

Thames – Sydenham and Region Source Protection Authority Meeting Agenda

Source Protection Authority: Upper Thames River

Meeting Date: March 25, 2008

Meeting Time: Following adjournment of the UTRCA Board of Directors meeting

Meeting Location: UTRCA Board Room

Agenda

1. Approval of the Agenda
2. Declaration of Conflicts of Interest
3. Minutes From the Previous Meeting
- November 27, 2007
4. Business From Previous Meeting
5. Business For Approval
6. Business for Information
 - (a) Striking Committee Report
 - (b) Municipality of Strathroy-Caradoc representative
on the Source Protection Authority
7. Other Business
8. Adjournment

Ian Wilcox, General Manager

Source Protection Authority Meeting
UTRCA Administration Boardroom
March 25, 2008

P.Huitema called the Source Protection Authority meeting to order at 4:00 p.m. in the Boardroom of the UTRCA Administration Office. The following members were in attendance:

Members:	J.Baechler	E.Hunt
	A.Bannister	T.Jackson
	J.Boyce	C.Lauder
	J.Bryant	G.Marr
	S.Clark	D.Mayberry
	P.Huitema	H.McDermid
		M.Wearn
Absent:	M.Blackie	J.Brown

1. Approval of Agenda

J.Boyce moved – G.Marr seconded:-

“RESOLVED that the agenda be approved as presented.”
CARRIED.

2. Declaration of Conflicts of Interest

There were no conflicts of interest to declare.

3. Minutes of the Previous Meeting
- November 27, 2007

A.Bannister moved – G.Marr seconded:-

“RESOLVED that the minutes of the Source Protection Authority dated November 27, 2007 be approved as circulated.”
CARRIED.

4. Minutes Arising from the Previous Meeting

There is was no business from the previous meeting to discuss.

5. Business for Approval

There was no business for approval to discuss.

6. Business for Information

2

- (a) Final Striking Committee Report – SPC Policies
(Report attached)(Document #70186)

C.Tasker outlined the attached report recommending that the Source Protection Authority receive the

report of the Striking Committee and acknowledge their acceptance of the Source Protection Committee Code of Conduct, Rules of Order and Conflict of Interest Policies.

He thanked A.Bannister and M.Blackie for their help and assistance on the Striking Committee.

(b) Municipality of Strathroy-Caradoc Representative on the Source Protection Authority

C.Tasker advised the members that A.Bannister will represent the Municipality of Strathroy-Caradoc as well as the Municipality of Middlesex Centre on the Source Protection Authority.

J.Baechler moved – G.Marr seconded:-

“RESOLVED that the above noted reports
be received as presented.”

CARRIED.

7. Other Business

There was no further business to discuss.

8. Adjournment

The meeting was adjourned on a motion by J.Bryant at 4:10 p.m..

I.Wilcox, General Manager

P.Huitema, Chair, Source Protection
Authority

/ses
Att.

Report to Source Protection Authorities in the Thames – Sydenham and Region **Agenda #** 2008.01.6a
Cc SP Management Committee **Date** April 16, 2008
From Chris Tasker, Project Manager
Re: Final striking committee report – SPC Policies

Recommendation

It is recommended that the Source Protection Authority receive the report of the striking committee and acknowledge their acceptance of the Source Protection Committee Code of Conduct, Rules of Order and Conflict of Interest Policies.

Background

- The striking committee was formed by the Conservation Authorities to carry out their shared responsibilities related to the formation of the Source Protection Committee (SPC).
- The striking committee met 10 times at the offices of the SCRCA between June 2007 and January 2008 to carry out their responsibilities.
- The committee:
 - Provided recommendations to the MOE on the appointment of the chair of the SPC
 - Appointed members of the SPC and accepted the policies of the committee
- With the SPC formed and having met twice, the striking committee has successfully completed their mandate.
- The committee members should be commended for their commitment to completing this task on behalf of the Source Protection Authorities in the Source Protection Region. Their hard work and dedication is greatly appreciated and has resulted in a well balanced committee of stakeholders who are eager to develop the source protection plans for the region.
- Albert Bannister's leadership in chairing the striking committee is also greatly appreciated.
- A joint committee of the 3 SPAs in the region was an effective and efficient way of collaborating to carry out the shared responsibilities of the SPAs. It would be advisable in the future to establish similar joint committees to accomplish these types of tasks.

Discussion

- The attached policies were developed in consultation with the striking committee before being considered and amended by the SPC. The SPC approved the policies with amendments. The striking committee reviewed the policies as amended and accepted them at a teleconference on January 9, 2008.



