selection process

76 The selection process used by a council in appointing a board member to a vacancy on the board, except a board member appointed by the Minister under clause 44(3)(c) of the Act, must include all of the following:

- (a) the board vacancy must be advertised and applications must be solicited for the vacancy;
- (b) each application must be reviewed by a panel established by the council.

Board member qualifications

77 (1) To be a candidate for appointment as a board member under Section 76, a person must demonstrate all of the following qualifications to the satisfaction of the council:

- (a) residence in the municipality served by the board;
 - (b) knowledge of community issues;
 - (c) a good character;
 - (d) the skills and abilities to make the commitment of time and effort required to carry out board responsibilities.
- (2)** To be a candidate for appointment as a board member under Section 76, a person must consent to criminal and background checks.
- (3)** A person must not be appointed as a board member if criminal and background checks show that the person has been convicted of any criminal offence or has been or is the subject of a disciplinary proceeding in any jurisdiction that, in the opinion of the council, would reasonably be expected to have a negative impact on their acting as a board member or on the board generally.

Role of board chair

78 The role of a chair of a board includes the following responsibilities:

- (a) to preside over the board and to manage, organize, set agendas for and attend meetings, ensuring that all policies developed by the board are appropriately implemented;

- (b) to develop an operations and policy manual that will assist in the orientation of new appointees and direct acting board members regarding their roles and responsibilities;
- (c) to ensure that board members are informed of matters within the board's jurisdiction;
- (d) to act as the sole spokesperson for the board;
- (e) in conjunction with board members and in consultation with the Chief Administration Officer of the municipality, to evaluate the performance of the chief officer on a yearly basis.

Code of conduct for board members

79 (1) A board member must do all of the following:

- (a) uphold the letter and spirit of the code of conduct set out in this Section and discharge their duties in a manner that will inspire public confidence in the abilities and integrity of the board;
- (b) unless they have a reasonable excuse, attend every board meeting;
- (c) not interfere with the police department's operational decisions and responsibilities or with the day-to-day operation of the police department, including the recruitment and promotion of officers;
- (d) keep confidential any information disclosed or discussed at a board meeting;
- (e) not claim to speak on behalf of the board unless authorized by the chair of the board to do so;
- (f) discharge their duties loyally, faithfully, impartially and according to the Act, any other Act and any regulation, rule or by-law;
- (g) discharge their duties in a manner that respects the dignity of individuals and is in accordance with the *Human Rights Act* and the [*Canadian*] *Charter of Rights and Freedoms* (~~Canada~~);
- (h) not use their position inappropriately to advance their interests or the interests of any person or organization with whom or with which they are associated;

- (i) immediately resign from the board if applying for employment with a police department, including employment on contract or on fee for service;
 - (j) refrain from engaging in professional or personal conduct that could discredit or compromise the integrity of the board or the police department;
 - (k) if their conduct or performance is the subject of investigation or inquiry, temporarily withdraw from all board activities and duties as a member of the board until the completion of the investigation or inquiry.
- (2) If the chair or the majority of the board determines that a board member has breached the code of conduct for board members, the board must record that determination in its minutes.
- (3) On determining that a board member has breached the code of conduct for board members, the board may take one or more of the following actions:
- (a) issue a reprimand to the board member;
 - (b) order a period of suspension for the board member;
 - (c) recommend to the Minister or the council that the board member be dismissed under subsection 44(7) of the Act.

REQUIREMENTS AND CRITERIA FOR CITIZEN APPOINTEES TO THE AUDIT COMMITTEE

- Satisfactory police check (paid for by the Municipality)
- Be independent as defined in the Audit Committee Policy
- Be a resident of the Cape Breton Regional Municipality
- Be financially literate (the ability to read and understand basic financial statements)
- Have an aptitude for complex organizational effectiveness and governance
- Have a general understanding of the Municipality's major economic, operating, and financial risks
- Have a broad awareness of the interrelationship of the Municipality's operations and its financial reporting
- Have an understanding of the difference between the oversight function of the Committee and the decision-making function of management
- Be willing to challenge management when necessary
- Preferably a member of a professional accounting association.

