

Cape Breton Regional Municipality

**Nominating Committee
Minutes**

**Wednesday,
June 23, 2021
10:00 a.m.
Via Videoconference**

Mayor Amanda M. McDougall called the meeting to order.

Present: Mayor Amanda M. McDougall, Chair
Councillor Gordon MacDonald
Councillor Steve Gillespie
Councillor Eldon MacDonald
Councillor Glenn Paruch
Councillor Steve Parsons

Staff: Marie Walsh, Chief Administrative Officer
Deborah Campbell Ryan, Municipal Clerk
John MacKinnon, Deputy Chief Administrative Officer
Sharon MacSween, Recording Secretary

Absent: N/A

Summary of Decisions

Land Acknowledgement

Roll Call

1. Approval of Minutes:

Motion to approve the Nominating Committee Minutes from:

- December 8, 2020
- May 11, 2021

Carried.

2. Approval of Agenda:

Motion to approve the June 23, 2021 Nominating Committee Agenda and Addendum as circulated. **Carried.**

3. Report on Call for Expressions of Interest – Citizen Representatives on Committees:

a) Cape Breton Island Housing Authority:

Motion that a recommendation be made to Council to refer the following citizens to the Nova Scotia Minister of Community Services for appointment to the Cape Breton Island Housing Authority Board:

- Candidate #1
- Candidate #3
- Candidate #4

Carried.

b) Diversity Committee (and Addendum re: Resignation):

Motion that staff be directed to issue a fourth call for citizen volunteers to fill the vacant positions on the Diversity Committee [i.e. one representative from Cape Breton University (CBU), and one from the Cape Breton-Victoria Regional Centre for Education (CBVRCE)], which is to be advertised on social media only (i.e. no newspaper ad), and that both the CBU and CBVRCE be contacted directly requesting volunteer representatives for a two-year term. **Carried.**

Continued...

Summary of Decisions (Cont'd):

Report on Call for Expressions of Interest - Citizen Representatives on Committees (Cont'd):

Diversity Committee (Cont'd):

Motion that staff be directed to reach out to the potential candidate as referenced in the staff Memo and ask if they would be interested in putting their name forward to serve on the Diversity Committee as a Community Member at Large. However, if they decline, then the vacant position will be included in the fourth call for the vacancies on the Diversity Committee. **Carried.**

c) Port of Sydney Development Corporation (PSDC) Board:

Motion that a recommendation be made to Council to appoint the following citizens to the Port of Sydney Development Corporation:

Expertise in Marketing

- Candidate #6

Expertise in Business and Commerce

- Candidate #8

Carried.

Motion that staff be directed to issue a second call for citizen volunteers to fill the vacancy for the professional engineering position on the PSDC Board, which is to be advertised on social media only (i.e. no newspaper ad), and that the Engineers Nova Scotia Association be contacted directly to ask that they notify their members who are residents of CBRM of the vacancy and advise that they can put their name forward to serve on the PSDC Board for a two-year term, if interested. Further, the individual that contacted the CEO of the Port regarding this vacancy should also be contacted to suggest submitting a formal application if they are interested in serving on that Board. **Carried.**

Public Discussion of Applicant Information:

Motion that the Mayor, representing the Nominating Committee, approach the Department of Municipal Affairs to request clarification on the nominating committee process as it relates to holding in camera sessions in order to protect the identity of citizens putting their names forward to serve on Committees so that their personal information contained in the applications can be discussed in private. **Carried.**

ADJOURNMENT

Land Acknowledgement

Roll Call

1. Approval of Minutes:

Motion:

Moved by Councillor Parsons, seconded by Councillor Paruch, approval of the December 8, 2020 Nominating Committee Minutes as circulated.

Motion Carried.

Motion:

Moved by Councillor Gillespie, seconded by Councillor Parsons, approval of the May 11, 2021 Nominating Committee Minutes as circulated.

Motion Carried.

2. Approval of Agenda:

Motion:

Moved by Councillor Gordon MacDonald, seconded by Councillor Eldon MacDonald, approval of the June 23, 2021 Nominating Committee Agenda and Addendum as circulated.

Motion Carried.

3. Report on Call for Expressions of Interest – Citizen Representatives on Committees:

Deborah Campbell Ryan, Municipal Clerk, reviewed her Memo that was included in the agenda package, noting the public advertisements for expressions of interest and the application deadline was June 7, 2021.

The Clerk reviewed suggested next steps and recommendations as noted in her Memo. It was noted that a confidential matrix of all applicants was circulated separately.

Agreed by consensus that each Committee will be addressed separately.

Continued...

