

Cape Breton Regional Municipality

**Nominating Committee
Minutes**

**Wednesday,
November 17, 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: Deborah Campbell Ryan, Municipal Clerk
Sharon MacSween, Recording Secretary

Absent: N/A

Summary of Decisions

Land Acknowledgement

Roll Call

1. Approval of Agenda:

Motion to approve the November 17, 2021 Nominating Committee Agenda as circulated. **Carried.**

2. Citizen Vacancies on Various Committees:

(i)(a) Diversity Committee

Motion that staff be directed to call for expressions of interest for a CBRM citizen to serve on the Diversity Committee as the representative of the disability community. **Carried.**

(i)(b) Accessibility Advisory Committee

Motion that a recommendation be made to Council that the vacant seat on the Accessibility Advisory Committee not be filled, leaving the composition of the Committee at nine (9) members. **Carried.**

(ii) Audit Committee

Motion that staff be directed to call for expressions of interest for a CBRM citizen to serve on the Audit Committee for a two-year term. **Carried.**

(iii) Cape Breton Regional Library Board

Motion that staff be directed to call for expressions of interest for a CBRM citizen to serve on the Cape Breton Regional Library Board until February 2023. **Carried.**

(iv) Port of Sydney Development Corporation (PSDC) Board

Motion that staff be directed to call for expressions of interest for CBRM citizens to serve on the Port of Sydney Development Corporation Board; one with a professional accounting designation and one with expertise in business and commerce – both for a three (3) year term. **Carried.**

Adjournment.

Land Acknowledgement

Roll Call

1. Approval of Agenda:

Motion:

Moved by Councillor Gillespie, seconded by Councillor Eldon MacDonald, approval of the November 17, 2021 Nominating Committee Agenda.

Motion Carried.

2. Citizen Vacancies on Various Committees:

Deborah Campbell Ryan, Municipal Clerk, reviewed her Memo that was included in the agenda package and advised there are citizen vacancies that currently exist or appointments due to expire in the near future which require Council's attention. She noted that the recommendations for each of these Committees should be dealt with separately.

(i) Diversity Committee and Accessibility Advisory Committee

The Municipal Clerk advised that Jenny-Rachel Lind recently had an employment change and has moved to Newfoundland. Ms. Lind was a citizen appointee on the CBRM Accessibility Advisory Committee and the Diversity Committee (disability community representative). As per Council policy, citizen appointees on CBRM Committees must be residents of the Municipality; thus Ms. Lind is no longer eligible to serve on these two committees.

(i)(a) Diversity Committee:

The Clerk noted that the Diversity Committee Governance Policy states that the Committee composition shall include one representative from the disability community. While the current Committee can attain a quorum, the vacant seat should be filled.

Motion:

Moved by Councillor Parsons, seconded by Councillor Gillespie, that staff be directed to call for expressions of interest for a CBRM citizen to serve on the Diversity Committee as the representative of the disability community.

Motion Carried.

Continued...

Citizen Vacancies on Various Committees (Cont'd):

(i)(b) Accessibility Advisory Committee:

The Municipal Clerk advised that the Terms of Reference (TOR) for the Accessibility Advisory Committee states that there shall be up to ten members, which shall include two members of Council, and they are Councillor Cyril MacDonald and Councillor Gillespie. In accordance with Section 44 the NS *Accessibility Act* (the Act), at least one-half of the members must be persons with disabilities or representatives from organizations representing persons with disabilities. When CBRM called for expressions of interest from citizens of CBRM to serve on the Accessibility Advisory Committee, eight applications were received, and all individuals were appointed to this Committee by Council. Seven of those citizens represent persons with disabilities. It was pointed out that the Accessibility Advisory Committee can operate with 9 members and still be in compliance with the TOR and the *Act*, and there are no applications on file that were not successful.

The Municipal Clerk provided two options for the vacancy on the Accessibility Advisory Committee:

Option 1: Recommend to Council that the vacant seat on the Accessibility Advisory Committee not be filled, leaving the composition of the Committee at nine (9) members, noting that six (6) are either persons with disabilities or representatives from organizations representing persons with disabilities.

Option 2: To direct staff to call for expressions of interest for a citizen to serve on the Accessibility Advisory Committee to fill the vacant seat.

The Clerk advised that she is recommending Option 1, noting that both options were discussed with the Chair of the Accessibility Advisory Committee and the Accessibility Coordinator and they agreed with her recommendation.