Thames-Sydenham and Region Source Protection Committee

Code of Conduct,
Rules of Order and
Conflict of Interest
Policies

Version 1.31
January 11, 2008

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1. Background

Section 14 and 15 of Ontario Regulation 288/07 require that the committee prepare written rules of order, code of conduct and conflict of interest policy. These sections are reproduced below.

Rules of procedure for committee business

14. (1) Within two months after a sufficient number of members to constitute a quorum are appointed to a source protection committee, the committee shall prepare written rules of procedure for conducting the business of the committee that are satisfactory to the source protection authority. O. Reg. 288/07, s. 14 (1).

(2) The committee shall ensure that the rules of procedure contain the following rules:

1. The business of the committee shall be carried out at meetings of the committee at which a quorum is present.
2. The committee shall attempt to make decisions by consensus among the members.
3. If the chair determines that reasonable efforts have been made to achieve consensus but the committee has been unable to make a decision by consensus, the decision may be made by a vote of two-thirds of the members present, not counting the chair.
4. The chair shall not vote. O. Reg. 288/07, s. 14 (2).

(3) The committee shall publish its rules of procedure on the Internet. O. Reg. 288/07, s. 14 (3).

(4) The committee shall conduct its business in accordance with its rules of procedure. O. Reg. 288/07, s. 14 (4).

Code of conduct and conflict of interest policy

15. (1) Within two months after a sufficient number of members to constitute a quorum are appointed to a source protection committee, a source protection committee shall prepare a written code of conduct and conflict of interest policy for members of the committee that are satisfactory to the source protection authority. O. Reg. 288/07, s. 15 (1).

(2) The committee shall publish its code of conduct and conflict of interest policy on the Internet. O. Reg. 288/07, s. 15 (2).

(3) The members of the committee shall comply with the code of conduct and conflict of interest policy. O. Reg. 288/07, s. 15 (3).

These rules of order, code of conduct and conflict of interest policies together with the terms of reference will guide the SPC in developing the Source Protection Plan. The Clean Water Act requires that terms of reference be developed by the SPC in consultation with the municipalities of the region. The municipalities will be given the opportunity to undertake the work required by the Clean Water Act related to their own municipal water systems.

This Code of Conduct and Rules of Order are separate from the Terms of Reference as the Code of Conduct and Rules of Order must be developed to the satisfaction of the Source Protection Authority (SPA).

A brief code of conduct agreement approved by the striking committee was agreed to by all appointees as part of their acceptance of the appointment. This agreement is attached as appendix 3 of this document. The policies contained in this document provide considerably more detail on the Code of Conduct.

The Rules of order section contained in this document form the basis of specific policies which were developed to the satisfaction of the striking committee and will be received by the SPA. The committee was encouraged to adopt Roberts Rules of Order or one accepted by a conservation authority; however the policies contained herein are intended to govern the committee even if they contradict rules established through the adoption of standard rules of order.

The committee will develop mission and vision statements which will assist them in the fulfillment of their legislated responsibilities. These statements and the background behind them will be produced in a separate report.

2. Code of Conduct

2.1. Primary Responsibilities

1. The committee members' primary responsibilities are to the committee.
2. It is understood that the committee members bring the viewpoints of the various stakeholder groups to the committee table; however their primary responsibility is to meet the legislated requirements.
3. Committee members are expected to work collaboratively with their colleagues to develop a Source Protection Plan.
4. Ultimately the committee must develop a Source Protection Plan which reduces existing significant risks to an acceptable level and prevents new significant risks to municipal drinking water sources. This plan must be based on best available science.

2.1.1. Legislated Responsibilities

5. The committee is established pursuant to the Clean Water Act 2006 and the regulations made under the act, specifically Ontario Regulation 288/07. The Act and its regulation require the committee, among other things, to:
 - Develop rules of order, code of conduct and conflict of interest policies to the satisfaction of the SPA
 - Submit a Terms of Reference to the SPA on which they have consulted the municipalities and other stakeholders
 - Direct the completion of Assessment Reports for the Source Protection Areas in the Source Protection Region
 - Direct the completion of Source Protection Plans for the Source Protection Areas in the Source Protection Region.
 - Engage the stakeholders in the development of the products that the committee produces
 - Review, monitor and report on the Source Protection Plan

2.2. Term of Appointment

6. The Term of appointment is defined in O. Reg. 288/07, s. 8. which indicates the Term of appointment for the first SPC is until the posting of the notice of the approval of all of the Source Protection Plans for the Region.
7. In making the appointments the SPA must ensure that no more than 1/3 of each third of the committee expire in the same year.

