

**Rules of Procedure  
for the  
Halton-Hamilton Source Protection Committee**

**April 8, 2008 – Revised December 4, 2012, September 13, 2016, June 16, 2020**

**1. Purpose**

The purpose of this document is to set out the rules of procedure for the Halton-Hamilton Source Protection Committee as established under *the Clean Water Act, 2006, S.O. 2006, c. 22*, as amended and including any/all related regulations.

**2. Definitions**

2.1 In this set of rules for the Halton-Hamilton Source Protection Committee the following definitions shall apply:

- 2.1.1 “**Chair**” shall refer to the Chair of the Halton-Hamilton Source Protection Committee as appointed by the Minister under *the Clean Water Act, 2006, S.O. 2006, c. 22, as amended*, and including any/all related Regulations.
- 2.1.2 “**CWA**” shall refer to the *Clean Water Act, 2006, S.O. 2006, c. 22, as amended* and all related regulations and director’s rules.
- 2.1.3 “**HHSPC**” shall refer to the Halton-Hamilton Source Protection Committee.
- 2.1.4 “**HRSPA**” shall refer to the Halton Region Source Protection Authority.
- 2.1.5 “**HSPA**” shall refer to the Hamilton Region Source Protection Authority.
- 2.1.6 “**HHSPR**” shall refer to the Halton-Hamilton Source Protection Region as defined under the *Clean Water Act, 2006, S.O. 2006, c. 22, as amended*, and including any/all related regulations.
- 2.1.7 “**Member**” shall refer to a member of the Halton-Hamilton Source Protection Committee appointed by the Halton Region and Hamilton Region Source Protection Authorities under section 7 of the *Clean Water Act, 2006, S.O.2006, c.22, as amended*.
- 2.1.8 “**MFIPPA**” shall mean the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, Chapter M.56*.
- 2.1.9 “**Minister**” shall mean the Minister of the Environment, Conservation and Parks
- 2.1.10 “**Project Manager**” shall refer to the individual appointed by the Halton Region Conservation Authority who shall provide or cause to provide scientific, technical and administrative support and resources to the HHSPC pursuant to Section 7. (5) of the *Clean Water Act, 2006, S.O. 2006, c.22, as amended*.

### **3. Rules of Procedure**

#### **3.1 Procedures for Notice, Agenda and Minutes of Meetings**

- 3.1.1 The HHSPC meeting schedule will be posted on the internet using a six (6) month moving cycle.
- 3.1.2 Notice of HHSPC meetings, agendas including specific motions, and minutes will be sent by e-mail, or by other pre-arranged methods, directly to all:
  - Members;
  - HHSPC liaisons;
  - Municipal clerks in both upper and lower tier municipalities (partially) located within the Halton-Hamilton Source Protection Region; and
  - Any individuals or groups who have contacted the project manager and have expressed an interest in receiving notifications and/or minutes of meetings.
- 3.1.3 Meeting agendas for regular and electronic meetings including specific motions for the HHSPC will be posted on the internet site no later than one (1) week before the meeting.
- 3.1.4 Meeting minutes for regular and electronic meetings for the HHSPC will be posted on the internet site no later than ten (10) working days after HHSPC meetings are held.

#### **3.2 Meetings to be Public**

- 3.2.1 All meetings of the HHSPC are open to the public.
- 3.2.1 All matters arising out of HHSPC meetings and supporting technical reports shall form part of the public record and shall be available for public review no later than ten (10) working days after the meeting at which it was presented and/or discussed.
- 3.2.3 Exceptions to the foregoing include the following matters:
  - a. Personnel records or issues;
  - b. On-going property negotiations;
  - c. Court cases in which the Committee is involved;
  - d. Discussions which could adversely affect the interests of a third party; and
  - e. A personal or financial matter about an identifiable individual.
- 3.2.4 A HHSPC meeting, or part of a HHSPC meeting, shall not be closed to the public unless the HHSPC has passed a resolution that:

1. States that the HHSPC meeting or part of the HHSPC meeting is closed to the public; and
  2. States the general nature of the subject matter to be discussed in the absence of the public.
- 3.2.5 Minutes of HHSPC in-camera sessions must be kept and form part of the official record of the HHSPC but are not available to the public.