Role of CBRM Heritage Advisory Committee:

The role of the Heritage Advisory Committee is to advise Council on matters relating to heritage. It advises Council on topics such as:

- inclusion of buildings, public-building interiors, streetscapes, cultural landscapes and areas in the municipal registry of heritage property
- permission to substantially alter or demolish a municipal heritage property
- conservation plan and conservation by-law
- administration of heritage conservation districts
- an application for a certificate

Unlike other Committees of Council, the Heritage Advisory Committee does not have a formalized schedule. Meeting frequency will depend on the volume of heritage items requiring their input. Staff attempts to compile these items to reduce the number of meetings. Generally, the Heritage Advisory Committee meets two times a year, but again, could be more or less depending on public interest.

It is beneficial for Committee members to have a background in architecture or in local history.

CAPE BRETON REGIONAL MUNICIPALITY

Bylaw C3

HERITAGE PROPERTY

1. In this Bylaw:
 - (a) "Council" means the Council of the Cape Breton Regional Municipality;
 - (b) "Clerk" means the Clerk of the Cape Breton Regional Municipality;
 - (c) "Act" means the *Heritage Property Act*;
 - (d) "Committee" means the Heritage Advisory Committee, established pursuant to the *Heritage Property Act* and this Bylaw;
 - (e) "Regional Municipality" means the Cape Breton Regional Municipality (CBRM);
 - (f) "Heritage Officer" means a CBRM employee appointed by Council pursuant to the Act."

2.
 - (a) The Heritage Advisory Committee is composed of a minimum of seven and a maximum of ten members appointed by Council for a term of two years.
 - (b) At least two members of the Committee shall be members of the Council and at least three but no more than seven members shall be members of local historical societies or individuals who have in the opinion of the Council otherwise demonstrated active concern for the preservation of buildings of historic significance.
 - (c) The Committee has the powers and duties of a Heritage Advisory Committee pursuant to the Act.
 - (d) The Committee shall be governed, where not inconsistent with the Act or this Bylaw, by the general rules of procedure applicable to committees as contained in the Bylaws of the Regional Municipality.

3. The Heritage Officer shall establish and maintain at the business office of the Regional Municipality, a Registry of Heritage Property, where all prescribed documents relating to

the registration of Heritage Property pursuant to the Act or this Bylaw shall be filed. The registry shall:

- (a) be maintained and updated by the Heritage Officer;
- (b) be properly indexed;
- (c) be accessible to the public at no charge during regular business hours at the Regional Municipality Offices.

4. The Registry of Heritage Property shall contain:

- (a) a description of any building, streetscape or area registered by the Council pursuant to the *Heritage Property Act*;
- (b) the recommendation for registration, all notices pursuant to the registration, recording particulars of all notices recorded in the Registry of Deeds and particulars of service of all notices required pursuant to the *Heritage Property Act*;
- (c) all applications for permission to make a substantial alteration to the exterior appearance, or to demolish, a registered building, streetscape or area, together with the particulars of the recommendations of the Heritage Advisory Committee thereon and the particulars of the disposition thereof;
- (d) in a separate section, all buildings, streetscapes and areas for which registration has been recommended by the Heritage Advisory Committee but on which a decision to register has not been made;
- (e) in a separate section, all buildings, streetscapes and areas for which registration was recommended by the Heritage Advisory Committee but which Council determined not to register.

5. All properties registered by a municipal unit incorporated within the Regional Municipality shall be considered to have been registered pursuant to this bylaw and be included within the Registry of Heritage Property.

6. Notice of a recommendation by the Heritage Advisory Committee that a building, streetscape or area be registered as a Municipal Heritage Property shall be in the form specified in Schedule "A", attached hereto.

7. Council may register a building, streetscape or area as a Municipal Heritage Property in accordance with the provisions of the Act and the registration shall be in the form specified in Schedule "B", attached hereto.

8. Council may from time to time establish and amend guidelines for the registration of property as a Municipal Heritage Property, and the Heritage Advisory Committee shall, in making recommendations, take the guidelines fully into account.

Passed and adopted by a majority of the whole Council at a duly called meeting of the Cape Breton Regional Municipal Council held on October 17, 1995, and amended on April 17, 2007, and March 12, 2019.