8. The first appointments have been made for a 3 year period at which time the SPA will consider reappointment until the completion of the SPP and beyond as required by the Act.
9. The SPA will consider the desires of the committee members in establishing the term of the appointment wherever possible.

2.3. Code of Conduct Agreement

10. Basic committee member expectations are included in a code of conduct agreement which is included as Appendix 3 of this document.
11. The code of conduct agreement forms a basic agreement which all members have signed as part of their appointment to the Source Protection Committee. The expectations contained in these policies expand upon the basic expectations contained in the code of conduct agreement.

2.4. Meeting attendance

12. Source Protection Committee members are expected to attend all meetings.
13. The chair may approach the lead Source Protection Authority to have a committee member removed from the committee if the chair believes that the absence of a committee member is having an impact on the committee.
14. It is understood that, from time to time other commitments, illness or other uncontrolled circumstances may prevent members from attending a meeting. When such a situation is anticipated the committee member is expected to notify the chair and the administrative assistant well in advance of the meeting.
15. It is important that notice of an expected absence is received in advance of the meeting so that members may be notified if the committee will not have enough members in attendance to make quorum.

2.5. Harassment

16. The UTRCA (the lead SPA responsible for committee formation and administration) has a policy in its personnel policies that every employee and volunteer can expect a work environment free from harassment/discrimination. No employee or committee member shall be harassed because of race, ancestry, place of origin, colour, ethnic origin, citizenship, religion, creed, sex, sexual orientation, age, record of offences, marital status, family status, or handicap.
17. The policies of the UTRCA as amended and updated from time to time shall apply to the committee, as well as the staff of the authority working with the committee.
18. Every committee member will deal with their fellow members and staff of the conservation authorities in a fair and equitable manner free from discrimination and/or harassment.

19. Harassment may include, but is not limited to, the following:
- unwelcome remarks, jokes, innuendos or taunting about a person’s body, attire, sexual orientation or sex;
 - practical jokes of a sexual nature which cause awkwardness or embarrassment;
 - displaying pornographic pictures or other offensive material;
 - leering (suggestive staring) or other gestures;
 - unnecessary physical contact such as touching, patting or pinching;
 - physical assault;
 - demands for sexual favours or repeated unwanted social invitations;
 - unwelcome remarks, jokes, innuendos or taunting about a person’s racial or ethnic background, colour, place of birth, citizenship or ancestry;
 - the displaying of derogatory, offensive or racist pictures or material;
 - refusing to converse or work with an employee or volunteer because of his or her racial or ethnic background;
 - insulting gestures or practical jokes based on racial or ethnic grounds, which cause embarrassment or awkwardness;
 - unwelcome remarks jokes, innuendo or taunting about a person’s age, record of offences, marital status, family status, handicap or creed.
20. A committee member who feels they are being harassed as part of their involvement with the committee should;
- 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, vice-chair, the SPA liaison or the Human Resources Administrator of the UTRCA (519)-451-2800x225;
 - keep a short written record of dates, incidents and names of witnesses, if any;
 - if necessary, prepare a written complaint.
21. An appropriate member of the Executive Committee together with the Human Resources Administrator (or appropriate designate) will, upon receipt of a verbal or written complaint, conduct an investigation in confidence. If the investigation concludes that harassment has occurred, appropriate disciplinary action will be taken (this may include suspension or termination of staff or removal from the committee of a member).
22. An employee of a conservation authority who feels that they are being harassed as part of their involvement with the committee may follow the policies of their employer in reporting the complaint or follow the policies contained herein. If the complaint is dealt

with through the employer their investigation will involve an appropriate member of the executive committee and the UTRCA Human Resources Administrator (or appropriate designate).

23. The employee or volunteer who issued the complaint will be informed of the results of the investigation and of any action taken.
24. The filing of an internal complaint of harassment/discrimination is the right of every employee or committee member and may be exercised without fear of retaliation or threat thereof.

2.6. Media Contact and Publicity

25. Contact with the media related to the business of the source protection committee is to be undertaken by media spokespersons as designated by the chair. This will generally be undertaken through press releases.
26. The Chair or the Source Protection Project Manager or communications staff will most often be relied upon as media spokespersons.
27. All messaging whether to media or stakeholder groups must be consistent with the objectives of the committee.
28. If approached by the media, members should discuss the contact with the chair.
29. Discussions of the committee or working groups undertaken in camera are to be treated with the strictest of confidence. See the section on FIPPA/MFIPPA for other considerations related to protection of privacy.