Motion:

Moved by Councillor Paruch, seconded by Councillor Parsons, that a recommendation be made to Council that the vacant seat on the Accessibility Advisory Committee not be filled, leaving the composition of the Committee at nine (9) members.

Motion Carried.

(ii) Audit Committee

The Clerk advised that Citizen Rakesh Kochar's two-year term on the CBRM Audit Committee has come to an end and it would be in order to call for expressions of interest from CBRM citizens to fill the vacant seat on the Audit Committee.

Motion:

Moved by Councillor Parsons, seconded by Councillor Paruch, that staff be directed to call for expressions of interest for a CBRM citizen to serve on the Audit Committee for a two-year term.

Motion Carried.

Continued...

Citizen Vacancies on Various Committees (Cont'd):

(iii) Cape Breton Regional Library Board

The Clerk advised that notification has been received from Lisa Mulak, Chief Librarian, that Citizen Ronald MacDonald has resigned from the Board due to personal reasons. She recommended that it would be in order to call for expressions of interest to replace Mr. MacDonald for the balance of his term (i.e. to February 2023).

Motion:

Moved by Councillor Gillespie, seconded by Councillor Gordon MacDonald, that staff be directed to call for expressions of interest for a CBRM citizen to serve on the Cape Breton Regional Library Board until February 2023.

Motion Carried.

Mayor McDougall noted that both she and Councillor Gillespie served on the Library Board with Mr. MacDonald in the past. She advised that it is sad to see that he is leaving the Board and expressed best wishes to Mr. MacDonald.

(iv) Port of Sydney Development Corporation (PSDC) Board

The Municipal Clerk advised that confirmation has been received from the Chief Executive Officer (CEO) of the PSDC that Sylvie Gerbasi's term as the representative on their Board with a professional accounting designation has expired, and James Kerr's term as a representative with business and commerce expertise will be expiring in April 2022.

The Clerk advised that yesterday, both she and Mayor McDougall received a letter from Marlene Usher, CEO of the Port, advising that both Sylvie Gerbasi and James Kerr are interested in re-offering to serve on the Board. Ms. Usher has asked that they be re-appointed for a three-year term. The Clerk stated that if the Nominating Committee agrees, a recommendation could be made to Council to reappoint both individuals, noting it would be beneficial for continuity purposes.

During discussion, Councillor Gillespie noted his intention to move a motion to recommend that Council re-appoint Ms. Gerbasi and Mr. Kerr to the PSDC Board for a three-year term.

Councillor Parsons asked if re-appointing the citizens outside of the expression of interest process would be precedent setting.

Continued...

Citizen Vacancies on Various Committees - Port of Sydney Development Corporation (PSDC) Board (Cont'd):

The Clerk advised that the Nominating Committee can certainly make a recommendation to Council to reappoint those citizens, and it has been done in the past for the PSDC. She further advised that in her opinion it would not set a precedent because every citizen appointment to the PSDC Board must be approved by Council, therefore it would be Council's decision whether or not to reappoint these individuals to the Board. Further, the Clerk noted that if the Committee would prefer to call for expressions of interest, both Ms. Gerbasi and Mr. Kerr may reapply. In response to a question, the Clerk clarified that the PSDC Articles of Association state that an individual can serve two (consecutive) terms on the Board, and that both individuals are completing their first term.

Councillor Parsons then suggested that the expression of interest process be followed when filling vacancies in order to allow for transparency of the process. Councillor Paruch and Councillor Gordon MacDonald agreed that the expression of interest process be followed.

At this point in the meeting, Councillor Gillespie indicated that given this discussion, he would not be proceeding with a motion to reappoint these members as he believed there would be no seconder.

The following motion was then put forward:

Motion:

Moved by Councillor Parsons, seconded by Councillor Paruch, that staff be directed to call for expressions of interest for CBRM citizens to serve on the Port of Sydney Development Corporation Board; one with a professional accounting designation and one with expertise in business and commerce – both for a three (3) year term.

Motion Carried.

Mayor McDougall asked that when the matrix of applicants is prepared, reference to previous Committee and Board experience is noted in bold on the same in order to assist the Committee with the citizen selection process.

Ms. Campbell Ryan advised that one advertisement will be placed in the Cape Breton Post and a Notice will be listed on the CBRM website and social media for a call for citizens for CBRM Committees and Boards.

In response to questions from the Committee, the Clerk advised that once individuals complete their service on Committees and Boards, a letter thanking the individual for their service is sent.

Adjournment 10:19 a.m.

Mayor Amanda M. McDougall
Chair
/slm

Deborah Campbell Ryan
Municipal Clerk