Mayor Cecil P. Clarke

Deborah Campbell Ryan, Clerk

This is to certify that the attached is a true and correct copy of the Heritage Property Bylaw of the Cape Breton Regional Municipality adopted by Regional Council during a meeting held on October 17, 1995 and amended on April 17, 2007 and March 12, 2019.

Deborah Campbell Ryan, Clerk

DATE OF ADVERTISEMENTS: October 27, 1995
July 10, 2007 (amendment)
June 22, 2019 (amendment)

SCHEDULE "A"**NOTICE OF RECOMMENDATION****TO REGISTER A MUNICIPAL HERITAGE PROPERTY****Cape Breton Regional Municipality**

Pursuant to the **Heritage Property Act**, R.S.N.S. 1989, c. 199, the **Cape Breton Regional Municipality** hereby gives notice that the property of [insert name of owner], [insert brief description and address], [insert legal description], has been recommended for registration in the registry of heritage property for the Cape Breton Regional Municipality.

The property has been recommended for registration [here set out reason for recommendation].

The **Heritage Property Act** provides that if a property is registered as a municipal heritage property:

- 1) The property shall not be substantially altered in exterior appearance or be demolished without the approval of the Regional Municipality;
- 2) An application for permission to substantially alter the exterior appearance or to demolish the property may be made to the Regional Municipality;
- 3) The Heritage Advisory Committee shall be given an opportunity to comment on any application;
- 4) The Regional Municipality may grant or refuse permission or attach conditions;
- 5) Where the municipality does not approve the application, the property owner may, notwithstanding Section 17 of the Heritage Property Act, make the alteration or carry out the demolition at any time after three years from the date of the application but not more than four years after the date of the application;
- 6) Penalties for violation of the Act are a maximum fine of \$10,000.00 for individuals and \$100,000.00 for corporations, with the further right for the Regional Municipality to apply for an order directing the restoration of the property. For further information refer to the **Heritage Property Act**.

The **Heritage Property Act** further provides that no person shall substantially alter the exterior appearance of or demolish a building for 120 days after notice of recommendation to register the property has been served, unless the Regional Municipality sooner refuses to register the property.

The owner has the right to be heard concerning the recommended registration, and the date of the hearing shall be [here set out date, time and place of hearing]. Submissions may be made orally or in writing if desired, and a written submission may be presented at any time prior to the hearing.

A copy of this notice has been recorded at the Registry of Deeds for the County of Cape Breton pursuant to the Act.

Dated at _____ this _____ day of _____ 2____.

Per:
Regional Municipality Clerk

PROVINCE OF NOVA SCOTIA)
COUNTY OF CAPE BRETON SS)

ON THIS _____ day of _____, A.D., 2____, before me, the subscriber, personally came and appeared _____ the subscribing witness to the foregoing Notice, who, having been by me duly sworn, made oath and said that **THE CAPE BRETON REGIONAL MUNICIPALITY**, a municipal body corporate, caused the same to be executed in its name and on its behalf, and its corporate seal to be thereunto affixed by its proper officer in h _____ presence.

Schedule "A" should contain the legal description of the property sought to be registered as taken from the deed.

SCHEDULE "B"

NOTICE OF REGISTRATION

MUNICIPAL HERITAGE PROPERTY

Cape Breton Regional Municipality

Pursuant to Section 14 of the **Heritage Property Act**, R.S.N.S. 1989, c. 199, the **Cape Breton Regional Municipality** hereby gives notice that the property of [insert name of owner], [insert brief description and address], [insert legal description), has been registered in the registry of heritage property for the Cape Breton Regional Municipality.

The **Heritage Property Act** provides that where a property is registered as a municipal heritage property:

- 1) The property shall not be substantially altered in exterior appearance or be demolished without the approval of the Regional Municipality;
- 2) An application for permission to substantially alter the exterior appearance or to demolish the property may be made to the Regional Municipality;
- 3) The Heritage Advisory Committee shall be given an opportunity to comment on any application;
- 4) The Regional Municipality may grant or refuse permission or attach conditions;
- 5) Where the municipality does not approve the application, the property owner may, notwithstanding Section 17 of the Heritage Property Act, make the alteration or carry out the demolition at any time after three years from the date of the application but not more than four years after the date of the application;
- 6) Penalties for violation of the Act are a maximum fine of \$10,000.00 for individuals and \$100,000.00 for corporations, with the further right for the Regional Municipality to apply for an order directing the restoration of the property.

