



Subject: *Robert's Rules of Order/Council Procedural Policy*
To: Corporate & Residential Services Committee
Date Prepared: April 2, 2025
Related Motions:
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Approved by: Kim Ramsay, Chief Administrative Officer

Summary

In order for any organization to function smoothly, it is critical that all members clearly understand its governing rules and operating principles. The *Council Procedural Policy* (policy) outlines the operating principles and procedures for municipal Council and Council Committees of the Municipality of East Hants.

All points of order or procedure for which rules have not been provided in the policy and its appendices shall be decided by the presiding officer in accordance, as far as is reasonably practicable, with the rules of parliamentary law as contained in "Robert's Rules of Order", 12th edition.

The policy is reviewed and updated annually, at a minimum.

As part of the onboarding process for the new 2024-2028 Council term, training was conducted on Robert's Rules of Order.

As part of this annual review, staff will outline some of the recommended housekeeping updates and opportunities to update the policy, should Council wish. Following direction from Council, staff will prepare updates to the policy for approval at a future meeting.

Financial Impact Statement

None expected.

Recommendation

It is recommended that Council give staff direction on the changes to be made in the Council Procedural Policy and that staff bring a version of the Policy to Council for further discussion.

Recommended Separate Motions

Move that the Corporate & Residential Services Committee direct staff to make the housekeeping updates as outlined in the report attached to the April 15, 2025 Executive Committee agenda, to the Council Procedural Policy, to be brought back for final approval at a future meeting.

Move that the Corporate & Residential Services Committee direct staff to make the optional Robert's Rules of Order updates as outlined in the report attached to the April 15, 2025 Executive Committee agenda, to the Council Procedural Policy, to be brought back for a final approval at a future meeting.

Background

The Council Procedural Policy was last updated in November 2024 to remove Elected Officials Code of Conduct (Code) sections which were adopted as a standalone Code in keeping with provincial regulations.

During onboarding/training for the new 2024-2028 Council, there was a desire to receive more procedural training which was held in March 2025.

Staff have compiled a list of housekeeping updates to the Council Procedural Policy, as well as, a list of possible updates in keeping with Robert's Rules of Order, should Council wish.

Much of the content is already contained in the policy. Meeting chairs and members could simply change some meeting practices that does not necessarily require changes to the policy.

Councillors have also been provided with a laminated *Motions - Table of Precedence* card as a reference guide for which motions have precedence over others. As noted in the training, not all activities require a formal motion, ie. Approval of agendas and minutes.

Discussion

RECOMMENDED HOUSEKEEPING UPDATES:

Virtual Meetings:

It is recommended that the policy include a statement indicating that it is acceptable that Council and Committee of Council meetings may be held virtually, ie. Fire Advisory Committee, EH Source Water Protection Committee, Agricultural Advisory Committee, etc.

It is recommended that Section 3.2.1.1 be updated to state “under exceptional circumstances, the Clerk and Warden may decide to host a meeting of **Executive** Committee or Council through video/web conferencing services. **All other Committees of Council may hold meetings routinely virtually.**

Territorial Land Acknowledgement

Section 3.6.1.1 of the policy requires the Warden to recite a territorial land acknowledgement after calling the meeting to order. The acknowledgement is also used at the start of committee meetings by committee chairs.

The wording acknowledges that we are in Mi'kma'ki and the District of Sipekne'katik and goes farther to also recognize the 50 African Nova Scotian communities who have contributed to the province.

Because the acknowledgement is more than a territorial acknowledgement of land rights, it is suggested that the term “territorial land” be removed from the policy.

It is also suggested that the acknowledgement not be listed as a separate agenda item, rather it will be read as part of the meeting opening/call to order.

It is recommended that Section 3.6.1.1 be updated to state:

“The Warden shall recite an ~~territorial land~~ acknowledgement”.

OPTIONAL ROBERT'S RULES OF ORDER UPDATES:

Clarify Quorum

The definition of Quorum, in the policy, states “a **majority** of the total number of voting members currently on Council or Committee”.

The definition could be further clarified to indicate the majority of the eleven-member Council is six (6) members. The alternative is to consider 50% + 1 (50% of 11 is 5.5 + 1 = 7 members).

Reduced Quorum as a result of declared Conflicts of Interest

The NS Municipal Conflict of Interest Act Section 8(1) states “where, by reason of this Act, a council or local board lacks a quorum to consider any particular matter, then notwithstanding the provisions of any Act or other provision establishing the number of members to constitute a quorum, for the purposes of considering and acting on the matter, a quorum is **one-third of the council or local board or two members thereof, whichever is greater**.”

2) Where, by reason of this Act, a council or local board lacks a quorum pursuant to subsection (1) to consider any particular matter, the council or local board may apply to a judge of the Trial Division of the Supreme Court or a county court for an order authorizing the council or local board to consider and act on the matter.

3) The judge may, by order, prescribe the terms and conditions pursuant to which the council or local board may consider and act on the matter, and may direct that certain of the members may participate in the consideration of the matter and that certain members may not, as to the judge seems just.

4) Participation in the consideration of any matter in which a member has a direct or indirect pecuniary interest pursuant to an order of a judge is not a contravention of this Act.

Section 3.5 of the policy - Call to Order/Quorum could be updated to add a statement that “a loss of quorum as a result of declared conflicts of interest will be addressed under the NS Municipal Conflict of Interest Act”.

