



**SAUGEEN, GREY SAUBLE, NORTHERN BRUCE PENINSULA**  
**SOURCE PROTECTION REGION**

**A M E N D E D**  
**Rules of Procedure**  
for the  
**Source Protection Committee**

**Date: October 24, 2008**

## 1.0 Preamble

- 1.1 Source protection committees established by source protection authorities under section 7 of the *Clean Water Act, 2006* are responsible for the preparation of terms of references, assessment reports and source protection plans for source protection areas in accordance with the Act, regulations and Director's rules.
- 1.2 Members of a Committee bring to the Committee a wide range of relevant knowledge and expertise relating to the Committee's role, acquired as a result of experience in both the private and public sector. Committee Members join the Committee to contribute to the source protection planning process under the *Clean Water Act, 2006*.
- 1.3 Section 14 of O.Reg. 288/07 (Source Protection Committees) made under the *Clean Water Act, 2006* requires that a Committee prepare written Rules of Procedure for conducting the business of the Committee.

## 2.0 Definitions

- 2.1 For the purposes of these Rules, the following definitions apply:
  - 2.1.1 "**Rules**" means these Rules of Procedure.
  - 2.1.2 "**Chair**" means the Chair of the Source Protection Committee.
  - 2.1.3 "**Committee**" means a source protection committee established by a source protection authority under section 7 of the *Clean Water Act, 2006*.
  - 2.1.4 "**Member**" means a member of a Committee appointed by the Minister or a source protection authority under section 7 of the *Clean Water Act, 2006*.
  - 2.1.5 "**Sub-committee**" means a subgroup of Committee members delegated by the Committee to address particular issues.
  - 2.1.6 "**Working group**" means a group of stakeholders brought together by the Committee to address particular issues.
  - 2.1.7 "**Consensus**" means a general agreement or opinion.

### **3.0 Calling of Meetings**

- 3.1 The Chair of the Committee shall determine the time and location of the first meeting of the Committee. O.Reg. 288/07, s.16(1).
- 3.2 At the first meeting, and every 6 months thereafter, the Committee will establish a meeting schedule for the following 6 months which will include at least one meeting each month. This schedule will be followed until such time as the proposed Terms of Reference are submitted to the source protection authority. O.Reg. 288/07, s.16(2).
- 3.3 The schedule will be published on the Source Protection Program website. O.Reg. 288/07, s.16(3).
- 3.4 Additional meetings may be called at the discretion of the Chair.
- 3.5 Meeting notices of all Committee meetings will be published on the Source Protection Program website at least 5 days prior to the date of the meetings. The notices will include the time and location of the meeting as well as agenda items.
- 3.6 Email notices of all Committee meetings shall be sent to each Member and Liaison Member of the Committee.
- 3.7 Anyone wishing notice of meetings may leave their name and address or email address with the Project Manager. The Project Manager or his or her designate shall inform that person, by email, in writing or by telephone, in advance of any Committee meetings called under s.3.2 and 3.4.
- 3.8 Delegations to the Committee must give at least 2 weeks' notice of their interest in making a presentation to the Committee. Presentations are limited to 15 minutes plus discussion time, up to a maximum total of 30 minutes for the presentation and discussion. Delegations with written information for the consideration of the Committee will provide the written information 2 weeks prior to the meeting.
- 3.9 Notice of meetings shall be provided to local media at least two days in advance of Committee meetings. A media release shall be issued after each meeting called under s.3.2 and 3.4.

### **4.0 Procedures for Conducting Meetings**

- 4.1 The Chair of the Committee shall preside at all meetings of the Committee. O.Reg. 288/07, s.12 (1).
- 4.2 In the absence of the Chair, the remaining Members shall appoint an acting Chair from amongst themselves. O.Reg. 288/07 s.12(2).
- 4.3 The business of the Committee will be conducted at meetings of the Committee at which a quorum is present.

#### 4.4 Quorum

4.4.1 A quorum is the Chair, or in their absence the Acting Chair, plus at least two-thirds (10 members) of the number of Members the Source Protection Authority is authorized to appoint to the Committee. O.Reg. 288/07 s.13(1).

4.4.2 If no quorum is present one-half hour after the time appointed for a meeting of the Committee, the Project Manager will record the names of those present and the meeting shall stand adjourned until the next meeting.

