



Raisin-South Nation Source Protection Committee

Procedural Manual

May 2022

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Purpose

Regulation O. Reg. 288/07 requires “written rules of procedure for conducting the business of the Committee that are satisfactory to the Source Protection Authority”. These rules are subject to change by the Committee from time to time.

1. Definitions

In this “Procedural Manual”:

“Committee” means the Raisin-South Nation Source Protection Committee established pursuant to Section 7 of the *Clean Water Act, 2006* and Ontario Regulation 288/07.

“SPA” means Source Protection Authority.

“MECP” means Ministry of the Environment, Conservation, and Parks

“MFIPPA” means Municipal Freedom of Information and Protection of Privacy

“Website” means www.yourdrinkingwater.ca

2. Meeting Procedures

2.1 Meetings

The Committee shall at its first meeting establish a meeting schedule of 2 – 4 times throughout the year and publish this schedule online.

The Committee may hold special meetings as determined by the Chair or, in the event the Chair is unable to call a meeting, the Regional Project Manager may do so with the approval of 2/3 of the Committee. Approval shall be obtained by e-mail or telephone.

Members shall be notified of special meetings by staff by way of e-mail and/or telephone.

Any member of the general public who wishes to be advised of scheduled or special meetings, in a manner other than website access, shall contact the Regional Project Manager and request another form of notice. The Regional Project Manager shall comply with the request so long as it is not unduly cumbersome.

2.2 Electronic Meetings

The Chair may hold regular and special Committee meetings electronically.

Committee members may participate in meetings electronically and shall have the ability to:

- a) Register a vote;
- b) Be counted towards determining quorum;
- c) Participate in meetings closed to the public.

The Committee shall make viewing electronic meetings accessible online to the public.

2.3 Delegations

Delegations to the Committee must give a minimum 2 weeks' notice of their interest in making a presentation. Delegations should provide written information for consideration of the Committee 2 weeks prior to the meeting.

Delegations to the Committee may take place during in-person or electronic meetings. It is the responsibility of the Chair or Regional Project Manager to communicate with delegations on how to participate in electronic meetings.

Delegations are limited to a 15-minute presentation unless previous time allocations have been made. Questions and answers may follow the presentation and time should be limited to an additional 15 minutes.

Delegations may be provided additional time to the time set out in clause 5.3 at the discretion of the Chair and through prior arrangements with staff.

Delegations may be requested to appear a second time.

If delegations wish to appear a second time, it is at the discretion of the Committee.

2.4 Chairperson

Pursuant to Reg. 288/07, the Chairperson shall preside at all meetings of the Committee. If the Chair is not able to preside, the members present shall appoint an acting Chair from amongst themselves prior to the call to order.

The Chair shall not cast a vote at any meeting.

The Chairman is an ex-officio Member of Working Groups established by the Committee.

2.5 Quorum and Voting

Pursuant to Reg. 288/07, a quorum is at least two thirds of the Voting Members appointed to the Committee plus the Chair. If no quorum is present one-half hour after the time appointed for a meeting of the Committee, the Regional Project Manager or his/her designate records the names of those present and the meeting shall stand adjourned until the next meeting.

Pursuant to Reg 288/07, new members need not be appointed if the number of members is sufficient to maintain quorum.

Recorded votes must be requested by a Committee member prior to the call for votes.

The Chair shall determine if an issue is debated strongly enough such that one or more members may wish for a recorded vote. In which case, the Chair may enquire prior to calling for a vote if a recorded vote is requested.

The Committee shall strive to achieve consensus on issues, however all motions must pass with a minimum of 60% of voting members in favour.