For further information refer to the **Heritage Property Act**.

A copy of this notice has been recorded at the Registry of Deeds for the County of Cape Breton pursuant to s. 15(3) of the Act.

DATED at Sydney, Nova Scotia, this [date].

Cape Breton Regional Municipality

Per:
Clerk

PROVINCE OF NOVA SCOTIA)
COUNTY OF CAPE BRETON SS)

ON THIS day of , A.D., 2____, before me,
the subscriber, personally came and appeared the subscribing witness to the
foregoing Notice, who, having been by me duly sworn, made oath and said that **THE CAPE
BRETON REGIONAL MUNICIPALITY**, a municipal body corporate, caused the same to be
executed in its name and on its behalf, and its corporate seal to be thereunto affixed by its proper
officer in h presence.

Schedule "A" should contain the legal description of the property sought to be registered as taken
from the deed.

Cape Breton Regional Library Board
Terms of Reference for Library Board Appointments

1	Statute	C. 254, RSNS 1989 amended 1990, the Libraries Act
2.	Purpose	<p>To set policy and provide governance for the Cape Breton Regional Library, serving the Municipalities of the Counties of Cape Breton and Victoria. A Regional Library Board is a body corporate.</p> <p>A Regional Library Board is a governing board. Governing boards are legal entities which have the authority to make policy and govern the affairs of the organization. They do not have direct responsibility for operations and programming, employees (other than the Regional Librarian), collection development or other day-to-day operational matters.</p>
3.	Composition	<p>Province of Nova Scotia – 2 Citizen Representatives Cape Breton Regional Municipality – 3 Council members Cape Breton Regional Municipality – 2 Citizen representatives County of Victoria – 1 Council Member County of Victoria – 1 Citizen Representative</p> <p>Must reside in area served by the Board.</p>
4.	Library Board Committees	<p>Executive Committee: comprised of Chair, Vice-Chair and Treasurer</p> <p>Audit Committee: comprised of Chair, Vice-Chair and Treasurer</p> <p>Special committees are established at the direction of the Library Board.</p> <p>Regional Librarian serves as Secretary to the Board.</p>
5.	Conflict of Interest	<p>No current or former employee (having worked at the Library within the past two years) shall be appointed a member of the Library Board.</p> <p>Library Board members shall not have a professional or personal (immediate family member of a Library staff member or a person residing in the same household as a Library staff member) conflict of interest. (Immediate family member is defined as spouse, partner, sibling, parent, grandparent, child or in-law of a staff member.)</p>
5.	Work & Experience Requirements	<p>No formal work & experience requirements, however, an understanding and appreciation for the importance of public library services, literacy and reading is very important.</p> <p>Board members are requested to hold a valid Library Card.</p>

Cape Breton Regional Library Board
Terms of Reference for Library Board Appointments

6.	Skills Required	Skill(s) in such area(s) of fundraising, community development, communications, public relations, finance, planning and policy development, advocacy, and information technology would be welcome assets.
7.	Term of Appointment	Terms for one, two or three years (as determined by the municipal unit making the appointment); Province of Nova Scotia appointment term is determined by the Governor in Council.
8.	Remuneration	Participation on the Library Board is voluntary. Cape Breton Regional Library will pay mileage from the Board Members place of residence to Library meetings/events when the member is not compensated from another body for attending a meeting or event (ie. From a municipal unit).
9.	Anticipated Time Commitments	Meetings held a minimum of 4 times per year; weekday (usually Monday) evenings at 6:00pm. Additional meetings are called at the discretion of the Chair. Board members are encouraged to attend special events hosted by/in support of Library (but without remuneration).
10.	Other	The Cape Breton Regional Library operates 12 branches and 2 bookmobiles. A variety of programmes and services are available.