### 3.3 **Electronic Meetings: emergencies or other circumstances**

- 3.3.1 All meetings of the HHSPC are to take place in-person unless an emergency has been declared to exist in all or part of the HHSPR, under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*, that may prevent the members of the HHSPC from meeting in-person;

OR

Where a meeting cannot be held in-person due to circumstances beyond the control of the HHSPC including but not limited to the inability to secure a meeting location or due to inclement weather:

a) a Member may participate in meetings electronically and shall have the ability to:

- i. register a vote;
- ii. be counted towards determining a quorum; and
- iii. participate in meetings closed to the public.

b) the HHSPC shall implement best practices to make electronic meetings of the HHSPC open to the public including where possible providing for alternative means for the public to participate in meetings electronically.

c) In times of technological failure (e.g. internet outage or system crash) failure to open a meeting to the public through means of electronic meeting participation shall not call the meeting into question.

#### Delegations

- 3.3.2 delegation requests to address the HHSPC at a electronic meeting may do so in accordance with the procedures for Delegations to Committee established in this Rules of Procedure document including all matters pertaining to names of speakers and length of presentations.

#### Closed Meetings

- 3.3.3 closed meetings may be held at a electronic meeting in accordance with the procedures established in this Rules of Procedure document. Special provisions shall apply including that all members are in a private setting and confirmation that all confidentiality rules are in effect as they would at a regular meeting of the HHSPC.

### **3.4 Procedures for Delegations to Committee**

- 3.4.1 Delegations to the HHSPC must give two (2) weeks' notice of their interest in making a presentation.
- 3.4.2 The request should comprise:
  - a) A brief statement characterizing the nature of the delegation;
  - b) A brief statement of the issue or matter involved; and
  - c) The names of the proposed speakers.
- 3.4.3 Delegations with written information for consideration of the HHSPC will provide the information two (2) weeks prior to the meeting.
- 3.4.4 Presentations given at HHSPC meetings are limited to 15 minutes plus discussion time unless otherwise approved by the Chair.

### **3.5 Freedom of Information and Protection of Privacy**

- 3.5.1 The Members shall be governed at all times by the provisions of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).
- 3.5.2 In the instance where a Member vacates their position on the HHSPC they will continue to be bound by MFIPPA requirements.
- 3.5.3 The HHSPC liaisons shall be governed at all times by the provisions of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).
- 3.5.4 In the instance where a HHSPC liaison vacates their position on the HHSPC they will continue to be bound by MFIPPA requirements.

### **3.6 Quorum**

- 3.6.1 Quorum of the HHSPC is the Chair, or the acting Chair, plus at least two thirds of the number of members of the HHSPC.
  - a) In the case of the HHSPC, quorum shall be defined as the Chair or Acting Chair plus -six (6) members.
- 3.6.2 One or more vacancies in the membership of a HHSPC does not prevent the HHSPC from conducting business as long as the number of members remaining in office is sufficient to maintain quorum.
- 3.6.3 The business of the HHSPC shall be carried out at meetings of the HHSPC at which quorum is present.
- 3.6.4 Members may, if necessary, participate in meeting discussions and decisions by teleconference and this participation counts towards quorum.
- 3.6.5 Members should give two (2) days' notice to the program manager or the Chair if they cannot attend a scheduled meeting, or, if emergency situations apply as soon as possible.
- 3.6.6 If quorum is not met at a meeting it is at the call of the Chair as to whether the meeting will be cancelled or postponed, or the meeting will proceed

but only deal with the information items on the agenda and any scheduled delegations.