The following chart outlines the required votes:

Voting Members	Votes Required to Carry a Motion
11	7
12	7
13	8
14	8
15	9
16 Member Committee: Quorum is 11 18 Member Committee: Quorum is 12	

Proxy votes may only be used in specific circumstances and according to the following procedures:

- A proxy vote can be used where a Member cannot attend and wishes to vote on a staff recommendation that has been prepared in a staff report for consideration of the Committee and circulated to the Committee at least 48 hours prior to the vote.
- Only an existing Member of the Committee may cast a proxy vote on behalf of another Member using the 'proxy form' which states the staff recommendation, vote in favour or against and the absent Member's name. Two copies of the proxy form must be completed and signed and sent to the Member and the SPC Chair prior to the start of the SPC Meeting.
- The proxy will not be counted towards quorum.
- If new information is presented at the meeting that causes the staff recommendation to be altered, other than for grammar or clarification purposes, then the proxy vote is null and void and may not be used.

Abstentions are permitted.

To reconsider a decision of the Committee, a motion to reconsider will require a two thirds vote of the voting members present. A motion may only be re-introduced once for reconsideration.

2.6 Meeting Format

Rules of procedure for Committee meetings shall adhere to the rules provided herein. Where necessary, the current edition of Robert's Rules of Order will be referred to.

Committee Members may verbally present motions at any meeting for items on the agenda. Notice of motion is required for new topics or agenda items.

2.7 Minutes Format

The minutes of all meetings of the Committee shall be recorded by the Regional Project Manager or his/her designate. The minutes shall not contain summaries of discussion. The minutes shall contain date, time, attendees, regrets, formal motions, indications of carried or defeated, place of next meeting.

Recorded votes shall be recorded clearly indicating each Committee Member by name and a clear indication of opposed or in favour.

Within 30 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. Minutes approved by the Committee will be posted on the source water protection website.

2.8 Closed Meetings

Where a confidential matter arises, a resolution closing the meeting to the public shall be passed and it shall state the general nature of the subject matter to be discussed. A meeting or part of a meeting may be closed to the public if the subject matter being considered is :

- a) Personal matters about an identifiable individual;
- b) A proposed or pending acquisition or disposition of land;
- c) Labour relations or employee negotiations;
- d) Litigation or potential litigation;
- e) Advice that is subject to solicitor-client privilege;
- f) If the subject matter relates to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act.

2.9 Membership

The Term of appointment and filling of vacancies shall be done in keeping with O.Reg 288/07. Upon a vacancy or continued absence of three consecutive meetings occurring in any office of the Committee, the Committee may fill that vacancy in keeping with the Regulations. In extraordinary circumstances (e.g. Illness, subpoenas) a Member may be excused from a meeting with a resolution from the Committee. Where such permission is granted, the absence shall not be recorded against the Member's attendance record. Sending regrets is not considered permission to be excused.

Membership is determined by the Source Protection Authority and Section 22 of Reg. 288/07 .

3. Municipal Freedom of Information and Protection of Privacy

In keeping with the MFIPPA, all meetings are open to the public; all matters arising out of Committee meetings and supporting technical reports shall form part of the public record and shall be available for public review immediately upon request. Exceptions to the foregoing include the following matters:

- Personnel records or issues;
- Ongoing property negotiations;
- Court cases in which the Committee is involved;
- Discussions which could adversely affect the interests of a third party;
- A personal or financial matter about an identifiable individual.

The Source Protection Committee Members shall be governed at all times by the provisions of the MFIPPA.

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

4. Administrative and Operational Procedures

4.1 Per Diem and Mileage

Chair shall receive compensation from the province in keeping with their terms of office. Voting Members shall receive a per diem allowance for attending Committee meetings and working group meetings to which they are appointed or directed by the Committee to attend in advance of the meeting. Where a Member has been requested by the Chair to attend a meeting relating to Committee business, the Member shall be eligible for per diem and mileage. First Nations and other Liaison Members will be compensated in keeping with Ministry guidance.

If no quorum is present, 50% of the per diem rate shall be paid to those in attendance. Mileage will be fully reimbursed.

Voting Members will be paid for mileage costs incurred for Committee meetings. First Nations and other Liaison Members will be compensated in keeping with Ministry guidance.

All per diem expenses, mileage, and allowances (e.g. meal costs for an approved training session) to be in accordance with the procedural direction of the Lead Source Protection Authority:

- a) Per Diem Rate: \$200

Only one per diem payment can be paid to an individual for each calendar day.