Warden as Ex-Officio

“Ex-officio” refers to powers that, while not expressly conferred upon an official, are necessarily implied in the office. An ex-officio member is a member of a body who is part of it by virtue of holding another office.

Should Council wish to have the Warden act as ex-officio for any Committee of Council, the policy should include a statement that “the Warden is designated as ex-officio on all Committees of Council. Attendance is voluntary and will not be counted towards quorum. The Warden, while attending as ex-officio, shall be permitted to participate in debate, make motions and vote”.

Changes to Planning Documents - per MGA

Part 205 (Section 8) of the MGA states that “A Council shall adopt planning documents, at second reading, by majority vote of the maximum numbers that may be elected to council”.

Current practice has been approval based on a majority vote of those present at the time of the public hearing, which is not in keeping with the MGA changes. Depending on Council's decision regarding the definition of "quorum" the "majority" will either require 6 or 7 members for approval of planning documents. The practice will change to ensure adequate members are present for the vote.

The definition in the MGA under Part VIII defines 'Planning Documents' as;

- i) A municipal planning strategy and a land-use by-law adopted to carry out the municipal planning strategy,
- ii) An amendment to a municipal planning strategy and a land use by-law amendment to carry out the municipal planning strategy amendment, and;
- iii) A subdivision by-law and an amendment to it.

Council could expand Section 11.8 of the policy reflecting the MGA wording for further clarification.

Section 11.8 of the policy states:

"Voting conducted at public hearings shall be done in accordance with provisions of the MGA. Specifically, Council shall adopt planning documents, at second reading, by majority vote of the maximum numbers that may be elected to council".

Nominations

Section 2.3 of the policy outlines the procedures for the Election of Presiding Officers.

Nominations don't require a seconder.

There is no need to call for nominations three times.

Robert's Rules of Order does not require a motion to close nominations. However, the policy does (per Section 2.3.1.2). Should Council want to change that section, it could be updated to read:

Section 2.3.1.2:

"All nominations will be received verbally, with nominations to be ~~closed by motion~~ declared closed by the Chair".

Section 2.3.1.3 could be updated to indicate that that no ballots are required if only one person stands for nomination.

Section 2.3.1.3:

"Voting will take place via secret ballot with counting to take place by scrutineers approved by Council. After counting, the scrutineers will announce if a majority was achieved by any candidate". No ballots are required if only one person stands for nomination and shall be elected by acclamation".

CLARIFICATION OF PROCEDURES:

[Standard Meeting Motions - Section 10.2](#)

The policy lists “standard” meeting motions to:

Approve the agenda
Adopt the minutes
Recess; and
Adjourn

Section 10.2.2 of the policy states that “the Presiding Officer *may* ask if a member of Council/Committee is willing to move/second a standard meeting motion....” However, a motion is not required and the Chair can declare approval by unanimous consent if no objections are raised.

[Procedural Motions - Appendix A](#)

The policy includes Appendix A detailing procedural motions (also refer to the *Motions - Table of Precedence* card), ie. Motion to Adjourn, Table, Postpone, Refer, Amend, etc.

MOTION	SHORT DESCRIPTION
Table	set aside temporarily, to be taken up again when the majority so decides
Postpone/Defer Definitely (to a certain time)	set aside temporarily to be dealt with later in the same meeting or to a certain future time
Postpone/Defer Indefinitely	a member can propose to dispose of a motion without bringing it to a direct vote, by moving to postpone indefinitely
Refer	turn the motion over to a committee for study or redrafting before the assembly considers it further
Amend	to change the main motion before the vote (only one permitted at a time)
Close Debate	not debatable, should be moved by a member who has not already debated, requires two-thirds majority vote of members present (not permitted in Committee)
Reconsider	to consider reversing a decision made previously at the same meeting (negative motion must be brought back by someone who voted against it previously)
Amend/Rescind previous decision	positive motion and change your mind - reverse decision like it never happened (requires two-third vote of members present)
Repeal	reverse a decision today forward no longer effective

There is no need to call for a seconder more than once for motions.

Point of Order

May be called to correct a failure to comply with approved rules or bylaws. The presiding officer shall decide all points of order. If a member does not agree with the decision of the presiding officer, they may appeal to Council/Committee who shall decide without debate and the decision shall be final.

Point of Personal Privilege

To assert rights of members directing attention to a matter that affects the integrity, character or reputation of an individual or the entire Council, or the ability of an individual to participate. May also be used to improve the environment (ie. ventilation, noise level, etc.). The presiding officer shall decide all points of order. If a member does not agree with the decision of the presiding officer, they may appeal to Council/Committee who shall decide without debate and the decision shall be final.

Setting Date & Time of future meetings

Should be done at the start of an agenda to ensure any members who may have to leave during the meeting are aware of the next scheduled meeting.

Debate Limits

The policy provides limits (Sections 9.2.6 and 9.2.7) for a member to not speak more than **once** on the question (motion) until all other members have had the opportunity to speak, except to provide clarification if misunderstood and no member shall speak to the same matter more than **four** times without leave of Council.

A member shall not speak to the same question (motion), or in reply, for longer than **ten minutes**, without leave of Council.

Should Council wish to make changes to these sections, please provide direction to staff.

Alternatives

Council may choose to make some, or none, or the recommended changes in this report.

Attachments

Council Procedural Policy