4.5 Committee meetings shall adhere to the current edition of Robert's Rules of Order, the rules provided herein or other generally accepted rules of procedure.

#### 4.6 Minutes

4.6.1 The minutes of all meetings of the Committee shall be recorded by the Project Manager or his/her designate.

4.6.2 Within 20 days after any meeting, the Project Manager or his/her designate shall email or send a copy of the minutes of that meeting to the Committee.

4.6.3 Minutes will be considered by the Committee for approval at the next scheduled meeting of the Committee.

4.6.4 Approved minutes will be posted on the website and sent to each SPA.

4.6.5 Minutes of in-camera sessions are also to be kept. These minutes are not available to the public but form part of the official record of the Committee.

#### 4.7 Committee decision making

4.7.1 The Committee shall attempt to make decisions by consensus among the Members. O.Reg. 288/07, s.14(2)2.

4.7.2 If the Committee is unable to make a decision by consensus, and the Chair has determined that a reasonable effort has been made to reach a consensus, then the decision may be made by a vote of two-thirds of the Members present not counting the Chair or Acting Chair. O.Reg. 288/07 s.14(2)3.

4.7.3 The Chair is not permitted to vote. O.Reg. 288/07, s.14(2)4. Each Committee Member is entitled to one vote.

4.7.4 A Member of the Committee may participate in a meeting by proxy. O.Reg. 288/07, s.17. The proxy will have written confirmation of the Member's intents. A proxy counts towards quorum.

4.8 The terms of appointment of Members, and filling of vacancies on the Committee, and the removal from office of Committee Members shall be done in keeping with O.Reg. 288/07.

#### 4.9 Meetings open to public

4.9.1 All Committee meetings will be open to the public. O.Reg. 288/07, s.18(1).

4.9.2 Despite the previous section, the Committee may close a meeting, or part of a meeting, to the public if the discussion is concerning a personal or financial matter about an identifiable individual or property or to discuss legal matters. O.Reg. 288/07, s.18(2).

4.9.3 A meeting, or part of a meeting, will not be closed to the public by the Committee unless the Committee passes a resolution stating that the meeting is closed to the public and the general nature of the subject matter to be discussed in the absence of the public. O.Reg. 288/07, s.18(3).

4.10 These Rules will be published on the Source Protection Program website. O.Reg. 288/07, s.14(3).

4.11 The Committee will conduct its business in accordance with these Rules. O.Reg. 288/07, s.14(4).

#### 4.12. Teleconference

4.12.1 Committee meetings conducted by teleconference may be permitted at the discretion of the Chair. As there is no opportunity for public involvement during a teleconference, these types of meetings should be avoided and held only as a result of extenuating circumstances.

4.12.2 Individual members may participate in Committee meetings by telephone provided that at least two days' advance notice is given and that such phone facilities are available. Participation will be allowed during in-camera sessions only if the Member can assure confidentiality is maintained.

### **5.0 Per Diem**

5.1 Chairs shall receive compensation from the Province in keeping with their terms of office.

5.2 Voting Members shall receive a per diem allowance for attending Committee meetings, and any other such meetings to which their attendance is required by the Committee or Chair, or to which they are appointed or directed by the Committee or Chair to attend, in advance of the meeting.

5.3 Per diems will be paid for time spent at meetings and travel time to and from meetings.

5.4 Full day per diems (\$200) will be paid for time spent at meetings and travel that exceeds a total of 3 hours.

- 5.5 First Nations and other Liaison Members will be compensated in keeping with Ministry guidance.
- 5.6 If no quorum is present, the per diem rate shall be paid to those in attendance.
- 5.7 Voting Members will be paid for expenses, such as mileage, meals, et cetera, incurred on authorized Committee business. First Nations and other Liaison Members will be compensated in keeping with Ministry guidance.
- 5.8 At each meeting, Members will be required to sign an attendance sheet and indicate total kilometres travelled to attend the meeting. Per diem and expense amounts will be direct-deposited to the Committee Member's account or issued by cheque and mailed to the Committee Member once every three (3) months by the lead Source Protection Authority.