Report on Call for Expressions of Interest – Citizen Representatives on Committees (Cont'd):

a) Cape Breton Island Housing Authority:

The Clerk advised that 5 submissions were received for the Housing Authority, however one application was withdrawn as the individual was eligible to be appointed as a tenant representative. Three representatives are required for the Board.

Mayor McDougall then opened the floor for nominations.

- Councillor Gillespie recommended Candidate #1.
- Councillor Paruch recommended Candidate #4.
- Councillor Gordon MacDonald recommended Candidate #2.
- Councillor Eldon MacDonald recommended Candidate #3.

Mayor McDougall noted that because all 4 Candidates have been nominated and only 3 are required, a vote would be taken.

John MacKinnon, Deputy Chief Administrative Officer, agreed to facilitate the vote via the Zoom direct chat.

The Clerk noted that the Committee members should vote for no more than three (3) applicants.

After Committee votes were tallied, the Deputy Chief Administrative Officer provided the results and then the following motion was put forward:

Motion:

Moved by Councillor Eldon MacDonald, seconded by Councillor Paruch, that a recommendation be made to Council to refer the following citizens to the Nova Scotia Minister of Community Services for appointment to the Cape Breton Island Housing Authority Board:

- Candidate #1
- Candidate #3
- Candidate #4

Motion Carried.

Continued...

Report on Call for Expressions of Interest – Citizen Representatives on Committees (Cont'd):

b) Diversity Committee (and Addendum re: Resignation)

Ms. Campbell Ryan advised that no applications were received for the vacant positions on the Diversity Committee, namely one representative for both Cape Breton University and the Cape Breton Victoria Regional Centre for Education. It was noted that Councillor Parsons contacted the Centre for Education and they did provide a name, however the Clerk indicated that an email was sent to the individual asking for a letter of application, however none was received. The Clerk also advised that the Mayor contacted CBU Student Union asking for volunteers to serve, but no applications were received.

Motion:

Moved by Councillor Eldon MacDonald, seconded by Councillor Parsons, that staff be directed to issue a fourth call for citizen volunteers to fill the vacant positions on the Diversity Committee [i.e. one representative from Cape Breton University (CBU), and one from the Cape Breton-Victoria Regional Centre for Education (CBVRCE)], which is to be advertised on social media only (i.e. no newspaper ad), and that both the CBU and CBVRCE be contacted directly requesting volunteer representatives for a two-year term.

Discussion:

During discussion, a question was raised by Councillor Paruch regarding amending the Governance Policy for the Diversity Committee to address quorum issues.

Motion Carried.

Referring the Agenda Addendum, the Clerk advised that her office received notice on June 22nd that Susan McDonald resigned from the Diversity Committee due to unexpected increase in travel requirements. The Clerk pointed out there is a potential candidate from the recent call for citizens that could serve as a member at large on this Committee and recommended that staff reach out to that person and ask if they would be interested in putting their name forward to serve on the Diversity Committee as a Community Member at Large. If the individual declines, or if the Committee does not want to approach them, then the vacant position should be included in the upcoming advertisement on social media calling for citizen volunteers.

Motion:

Moved by Councillor Parsons, seconded by Councillor Gordon MacDonald, that staff be directed to reach out to the potential candidate as referenced in the staff Memo and ask if they would be interested in putting their name forward to serve on the Diversity Committee as a Community Member at Large. However, if they decline, then the vacant position will be included in the fourth call for the vacancies on the Diversity Committee.

Discussion:

In response to a question, the Clerk advised that if the potential candidate is not interested in putting their name forward for the Member at Large vacancy, that this position will be included in expression of interest on social media.

Motion Carried.

Continued...

Report on Call for Expressions of Interest – Citizen Representatives on Committees (Cont'd):

b) Port of Sydney Development Corporation (PSDC) Board:

The Clerk advised that as directed by this Committee, staff reached out to the recent applicants who were not appointed for the engineering and marketing vacancies on the PSDC Board asking if they wanted to re-offer should they have the qualifications. After the poll, it was determined that there were candidates with marketing expertise but there was no one with a professional engineering designation, thus the public advertisement included that position for a 2-year term. It was also noted that the CEO of the PSDC received an inquiry from a professional engineer about serving on their Board, however it was after the application deadline.

The Clerk reported that after the advertisement was issued, it was brought to staff's attention that a recent citizen appointment to the Port Board was ineligible due to their employment with a Federal Crown Corporation. Peter Gillis works for Marine Atlantic and under PSDC's Articles of Association, an employee of a federal crown corporation is ineligible to serve on the Board. Mr. Gillis was advised of this oversight and then graciously resigned from the Board, noting that he was not aware that he was ineligible. Council was notified of this matter by the Clerk on June 2nd.