2.7. Liaison with Sectors

30. Liaison with sectors is expected in formulating decisions of the committee. It is important that this input be sought in a consultative manner rather than as criticism of policies yet to be established.
31. Committee members are expected to liaise with the stakeholder groups that they represent. They are expected to bring the viewpoint and expertise to the table. They are also expected to assist with disseminating the viewpoints of the other stakeholders to the groups they represent.
32. One of the many important roles of committee members is to assist with education and outreach which will undoubtedly be an important tool in protecting drinking water sources.

2.8. Role of the Liaisons on the Committee

33. O Reg 288/07 allows for 3 liaisons to participate in meetings of the SPC.
34. These liaisons are able to participate in all discussions of the committee.
35. These liaisons are not allowed a vote and may not move or second a motion.
36. Liaisons may not be removed from the meeting, should the meeting go in camera.

19. The following persons may attend and participate in discussions at meetings of a source protection committee, including any meeting or part of a meeting that is closed to the public:
1. A person designated by the source protection authority as a representative of the authority.
 2. A person designated by the Minister as a representative of the Ministry.
 3. 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 area or source protection region is located. O. Reg. 288/07, s. 19.

2.9. Liability and Insurance

37. Section 98 and 99 of the Clean Water Act offer Protection for the SPC and SPA .
38. CAs carry liability insurance which covers errors and omissions for staff and directors/officers.
39. CAs are determining if the insurance needs to be extended to the SPA, SPC and chair.

2.10. FIPPA/MFIPPA

40. The committee is bound by the Freedom of Information and the Protection of Privacy Act (FIPPA) as well as the Municipal Freedom of Information and the Protection of Privacy Act (MFIPPA).
41. Much of the information collected, reviewed and relied upon for the development of a source protection plan contains private information.
42. Although the business of the committee is to be open and transparent it will be important that personal privacy is maintained throughout the development of the plan. For this reason, among others, portions of the business of the committee will be considered private and will be conducted in camera. Committee members are required to maintain this privacy.
43. Committee members continue to be bound by FIPPA and MFIPPA requirements even after they are no longer on the SPC.

2.11. Per diems Eligibility

44. Per Diem allowance includes payment for attendance at meeting, travel and associated meeting preparation.
45. For meetings longer than 3 hours members will be eligible for a Per Diem of \$200.
46. For meetings which are less than 3 hrs members will be eligible for \$125 Per Diem.
47. For brief teleconferences, planned to conduct only small amounts of business and generally less than 1 hr, members will be eligible for a \$50 stipend.

48. Committee members chairing working groups will be eligible for a per diem for the meetings of the working groups. All other members of the working groups will not be eligible for the per diem.
49. It is the intent of the province that committee members are not paid twice for their involvement with the committee. As there are many different variations and subtleties as to whether an employer is paying for the member's time on the committee, the SPA has made all members eligible for the per diem. Should the member wish to collect the per diem, the member's employer may need to be made aware that the member is collecting a per diem for their involvement in the Source Protection Committee so that the intent of the province can be followed.
50. Committee members will be required to sign a meeting attendance sheet and indicate round trip mileage.
51. Committee members will be issued a tax form at the end of each year. Taxes will not be withheld from payments.
52. Per diems will be paid monthly by direct deposit.

2.12. Eligible Expenses

53. Reasonable out of pocket expenses will be reimbursed.
54. Expense claims must be directly related to the attendance at meetings of the SPC or MOE required training.
55. Eligible expenses will be governed by the policies of the UTRCA as they apply to staff and members of the board of directors and must be consistent with provincial guidance.
56. Mileage will be reimbursed at the rate paid to UTRCA staff and board members.
57. Examples of eligible expenses:
 - Telephone toll charges associated with teleconferences.
 - A meal on the road where the committee member has been required to be away from home for more than 4 hours where a meal was not provided as part of the meeting.
58. Examples of ineligible expenses.
 - Lunch when lunch was provided as the meeting.
 - Office supplies or equipment.
59. Expense claims will be paid monthly at the time of payment of per diems.

3. Rules of Order

60. The committee adopts Roberts Rules of Order. The following are specific items which will be observed by the committee and chair. Although they may vary from the standard rules of order those rules identified herein shall govern the committee.

