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Item No. 15.1.3
Halifax Regional Council
November 12, 2024

TO: Mayor Fillmore and Members of Halifax Regional Council

FROM: Cathie O'Toole, Chief Administrative Officer

DATE: October 23, 2024

SUBJECT: **Councillor Nomination to Nova Scotia Federation of Municipalities and Councillor Appointments to Board of Police Commissioners**

ORIGIN

The requirement to fill Councillor positions on Nova Scotia Federation of Municipalities and Board of Police Commissioners.

EXECUTIVE SUMMARY

This report outlines the process and expression of interest results to fill Councillor positions on Nova Scotia Federation of Municipalities and Board of Police Commissioners.

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Suspend the rules of procedures under Schedule 6 of Administrative Order One, Executive Standing Committee Terms of Reference, requiring the Executive Standing Committee to review the nominations outlined in this report and make a recommendation to Regional Council;
2. Nominate one (1) Councillor, who is the successful candidate receiving the most votes after a vote by secret ballot, as the Halifax Regional Municipality Representative to sit on the Nova Scotia Federation of Municipalities Board for a two-year term; and
3. Appoint three (3) Councillors, who are the successful candidates receiving the most votes after a vote by secret ballot, to the Board of Police Commissioners for terms to November 30, 2026.

BACKGROUND

The Nova Scotia Federation of Municipalities (NSFM) Board includes two (2) Halifax Regional Municipality Representatives, with staggered terms, elected at the NSFM Fall Conference. Councillor Austin was nominated by Regional Council for a two-year term on September 26, 2023, appointed by NSFM at their 2023 Fall Conference, and will continue to serve until that term expires under NSFM's policies. Nomination for the second vacant position for a two-year term is required to meet the NSFM nomination deadline of November 13, 2024.

The Board of Police Commissioners (BOPC) is the governing body of the Halifax Regional Police Service

and additionally functions as an advisory board for the RCMP who provide a contractual service to HRM. The Board provides civilian governance, functioning much as a board of directors. As a statutory body, the Board looks to Section 55 of the Nova Scotia *Police Act* for its jurisdiction, power and duties. Each member of the Board is required to take an oath of office and adhere to a code of conduct prescribed by the regulations. Three (3) Councillors are appointed to the BOPC for two-year terms.

DISCUSSION

An expression of interest form was issued from the Office of the Municipal Clerk to all Members of Council outlining available positions on various Boards, Committees and Commissions, with results outlined in the Discussion section of this report. In accordance with section 120 (3)(c) of Administrative Order One, *The Procedures of the Council Administrative Order*, “where more than the number required for the committee of Council stand for election, a vote shall be taken by secret ballot.”

It is customary for the nomination of Members of Council to be presented to the Executive Standing Committee for review, however, staff have recommended that Council suspend section 4, Membership Selection of Schedule 6 of Administrative Order One (AO 1), Executive Standing Committee Terms of Reference, to avoid delays in the appointment process. Section 4 states:

- 4. The Executive Standing Committee shall act as the Membership Selection Committee of the Council with a mandate to function as the nomination committee for appointment to Boards and Committees, including at large nomination to Standing Committees, except as delegated to other Standing Committees by the Council.

Nova Scotia Federation of Municipalities (NSFM) Board

NSFM has requested nominations for one (1) Halifax Regional Municipality Representative for a two-year term. The following Councillors have expressed interest:

Meeting Body	Councillor Expression of Interest 1st or 2nd Choice	Councillor Expression of Interest 3rd+ Choice
Nova Scotia Federation of Municipalities	--	Councillor Deagle Gammon Councillor Gillis

Board of Police Commissioners (BOPC)

There are three (3) positions on the BOPC for a two-year term. The following Councillors have expressed interest:

Meeting Body	Councillor Expression of Interest 1st or 2nd Choice	Councillor Expression of Interest 3rd+ Choice
Board of Police Commissioners	Councillor Kent Councillor Purdy Councillor Mancini Councillor Cleary Councillor Gillis Councillor St-Amand	Councillor Deagle Gammon Councillor Hinch

FINANCIAL IMPLICATIONS

No financial implications.

RISK CONSIDERATION

A delay in Councillor appointments to BOPC would impact meeting quorum, as there is also a vacancy for the provincial appointee. Additionally, the BOPC budget process is scheduled to start late 2024, and delays to holding BOPC meetings and commencing the budget process could have future operational and scheduling impacts.

The NSFM has provided the HRM with an extended deadline of November 13, 2024, to submit nominations for the one (1) Halifax Regional Municipality Representative on the NSFM Board. The name of the nominee will need to be selected at the November 12, 2024, meeting of Regional Council to meet this deadline and have the appointment occur at the NSFM annual conference scheduled for November 26-29.

COMMUNITY ENGAGEMENT

No community engagement was required.

ENVIRONMENTAL IMPLICATIONS

No environmental implications were identified.

ALTERNATIVES

A delay in appointments is not recommended due the reasons outlined in this report.

Regional Council may consider nominations from the floor, with a mover and seconder, outside of the names submitted through the expression of interest process outlined in this report.

A Councillor who had expressed interest in serving on the BOPC or NFSM Board may also remove their name from consideration at the meeting.

LEGISLATIVE AUTHORITY

Administrative Order One – *The Procedures of the Council Administrative Order:*

4. (2) Notwithstanding subsection (1), any one or more of the rules of procedures contained herein except for sections 5 and 41 and subsections 12(5) and 59(3) may be suspended by Council, Committee of the Whole, Community Council or a Standing Committee by the affirmative vote of two-thirds (2/3rds) of the Members present and voting.

Administrative Order One – *The Procedures of the Council Administrative Order:*

119. A report with recommendations for nomination and appointment shall be brought forward to the appropriate nominating or appointing body in accordance with the HRM Charter, the Public Appointment Policy and Terms of Reference adopted by the Council.

Police Board By-law

4 (1) The Council shall appoint six members to the Board who shall hold office for such term as Council may direct, not to exceed three years.

- 4 (5) Where Council is appointing or reappointing a member of the Board, Council shall consider:
- (a) if the Board reflects the diversity of the community it represents;
 - (b) if the Board has a member with legal knowledge or knowledge of the justice system; and
 - (c) if the Board has a member with financial knowledge.

The Nova Scotia Police Act

44 (1) Every municipality that establishes a municipal police department pursuant to Section 36, 84, or 85 shall, by by-law, provide for a board of police commissioners.

- 44 (4) A seven-member board appointed pursuant to subsection (1) consists of
- (a) three members of council appointed by resolution of the council

ATTACHMENTS

None

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