The Clerk explained that Mr. Gillis was selected from the recent call for citizens with expertise in business and commerce. Those same applicants were polled to find out if they wanted to re-offer as a member with expertise in marketing; therefore they can be considered for the vacant position for an individual with expertise in business and commerce position.

Mayor McDougall noted the citizens who are reoffering to serve on the PSDC Board as members with expertise in marketing and in business and commerce, however that a second call would be required with respect to the professional engineer position.

Mayor McDougall then opened the floor for nominations:

Expertise in Marketing:

- Councillor Eldon MacDonald recommended Candidate #6.
- Councillor Glenn Paruch recommended Candidate #8.

Nominations ceased at this point in the meeting.

The Deputy Chief Administrative Officer facilitated the vote by the Zoom direct chat. After Committee votes were counted, the Deputy Chief Administrative Officer advised that there was a tie between the two candidates.

Continued...

Report on Call for Expressions of Interest – Citizen Representatives on Committees (Cont'd):

Port of Sydney Development Corporation (PSDC) Board (Cont'd):

In response to a question from Mayor McDougall, the Clerk advised that in the event of a tie vote, the candidate should be selected by lot.

At this point, Councillor Eldon MacDonald advised the Committee that Candidate #6 is eligible for both expertise in marketing and expertise in business in commerce. He pointed out that if that candidate #8 was not selected for the position with expertise in marketing, that they are eligible to be considered for the position with expertise in business and commerce.

The Deputy Chief Administrative Officer facilitated the draw by lot with the assistance of the Chief Administrative Officer.

Candidate #6 was drawn as the successful candidate. Mayor McDougall advised that Candidate #6 will be recommended to Council as the individual with expertise in marketing on the PSDC Board.

Expertise in Business & Commerce:

Mayor McDougall then opened the floor for nominations for the vacant position on the PSDC with expertise in business and commerce.

- Councillor Gillespie recommended Candidate #7.
- Councillor Parsons recommended Candidate #8.

Seeing no further nominations, nominations ceased.

The Deputy Chief Administrative Officer facilitated the vote by the Zoom direct chat. After Committee votes were counted, the Deputy Chief Administrative Officer advised that Candidate #8 was successful.

The following motion was then put forward:

Continued...

Report on Call for Expressions of Interest – Citizen Representatives on Committees (Cont'd):

Port of Sydney Development Corporation (PSDC) Board (Cont'd):

Motion:

Moved by Councillor Eldon MacDonald, seconded by Councillor Gillespie, that a recommendation be made to Council to appoint the following citizens to the Port of Sydney Development Corporation:

Expertise in Marketing

- Candidate #6

Expertise in Business and Commerce

- Candidate #8

Motion Carried.

At this point, the Clerk asked for direction from the Committee to address the position requiring a professional engineering designation.

After discussion, the following motion was put forward:

Motion:

Moved by Councillor Gillespie, seconded by Councillor Paruch, that staff be directed to issue a second call for citizen volunteers to fill the vacancy for the professional engineering position on the PSDC Board, which is to be advertised on social media only (i.e. no newspaper ad), and that the Engineers Nova Scotia Association be contacted directly to ask that they notify their members who are residents of CBRM of the vacancy and advise that they can put their name forward to serve on the PSDC Board for a two-year term, if interested. Further, the individual that contacted the CEO of the Port regarding this vacancy should also be contacted to suggest submitting a formal application if they are interested in serving on that Board.

Motion Carried.

Public Discussion of Applicant Information:

Committee and staff discussed the criteria under the MGA for holding in camera meetings and the fact that the personal information in citizen applications/resumes does not meet the test for such meetings, thus they must be dealt with in open session. Reference was also made to the process used by HRM. The Committee members agreed that this was a challenge as they could only refer to the applicants by number and not discuss their qualifications.

It was suggested that Municipal Affairs should be contacted for clarification on same.

Continued...

Public Discussion of Applicant Information (Cont'd):

The following motion was then forward:

Motion:

Moved by Councillor Parsons, seconded by Councillor Eldon MacDonald, that the Mayor, representing the Nominating Committee, approach the Department of Municipal Affairs to request clarification on the nominating committee process as it relates to holding in camera sessions in order to protect the identity of citizens putting their names forward to serve on Committees so that their personal information contained in the applications can be discussed in private.

Discussion:

The Clerk asked that when the Mayor reaches out to Municipal Affairs, to request that this be considered in the Charter as one of the criteria for in camera sessions. Mayor McDougall that she will be meeting with Municipal Affairs staff to discuss the Charter next week and this will be added to the list.

Motion Carried.

Adjournment 10:58 a.m.

Mayor Amanda M. McDougall
Chair
/slm

Deborah Campbell Ryan
Municipal Clerk