3.1. Meeting Dates

61. The first meeting date and location will be set by the chair.
62. At the first meeting of the SPC the dates, times and locations for the committee meetings will be set for the next 6 months.
63. Meetings must occur monthly until the submission of the terms of reference.
64. Once set, meeting dates, times and locations will be posted on the web site.
65. Members may request meetings of the committee by submitting the request to the chair. The chair will determine whether the item may be dealt with at the next meeting by allocating specific time to the item or may consider other alternatives to address the issue.

3.2. Meeting Agendas and Reports

66. Agendas and reports will be couriered to members 7 days prior to meetings.
67. Agendas will be posted on the web site with discussion papers once sent to members.
68. It is expected that the agenda, and discussion papers will be reviewed prior to meetings. Questions of staff may be asked prior to meetings. Discussion Papers will indicate who they were prepared by.
69. Meeting agendas will be set by the chair and accepted by the committee by motion at the start of the meeting. New business may be allowed for as part of the approval of the agenda.
70. Each meeting agenda will include an in-camera section where subject matter of a confidential nature will be discussed as noted in the section on In Camera Sessions.
71. Reports for the consideration of committee members will be discussion papers which will be general in nature typically without recommendations. Recommendations may be appropriate where a professional opinion is warranted. (An example of this would be the opinion of a professional engineer or hydrogeologist as to whether a threat still poses a significant risk).

3.3. Meeting minutes

72. Meeting minutes will be completed and circulated to the members with the meeting notice for the next meeting.
73. Minutes of meetings will not be posted until approved by committee.

- 74. Minutes will indicate the general tone of discussion, motions, clarification made and additional information or action required.
- 75. Staff discussion papers will be attached to meeting minutes.
- 76. Meeting minutes will be retained as per the retention policy of the lead SPA related to board minutes.

3.4. Decision Making Process

- 77. The source Protection Committee is expected to arrive at decisions through consensus. Unanimous agreement is not required. Where necessary, votes will be undertaken on motions. Motions will carry by 2/3 majority.
- 78. Reports presented to the committee as discussion papers will allow for the committee to discuss the business and will be focused on presenting the options and allowing the committee to arrive at consensus.
- 79. The chair will determine if consensus is likely to be able to be achieved within the allotted time. The chair may then call for a motion on the business, ask to have the discussion extended by motion or deferred to a subsequent meeting.

3.5. Disciplinary Actions

- 80. Should a member of the committee have an issue with the conduct of a committee member which cannot be resolved through discussions with the committee member, it should be discussed with the chair of the committee.
- 81. Should the chair not be able to resolve the issue, the issue can be referred to the executive committee.
- 82. Should the executive committee not be able to resolve the issue it can be referred to the lead SPA.
- 83. The lead SPA may undertake to correct the situation or may form a joint committee of the 3 SPAs to deal with the situation.
- 84. The lead SPA or the SPAs collectively through a joint committee may remove a committee member from their seat and appoint a member to fill the position. In appointing the member to fill the seat which has been made vacant, the SPAs will, wherever possible, utilize a process similar to the process that the striking committee used to fill the position originally.

3.6. Removal from the committee

- 85. A member may be removed by the lead SPA or the SPA’s collectively through a Joint Committee.
- 86. Pursuant to O. Reg. 288/07, s. 7 (4) appointments are subject to the condition that members attend meetings and abide by the code of conduct as such failure to abide by

these conditions is grounds for the removal of the committee member from the committee.

87. If the SPA proposes to remove a member of the committee, it shall give the member a written statement of the reasons for the proposed removal.
88. If the chair requests the removal of a member from the committee it shall be made in writing and shall include a written statement of the reasons for the request.
89. If the SPA proposes, on request of the chair, to remove the member from office, it shall give the member a copy of the chair's request.
90. The SPA shall provide the member and the chair with an opportunity to make submissions to the authority before it makes a decision on whether or not to remove the member from office.
91. A member must be removed from office should a member no longer comply with Section 7 of the Regulation which pertains to residing, owning or renting land or being employed within the Source Protection Region.
92. The SPA shall, as soon as is reasonable, remove from office a member of the committee if the member was appointed from a list of persons that was submitted jointly by the councils of the municipalities that are in a group established under the regulation and the removal of the member from office is jointly requested by the councils of the municipalities referred to above. Those municipalities must also jointly submit the name of a person to be appointed to fill the vacancy created by the removal of the member. The SPA shall, as soon as reasonably possible, appoint the person whose name is jointly submitted by the councils of the municipalities.

3.7. Chair

93. The chair is appointed by the Minister of the Environment.
94. The chair:
 - Presides over the meeting,
 - sets agendas,
 - allows delegations, and
95. The chair does not vote.
96. Any issues that a member has with the chair which cannot be resolved through discussion directly with the chair should be discussed with the SPA liaison and the Provincial liaison to determine possible solutions. These liaisons may solicit the advice of others as they see fit. Only the Minister of the Environment may remove a chair from their position.