- 3.6.7 In general, a meeting will be cancelled if projected attendance is less than 50% (i.e., less than 5 members) in attendance, including proxies.

### **3.7 Decision Making**

- 3.7.1 The HHSPC shall attempt to make decisions by consensus among the members.
- 3.7.2 If the Chair determines that reasonable efforts have been made to achieve consensus but the HHSPC has been unable to make a decision by consensus, a motion can be passed by two-thirds of the members present at the meeting, not counting the Chair.
- 3.7.3 The Chair, or acting Chair, of a HHSPC meeting shall not vote.
- 3.7.4 A recorded vote is an option that may be requested by any Member.
- 3.7.5 The HHSPC will use Bourinot's Rules of Order when formal procedures are called for by a Member with any and all exceptions to the Rules of Order as contained in the HHSPC Rules of Procedures.

### **3.8 Proxy to Meetings**

- 3.8.1 Members are strongly encouraged to attend all HHSPC meetings in person.
- 3.8.2 Members may participate in the meetings of the HHSPC by proxy.
- 3.8.3 Members participating by proxy shall count towards quorum.
- 3.8.4 A Member must provide the Chair with written notification at least 24 hours prior to the meeting of their wish to have a specific member of the HHSPC vote on their behalf by proxy and stating the item(s) and approach of the proxy vote.
- 3.8.5 Members may have another member vote on their behalf by proxy using one or more of the following approaches:
- a) Vote by proxy for one or more individual items on an agenda or all items on the agenda; and
  - b) Vote a specific way for one or more items on the agenda or vote in a manner which will reflect the members' general intent.
- 3.8.6 The Chair has the final decision as to whether a Member may participate in a meeting by proxy based on the reason(s) for the Member's absence which may include, but is not limited to:
- a) Poor weather which may cause members to put themselves in personal physical danger;
  - b) All reasonable personal matters such as a death of a family member or close friend;
  - c) Business meetings and / or trips; and

- d) Personal illness.

### 3.9 **Liaison Members**

3.9.1 The following persons may attend and participate in discussions at meetings of the HHSPC including any HHSPC meetings, or part of a HHSPC meeting that is closed to the public:

- a) A person designated by the HRSPA and HSPA as representatives of these authorities;
- b) A person designated by the Minister as a representative of the Ministry of the Environment, Conservation and Parks; and
- c) A representative of the medical officers of health of the local health units in which any part of the Halton-Hamilton Source Protection Region is located.

### 3.10 **Terms of Appointment**

3.10.1 The terms of appointment to the HHSPC shall be made as set out in Section 8 of Ontario Regulation 288/07.

### 3.11 **Vacancies**

3.11.1 Vacancies on the HHSPC shall be dealt with as set out in Section 9 of Ontario Regulation 288/07.

### 3.12 **Removal of Members From Office**

3.12.1 Removal of members from the HHSPC shall be done in accordance with Section 22 of Ontario Regulation 288/07.

### 3.13 **Per Diem and Expenses**

3.13.1 Compensation from the Province of the Chair of the HHSPC shall be in keeping with the Chair's letter of appointment.

3.13.2 Members of the HHSPC shall be governed by the following rules regarding per diems:

- a) Per diems shall be \$200 per meeting as adjusted by the HRSPA from time to time; and
- b) Any member attending a meeting and wishing to request a per diem payment for any HHSPC meeting called by the Chair regardless whether or not quorum is made.
- c) Any member who participates in a meeting electronically under Section 3.3 is eligible to receive a meeting per diem.

3.13.3 HHSPC members shall be reimbursed for all reasonable expense claims including, but not limited to:

- a) food;
- b) travel;
- c) lodging; and

d) registration fees for conferences and/or workshops.

3.13.4 All expense claims must be directly related to the activities and responsibilities associated with the Source Protection Committee.