- b) Mileage Rate: \$0.40 per kilometer

Or as adjusted by the Lead Source Protection Authority.

4.2 Functions of Members, Duties and Working Groups

As a duly appointed Voting Member, it is your responsibility to:

- a) Attend Committee meetings;
- b) Become aware and knowledgeable of programs, projects, and activities of the Committee;
- c) Attend public meetings;
- d) To keep the organizations which you represent informed of Committee programs, projects and activities;
- e) Be prepared to discuss issues at all Committee meetings.

Description of Composition as per Section 2 of O. Reg 288/07: 15 Members plus a Chair , with the following membership composition:

- 1/3 of the Members must reflect the interests of the local municipalities,
- 1/3 of the Members must reflect the interests of agriculture, commerce, industry, and small business,
- 1/3 of the Members must reflect other interests including environmental and other public interests.

Municipal Sector	Economic Sector	Other Interests
Municipal (5)	Agricultural (3)	Clean Water Committee (1)
	Commercial/Industrial (1)	Great River Network Council (1)
	Aggregates (1)	General Public (3)
First Nations (2)		

Liaison (non-voting):1 from each SPA, 1 from Health Units, 1 from the MECP

4.3 Term of Appointment and Vacancies

The term of appointment shall be as outlined in O.Reg. 288/07 in section 8 and 9, respectively. In general, this means that the terms of appointment for Committee Members is not less than six months and not more than five years.

Vacancies on the Committee shall be filled through an open competitive process coordinated through the Lead Source Protection Authority.

4.4 Duties

Subject to the *Clean Water Act* and attending Regulations, the Members are responsible to:

- Oversee the preparation of rules of procedure including a code of conduct and conflict of interest policy within the required timeframe;
- 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. This includes a map showing the source protection region boundaries, a list of municipalities within the region, defining which drinking water systems will or will not be subject to the Act, identification and allocation of tasks, demonstrated consideration for the Great Lakes Agreements and public consultation and the total budget for the ensuing year;

- c) Provide notice of a drinking water hazard in keeping with O.Reg 286/07;
- d) Oversee the preparation and submission of the Assessment Report in keeping with the Regulations, and technical guidance modules within the prescribed timeframe;
- e) Oversee the preparation and submission of a Source Protection Plan in keeping with the Regulations within the prescribed timeframe;
- f) Undertake public consultation as required by Regulation.

4.5 Working Groups

The Committee may establish Working Groups:

- a) To consider and recommend policy direction and actions on (but not limited to) programs and projects to advance drinking water source protection;
- b) Shall have a summary of these meetings circulated to the Committee;
- c) A Committee member that has been officially appointed to a Working Group shall be compensated according to clause 13.1.

4.6 Chair Duties

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:

- a) Represent the Committee at such functions as warrant the interest of the Committee, except where this responsibility is specifically assigned to some other person;
- b) Direct the Project Manager in the day-to-day operation and administration of the Committee;
- c) Be "ex-officio", a Member of all Working Groups appointed from time to time by the Committee;
- d) Preside over the Source Protection Committee meetings.

4.7 Regional Project Manager

The Regional Project Manager of the Committee shall work with the Chair to coordinate and manage Committee business. The Regional Project Manager will:

- a) Administer and coordinate the program of the Committee;
- b) Direct the preparation of material or projects to be undertaken by the Source Protection

Authority and to provide such reports as might be from time to time requested by the Committee;

- c) Be responsible for all documentary requirements necessary to obtain approval under the *Clean Water Act*;
- d) Work with the Source Protection Management Committee to prepare all budget estimates in accordance with the work plan requirements of the Committee;
- e) Communicate all instructions from the Committee and its various committees to the administration of the Committee and to supervise the carrying out of all such communications;
- f) Be responsible for the preparation of reports and correspondence to other agencies, governments and individuals dealing with the policy of the Committee on particular items.