3.8. Elections

97. Where elections are required the elections shall be conducted in a manner consistent with the adopted rules of order.

3.8.1. Vice-Chair

98. Vice Chair is to be elected at first meeting.
99. The term of the vice chair is for one year
100. Vice chair will preside over meetings which the chair is not able to attend.
101. Vice chair does not vote when fulfilling the role of chair.

3.8.2. Recording Secretary.

102. A recording secretary will be elected by the committee to record in camera discussions.
103. Terms of the recording secretary shall be one year.

3.9. Executive Committee

104. An executive committee will perform an administrative role including the following activities:
 - o Appoint any outside representative participating in working groups,
 - o be involved in any disciplinary actions, and
 - o Other appropriate duties which may be needed from time to time.
105. The executive committee will be comprised of the chair, vice-chair and SPA liaison.

3.10. Working Groups and Sub-Committees

106. Working groups will generally be open to participation by any SPC member who wishes to participate.
107. Working groups will also rely on technical staff participation as well as stakeholder participation.
108. Working groups will be chaired by a SPC member who will be appointed by the executive committee and report back to the SPC.
109. Chairs of working groups are eligible for per diems for the meetings of the working group.

3.11. Attendance by Teleconference

110. It is acknowledged that teleconferences will be challenged by limited audio quality and will not have the benefit of video so this should only be used as a last resort for members who otherwise will not be able to attend the meeting.
111. If a committee member participates in a meeting of the SPC by telephone they will be eligible for the same per diem as those who attended in person.
112. For members who participate in a meeting by teleconference, the member is expected to request that the SP Administrative Assistant indicate attendance by teleconference on the meeting attendance sheet.

- 113. A member must let the Administrative Assistant know that they wish to participate by teleconference in advance of the meeting.
- 114. Attendance by teleconference will be counted towards quorum.

3.12. Proxy

- 115. The Clean Water Act allows for absent members to participate in decision making by proxy. The committee, however has determined that this presents many logistical problems. Proxies are better suited to predetermined votes. This committee will be endeavouring to make decisions by consensus making it difficult for a member to provide an informed proxy. The committee members have therefore determined that they will not use proxies.
- 116. If members are not able to participate in a meeting, in person or by teleconference, they are encouraged to submit their opinion on an issue. Absent member's opinions shall be submitted to the chair, in writing, in advance of the meeting. In this manner their initial opinion will be made know to the other committee members and may be considered in arriving at consensus. It is acknowledged that position papers submitted in the absence of the group discussion is contrary to the consensus building process. Only through the discussion should members form a position. This initial opinion is, however, intended only to allow the absent member's initial opinion to be considered in the group discussion. The focus should therefore be placed on the input rather than an established position.

3.13. Quorum

- 117. Meeting quorum is identified in the Clean Water Act.

13. (1) The quorum of a source protection committee is the chair or acting chair, plus at least two-thirds of the number of members of the committee that the source protection authority is authorized to appoint. O. Reg. 288/07, s. 13 (1).

(2) One or more vacancies in the membership of a source protection committee does not prevent the committee from conducting business as long as the number of members remaining in office is sufficient to maintain a quorum. O. Reg. 288/07, s. 13 (2).

- 118. CWA requires that business of the SPC will only be conducted at a meeting at which a quorum is present.
- 119. It is the responsibility of the member to notify the administrative assistant, as early as possible, if they are not able to attend the meeting.
- 120. Attendance by teleconference will be counted towards quorum.
- 121. As the members of the SPC have agreed that they will not use proxies to participate, proxies will not count towards quorum.

3.14. Delegations

122. The chair will consider requests for delegations.
123. Delegations may be arranged through contact with the Administrative Assistant. Requests need to be made in writing 3 weeks prior to meeting so that the information may be included in the meeting notification.
124. No more than 3 delegations will be scheduled per meeting.
125. Preference will be given to having the delegations at working groups, where appropriate, and at the discretion of the chair.
126. The chair will determine the amount of time to be allocated to the delegation on the agenda. The delegation will then be limited to the time allotted by the chair.