CBRM

A Community of Communities

Cape Breton Regional Municipality

Cape Breton Regional Municipality Diversity Committee Governance Policy

1.0 MEMBERSHIP:

The Cape Breton Regional Municipality Diversity Committee shall consist of twelve voting members:

# of Members	Committee Structure	Term (years)
1	African Nova Scotia Community	2
1	Mental Health Community	2
1	New Comer Community	2
1	First Nation Community	2
1	Women's Group	2
1	Disability Community	2
1	Gay, Lesbian and Transgendered Community	2
1	Cape Breton University	2
1	Cape Breton Victoria Regional School Board	2
3	Community Member at Large	2
TOTAL 12		

2.0 METHOD OF APPOINTMENT:

All representatives shall be appointed by the Council following a publication of a notice calling for members to fill these positions. Members may reapply for the representative positions. Members may be appointed as individuals or as representatives of a registered non-profit organization.

3.0 MEETINGS:

The Cape Breton Regional Diversity Committee shall meet monthly if possible. Agendas should be circulated one week prior to the meeting.

The Committee shall designate one of the meetings as an Annual Meeting. This meeting could be used for such things as an annual report of activities or committee work over the past year, setting goals for the upcoming year and as a time to recognize outgoing members.

The committee will be responsible to elect both a chair and a recording secretary.

4.0 ROLE:

The Cape Breton Regional Municipality Diversity Committee will work in partnership with the community as a whole. The committee will embrace and promote diversity and understanding within economic, social and cultural development of the community.

The Committee will bring to light issues relating to diversity within the community; ensure information relating to the community is brought to the Committee which will present the information to the greater community; and develop advocacy approaches to issues relating to the community.

The Committee shall:

- Commit to the principle that everyone is equal in dignity and rights,
- Promote the principle of equal opportunity and mutual exchange of feelings, ideas and opinions,
- Create an enduring atmosphere of diversity and all that it encompasses by increasing accessibility, employment equity and human rights awareness.

5.0 RESOURCE STAFF:

The CBRM Director of Human Resources or designate will be the CBRM staff resource for this committee.

The following government departments and agencies shall be invited to attend the meetings to assist on issues arising within the committee i.e.:

- Cape Breton District Health Authority
- Cape Breton Regional Police Services
- Nova Scotia Human Rights Commission

6.0 CHAIR OF THE COMMITTEE:

The Chair should be appointed at the annual general meeting by election or acclamation. The chair may serve multi year terms with a maximum of three consecutive years.

7.0 QUORUM:

The quorum of the Cape Breton Regional Municipality Diversity Committee shall be five (5) members.

8.0 RULES OF ORDER:

The procedural rules of the Committee shall be the same as the rules of order used by the CBRM Council and its committees.

9.0 GENERAL RULES OF ORDER:

In all cases where procedure is in question, the Committee shall be governed by Robert's Rules of Order.

Approved by Council: **May 17, 2011**
Amended: **August 15, 2017**

12. Nominating Committee

(1) At the first regular meeting of Council held, after the Election, and at the first regular meeting of Council held in October and every two years thereafter, the Council shall appoint, or authorize the Mayor to appoint, the Nominating Committee. The Committee shall consist of the Mayor and at least five (5) Councillors.

(2) Upon appointment, or soon thereafter, the Nominating Committee shall convene and nominate persons to serve for the next two years on the standing committees and external agencies/committees.

(3) The Nominating Committee shall also meet as required to deal with citizen appointments and any vacancies on Committees.

(4) With respect to the appointments of citizens to Committees, the following selection process shall be used:

- While the meetings of the Nominating Committee are open to the public, the proceedings will not be live streamed or videotaped when dealing with citizen appointments.
- The background information for the applicants will not be attached to the public agenda.
- A matrix of the applicants identified by name and number, noting their qualifications and experience in the related field, will be provided to the Nominating Committee.
- Discussion by the Committee will be non-specific, referring to the candidates by number and not by name.
- Recommendations to Council will refer to the candidate number, and once the citizens have accepted the positions and any required background checks have been completed, their names will be released at a subsequent open meeting.

(5) The Council may ratify the report of the nominating committee or may substitute the name of any person instead of the person nominated by the committee.

13. Non-Committee Council Members

Council members not serving on Committees will not be permitted to participate in the Committee debate or the vote, but are authorized to make comments, presentations and participate at Committee meetings.