3.13.5 Prior approval shall be sought:

- a) The Chair must approve all expenses for all non-HHSPC meetings.
- b) The Chair must approve all expenses claimed by a Member under \$500.
- c) The HRSPA must approve any combined expenses for a single activity anticipated to be greater than or equal to \$500 prior to the activity (e.g., all costs associated with a conference such as travel, registration, food, and lodging); and
- d) In the event of a dispute over the eligibility of any expenses the HRSPA has the final decision.

### 3.14 **Duties of the Chair**

3.14.1 Duties of the HHSPC Chair shall include:

- a) Preside over all meetings of the committee.
- b) If the Chair is absent or unable to act, or the office of the Chair is vacant, the remaining members shall appoint an acting Chair from among themselves, and the acting Chair has all the powers and shall perform all duties of the Chair.
- c) Represent the HHSPC at such functions as warrant the interest of the HHSPC, except where this responsibility is specifically assigned to some other person.
- d) Be "ex-officio", a member of all HHSPC working groups, HHSPC sub-committees and HHSPC ad hoc working groups appointed from time to time by the HHSPC.
- e) Oversee the preparation of the Rules of Procedure, Code of Conduct, and Conflict of Interest policies for the HHSPC.
- f) Oversee the preparation and submission of amended terms of reference for the HHSPC in keeping with the Clean Water Act and the associated regulations, technical guidance modules, and director's rules.
- g) Oversee the preparation and submission of amended assessment reports for the HHSPC in keeping with the Clean Water Act and the associated regulations, technical guidance modules, and director's rules.
- h) Oversee the preparation and submission of the amended source protection plans for the HHSPC in keeping with the Clean Water Act and the associated regulations, technical guidance modules, and director's rules.

- i) Approve all expenses under the value of \$500 incurred by Members.

### **3.15 Roles and Responsibilities of Members**

#### **3.15.1 Members shall:**

- a) Attend HHSPC meetings.
- b) Be prepared to discuss issues at all HHSPC meetings.
- c) Become aware and knowledgeable of programs, projects, and activities of the HHSPC.
- d) Keep the sectors they represent informed of HHSPC programs, projects and activities.
- e) Attend public meetings, as appropriate.
- f) Oversee and approve amendments to:
  - i. Rules of Procedure; and
  - ii. Code of Conduct and Conflict of Interest Policy.
- g) Under the guidance of the Chair, provide input into and assistance on the preparation and submission of amendments to the Terms of Reference in keeping with the Clean Water Act and the associated regulations, technical guidance modules, and director's rules.
- h) Under the guidance of the Chair, provide input into and assistance on the preparation and submission of amendments to the assessment report in keeping with the Clean Water Act and the associated regulations, technical guidance modules, and director's rules.
- i) Under the guidance of the Chair, provide input into and assistance on the preparation and submission of amendments to the source protection plans in keeping with the Clean Water Act and the associated regulations, technical guidance modules, and director's rules.

### **3.16 Indemnity**

3.16.1 Every Member of the HHSPC and his/her heirs, executors, administrators, estate, and effects shall from time to time and at all times be indemnified and saved harmless out of the funds of the Halton Region Conservation Authority from and against all costs charges, and expenses whatsoever which member of the HHSPC 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 office on the HHSPC in keeping with Section 99 of the Clean Water Act, 2006.

3.16.2 Every HHSPC Member and his/her heirs, executors, administrators, estate, and effects shall from time to time and at all times shall be



indemnified and saved harmless out of the funds of the Halton Region Conservation Authority from and against 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 willful neglect or default in keeping with Section 99 of the Clean Water Act, 2006.

**3.17 Review and Revision**

- 3.17.1 The HHSPC will revisit and amend, if necessary, the Rules of Procedure when amendments are proposed by the HRSPA, HSPA, Members, or the Chair.
- 3.17.2 Any changes being proposed to the Rules of Procedure will be forwarded to the HRSPA and HSPA for review and comment.