3.15. In Camera Sessions

127. The committee discussions may include personal or private information such as:
 - personnel records or issues,
 - property related discussion,
 - discussions which could adversely affect the interests of a third party, or
 - a personal or financial matter pertaining to an identifiable individual or business.
128. A recording secretary will be elected by the members to record notes from the in camera discussions.
129. Notes from the in camera session will be filed with the Source Protection Project Manager and will be approved by the committee at the next in camera session.
130. Discussions of this nature need to happen without public or media in attendance.
131. Staff will generally be allowed to remain for these discussions as they are governed by the same FIPPA/MFIPPA policies as the committee.
132. Staff input into discussions held in camera may be required.
133. Where all staff are required to leave the meeting the SPA liaison will determine in consultation with the alternates which alternate is to remain to participate in the discussions.
134. Notes from in camera sessions will not be part of the minutes of the meeting which will be available to the public.

3.16. Conflict of Interest

135. A conflict of interest shall be declared if private interests or personal considerations of the member could compromise or could reasonably appear to compromise the member's judgment in acting objectively and in the best interests of the committee.

136. A conflict of interest also includes using a member's position or confidential information for the private gain or advancement or the expectation of private gain or advancement.
137. A conflict of interest also occurs when the interest benefits any member of the member's family, friends or business associates.
138. Members must identify their conflict of interest at the start of the meeting or at such point during the meeting when the conflict of interest becomes apparent to the member.
139. Any member who has declared a conflict of interest must excuse themselves from the discussion.

4. Procedure for Revising these Policies

140. These policies may be amended from time to time by the SPC. The committee will adopt any revisions of these policies by motion after discussion at a meeting of the SPC.
141. Proposed revisions to the policies require the acceptance of the SPA. Minor changes may be considered by the lead SPA, however more significant changes will require the acceptance of all partner SPAs or through a joint committee formed by the 3 SPAs.
142. Once the revised policies have been accepted by the SPA, the web site must be updated with the revised version.

5. Appendices

Appendix 1 - Committee Chair – Job Description

Under the Clean Water Act the preparation of a Source Protection Plan begins with the establishment of a Source Protection Committee (SP Committee) by the SP Region. The Upper Thames River, Lower Thames Valley and St. Clair Region Conservation Authorities have been assigned to work as a SP Region under the Act. .

The SP Committee is to include 16 or 22 members, including the Chair of the Committee. The Chair of the SP Committee is appointed by the Minister of the Environment, after consideration of recommendations by the Conservation Authority. Committee members are appointed according to regulations under the Act and will oversee the source protection planning process.

As the chair is a provincial appointee the province will therefore be considered the chair's employer. This position description is intended as an indication of the local expectations which has been based on guidance materials and information provided by the province..

Job Purpose

The Chair is responsible for guiding the effective operation of the SP Committee in completing the Terms of Reference, Assessment Report and Source Protection Plan for the SP Region and submission to the SPA.

Skills and Qualifications

- Demonstrated independence and neutrality.
- Demonstrated ability to understand source water protection science concepts and technical reports.
- Advanced negotiating, mediation, and chairing skills.
- Understanding of municipal and conservation authority functions.
- Solid problem-solving, analytical, communication and organizational skills.
- Knowledge of watershed(s), local issues, etc.
- Demonstrated ability to draw people together.
- Preference will be given to Watershed residents.
- Criminal check will be required for recommended candidates.

Roles and Responsibilities.

- Where requested by the SPAs or where time permits, work with the SPAs in the region to determine the composition of the source protection committee and select members.
- Guide the effective operation and chair meetings of the SP Committee at a minimum of once per month or as needed until completion of the Source Protection Plan, and possibly extending beyond submission of the plan to include implementation.
- Act as neutral member of SP Committee (voting right used only as needed).

- Function as a spokesperson of the SP Committee as required.
- work collaboratively on behalf of the SP Committee with partners such as municipalities, First Nations, health units, agriculture, industry and other community stakeholder groups and Source Protection Authorities to produce the Terms of Reference, Assessment Report, and Source Protection Plan(s) as defined under the Act.
- Follow the rules of procedure and code of conduct and conflict of interest policy as developed by the source protection committee.
- Provide quarterly updates to the source protection authorities on the status of the committee work.
- Be prepared to participate in meetings of the SPC chairs as requested by the Minister.
- Attend public information sessions and participate in public consultations.
- Work with the SPAs to address removal of a committee member.

Term and Time Commitment

- Three to five year timeline for project requires sustained long-term interest.
- It is anticipated that the committee and, therefore, the chair will be in place beyond the development of the SP Plan. Monitoring of the plan is required once the plan has been developed. It is anticipated that the plan will be required to be updated every 5 or 10 years depending on the pressures on drinking water systems.
- Once the plan is developed the term of the chair should be renewed every two years.
- Availability to commit up to 12 days per month year-round until project completion (based on current understanding).