## **6.0 Duties and Responsibilities**

- 6.1 Source Protection Committee Members. It is the responsibility of Source Protection Committee Members to:
- 6.1.1 Attend Committee meetings;
  - 6.1.2 Become aware and knowledgeable of programs, projects, and activities of the Committee;
  - 6.1.3 Attend public meetings;
  - 6.1.4 Keep the organizations which the Member represents informed of Committee programs, projects and activities;
  - 6.1.5 Be prepared to discuss issues at all Committee meetings.
- 6.2 Source Protection Committee. Subject to the *Clean Water Act* and attending Regulations, the Source Protection Committee is responsible to:
- 6.2.1 Oversee the preparation of rules of procedure including a code of conduct and conflict of interest policy within the required timeframe;
  - 6.2.2 Oversee the preparation and submission of a Terms of Reference in the prescribed manner and in keeping with o.Reg. 287/07 within the required timeframe;
  - 6.2.3 Oversee the preparation and submission of the Assessment Report in keeping with the Regulations, and technical guidance modules within the prescribed timeframe;
  - 6.2.4 Oversee the preparation and submission of a Source Protection Plan in keeping with the Regulations within the prescribed timeframe;
  - 6.2.5 Undertake public consultation as required by Regulation;

- 6.2.6 Provide a quarterly report of progress to the Source Protection Authorities within the Region in keeping with the Regulation within the prescribed timeframe;
  - 6.2.7 Establish and provide direction to sub-committees and working groups. The establishment of a sub-committee or working group shall be made through the passing of a resolution of Committee which outlines the term, composition and tasks of the sub-committee or working group.
- 6.3 Chair. The Chair of the Committee shall provide direction for all phases of the Committee's activities and shall see that all business of the Committee is conducted in a fair and just manner and shall in particular:
- 6.3.1 Represent the Committee at such functions as warrant the interest of the Committee, except where this responsibility is specifically assigned to some other person;
  - 6.3.2 Provide direction to the Project Manager in the day-to-day operation and administration of the Committee;
  - 6.3.3 Be "ex-officio", a member of all Working Groups, sub-committees and ad hoc Working Groups appointed from time to time;
  - 6.3.4 Preside over the Source Protection Committee meetings.
- 6.4 Sub-committees. The sub-committees shall provide information to the Committee and shall in particular:
- 6.4.1 Discuss the matters referred to in the Committee resolution establishing the sub-committee;
  - 6.4.2 Keep minutes of meetings;
  - 6.4.3 Report findings back to the Committee.
- 6.5 Working groups. The working groups shall investigate issues on behalf of the Committee and shall in particular:
- 6.5.1 Discuss the matters referred to in the Committee resolution establishing the sub-Committees.
  - 6.5.2 Keep minutes of meetings;
  - 6.5.3 Conduct its business in a fair and just manner;
  - 6.5.4 Have at least one member of the Committee sitting as a member of the working group;

6.5.5 Have as Chair of the working group a Committee member who has been appointed to that role by the Committee.

6.6 Liaison members. The following persons may attend and participate in discussions at all meetings of the Committee including any meetings or part of a meeting that is closed to the public:

- a. A person designated by the lead Source Protection Authority as a representative of the Authority; or,
- b. a person designated by the Minister as a representative of the Ministry of the Environment; or,
- c. a person designated by the Minister as a representative of the medical officers of health for the health units in which any part of the Source Protection Region is located.

## **7.0 Information and Privacy**

7.1 The Source Protection Committee Members shall be governed at all times by provisions of the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA).

7.2 In the instance where a Committee Member vacates their position on the Committee, they will continue to be bound by MFIPPA requirements.

## **8.0 Indemnity**

8.1 In keeping with s.99 of the *Clean Water Act, 2006*, every Member of the Committee and his/her heirs, executors, administrators and estate and effects respectively shall from time to time and at all times be indemnified and saved harmless out of the funds of the Committee from and against all costs, charges and expenses whatsoever which Member of the Committee sustains or incurs in or about any action, suit or proceeding which is brought, commenced or prosecuted against him/her for or in respect of any act, deed, matter or thing whatsoever made, done or permitted by him/her in or about the execution of the duties of his/her office; all other costs, charges and expenses he/she sustains or incurs in or about or in relation to the affairs thereof, except such costs, charges or expenses as are occasioned by his/ her own wilful neglect or default.