4.8 Indemnity

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

5. Conflict of Interest

If there is a matter before the Committee that touches on a Member's "direct or indirect pecuniary interest", then there is a duty on the Member to refrain from participating in the decision-making process related to the matter.

Where a Member declares a conflict, they must refrain from comment and withdraw from the room during the deliberations and voting on the matter.

Where a Member declares a conflict, it will be recorded in the minutes.

Except as defined in the Committee Procedural Manual, the process and operation of conflict of interest issues shall be in accordance with the Municipal Conflict of Interest Act, R.S.O. 1990.

6. Code of Conduct

6.1 Confidential Information

Members have access to confidential information by reason of their participation on the Source Protection Committee. Members must not make such information available unless it is public information. Where a Member is unsure of the status of information, before making any release he/she shall discuss it with the Chair who may see fit to consult with the Regional Project manager.

Confidential information shall include any items discussed in closed session or distributed to the Committee that is marked 'confidential'. In addition, no information should be released (but not exclusively) relating to the following matters:

- a) Personal information about any individual;
- b) Items under litigation;
- c) Personnel matters;
- d) Information about suppliers provided for evaluation which might be useful to competitors;
- e) Sources of complaints about a variety of matters where the identity of the complainant is given in confidence;
- f) Items under negotiation;
- g) Information supplied in support of licence applications, etc., where such information is not part of the public documentation;
- h) Schedule of prices in contract tenders prior to approval;
- i) Personal opinions regarding RRCA/SNC policies, regulations and programs should not be given to the public.

6.2 Media Relations

Contact with the media on behalf of the entire committee is to be undertaken only by media spokespersons as designated by the Chair. The Chair and/or Project Manager will most often be relied upon as media spokesperson. When members provide comments to the media it should be clear that they are providing their individual opinion, or speaking about their sector specifically, and not speaking on behalf of the entire Committee.

6.3 Confidentiality

All Members are required to refrain from the use or transmission of confidential or privileged information while working for the Source Protection Committee and after membership ends on the Source Protection Committee.

6.4 Gifts and Benefits

In order to preserve the image and integrity of the Source Protection Committee, business gifts should be discouraged; however, the Source Protection Committee recognizes that moderate hospitality is an accepted courtesy of a business relationship.

6.5 Anti-Harassment Policy

Every Member of the Committee, the staff or consultants are entitled to work in an environment that is free from discrimination and/or harassment. The Chair will take prompt and appropriate action to prevent, discourage or respond to incidents of discrimination or harassment. Every Member, staff or consultant of the Committee will deal with their colleagues in a fair and equitable manner free from discrimination and/or harassment.

Harassment may include (but is not limited to) the following:

a) Sexual Harassment

- i. Unwelcome remarks, jokes, and innuendos about a person's body, attire, sexual orientation or gender;
- ii. Practical jokes of a sexual nature which cause awkwardness or embarrassment;
- iii. Displaying pornographic pictures or other offensive material;
- iv. Leering (suggestive staring) or other gestures;
- v. Unnecessary physical contact such as touching, patting or pinching;
- vi. Physical assault;
- vii. Demands for sexual favours or repeated unwanted social invitations

b) Racial or Ethnic Harassment

- i. Unwelcome remarks, jokes and innuendos about a person's racial or ethnic background, colour, place of birth, citizenship or ancestry;
- ii. The displaying of derogatory or offensive racist pictures or material;

- iii. Refusing to converse or work with an Member or volunteer because of his or her racial or ethnic background;
- iv. Insulting gestures or practical jokes based on racial or ethnic grounds, which cause embarrassment or awkwardness;

b) Other Harassment

- i. Unwelcome remarks, jokes and innuendos about a person's age, record of offenses, marital status, family status, handicap or creed;

c) A Member or volunteer who feels they are being harassed at work should:

- i. Make it clearly known to the offender that their conduct is unacceptable and should not be repeated; and/or discuss the situation, in confidence, with the Chair or Regional Project Manager;
- ii. Keep a short written record of dates, incidents and names of witnesses, if any; if necessary, prepare a written complaint.