Compensation

Based on a per diem to be determined by the province

Appendix 2 - Committee Member – Job Description.

Under the Clean Water Act the preparation of a drinking water Source Protection Plan begins with the establishment of a Source Protection Committee (SP Committee) by the Thames Sydenham and Region Source Protection Region. The Upper Thames River, Lower Thames Valley and St. Clair Region Conservation Authorities have been assigned to work as a SP Region under the Act.

The SP Committee is to be composed of 16 - 22 members, not including the seat for a First Nations representative. The Chair of the SP Committee is appointed by the Minister of the Environment, after consideration of recommendations by the SP Authority. Committee members are appointed according to regulations under the Act.

Job Purpose

The SP Committee is responsible for completing a Terms of Reference(s), Assessment Report(s) and Source Protection Plan(s) for the Thames, Sydenham & Region Source Protection Region in accordance with the Clean Water Act.

Skills and Qualifications

- Demonstrated ability to understand source water protection science concepts and reports.
- Proven ability to act as a liaison to sector represented.
- Solid problem-solving, analytical, communication and organizational skills.
- Knowledge of watershed(s), local issues, etc.
- Watershed resident.
- Bilingual – French an asset (where applicable).

Roles and Responsibilities

- Member will attend meetings of the SP Committee until completion of the Source Protection Plan..
- Member must have knowledge of sector interests and issues and be able to communicate these at the SP Committee table.
- Members are expected to participate in working groups and forums as well as be available to participate in meetings with their sector stakeholder groups as required.
- Member will act as liaison of their broad sector bringing forward representative issues from the sector to the SP Committee and assist in communicating the SP Committee work back to the broad sector. The Committee, with the assistance of the SP Authority, could create central communications to ensure common messaging is communicated to all sectors.
- Member is expected to make decisions at the SP Committee table.

- Members must work collaboratively with partners such as municipalities, First Nations, health units, agriculture, industry, community stakeholder groups, and Conservation Authorities to establish Terms of Reference for each Source Protection Area, Assessment Reports and SP Plans as defined under the Act.

Term and Time Commitment

- The Chair is expected to make a commitment to the project until the Source Protection Plan is complete (this is expected to require a 5 year commitment).
- Once the SP Plan is completed monitoring will require a lessened commitment. Plan updates will be required every 5 or 10 years with a heightened involvement during the period that the plan is being updated.
- Committee members will be replaced on a 3 year rotation after completion of the Source Protection Plan.
- Availability to commit approximately five days per month year-round until project completion.

Compensation

Based on a per diem to be determined with a provincial maximum

Thames - Sydenham and Region

Source Protection Committee Code of Conduct Agreement

Members of the Source Protection Committee agree to work collaboratively towards the development and implementation of Source Protection Plans for the Source Protection Areas within the Thames-Sydenham and Region. This code of conduct summarizes the basic expectations of committee members. All members of the Source Protection Committee agree to abide by this code of conduct as indicated by their signature on this code as part of their appointment to the committee.

As a committee member I agree to:

- Work collaboratively towards meeting the legislative responsibilities of the committee.
- treat fellow committee members, the chair, staff and others whom they deal with in the course of Source Protection Committee business with professionalism and courtesy.
- make reasonable efforts to attend all meetings or make appropriate allowances for their absence including notification and providing a proxy when appropriate.
- prepare in advance of meetings.
- come to meetings prepared to contribute to the decision making processes as defined in the committee's rules of order.
- become involved in working group and forums.
- ensure that media contact related to the business of the source protection committee is undertaken by media spokespersons as designated by the chair and that messaging is consistent with the intent of the committee.
- uphold the requirements of Freedom of Information and Protection of Privacy Acts (FIPPA and MFIPPA).
- act as a liaison with the stakeholder groups disseminating source protection concepts in a manner consistent with the intent of the committee.

and

- bring the interests and perspectives of the stakeholders which you represent to the table while working with the committee members to develop a source protection plan which meets with the requirements of the Clean Water Act and its Regulations.

I agree to abide by this code of conduct and work collaboratively with the other members of the committee towards the development and implementation of the Source Protection Plans for the Thames – Sydenham and Region. I understand that failure to meet these expectations may result in removal from this committee. I understand that a condition of my appointment is to sign the more detailed code of conduct of the committee once it is finalized by the Source Protection Committee to the satisfaction of the Source Protection Authorities..

Signed and agreed to by

[print name of committee member].

On

[print date in full]