

BE IT RESOLVED that the following be and the same is hereby adopted and enacted as a By-law of the Halifax County Regional Rehabilitation Centre, a facility providing rehabilitation services in a structured setting for those who are unable to function in a less structured environment, when and if the same has received the approval of the Minister of Municipal Affairs, and the Minister of Community Services and that the Administrator be instructed to maintain services and programs to comply with the goals and objectives of the Centre.

1990

SECOND JUNE SESSION

BY-LAW NO. H-300

HALIFAX COUNTY REGIONAL REHABILITATION CENTRE

BY-LAW

Definitions

1.01 In these by-laws:

- a) "Act or Regulations" means the Homes for Special Care Act and Regulations thereunder;
- b) Repealed.
- c) "Board" means the Board of Management of the Halifax County Regional Rehabilitation Centre;
- d) "Chairperson" means chairperson or presiding member at the meeting of the Board;
- e) "Centre" means the Halifax County Regional Rehabilitation Centre;
- f) "Council" means the Council for the Municipality;
- g) "Councillor" means a duly elected Councillor of the Council for the Municipality;
- h) "Department" means the Department of Community Services of the Province of Nova Scotia;
- i) "Director Medical Services" means the Director, Medical, Psychiatric and

Psychological Centre Services of the Centre;

- ia) "Executive Director" means the Executive Director of the Centre;
- j) "Member" means a member of the Board;
- k) "Minister" means Minister of Community Services of the Province of Nova Scotia;
- l) "Municipality" means Halifax Regional Municipality;
- m) "Secretary" means the Executive Secretary of the Centre, who may serve as secretary to the Board;
- n) "Senior Staff" means Directors and Department Heads at the Centre;
- o) "Treasurer" means the Treasurer of the Board.

Membership - Board of Management

2.01 The Board of Management at the Centre shall consist of:

- a) Six representatives appointed by Council, four of whom shall be Councillors appointed annually and two of whom shall be citizens at large appointed for a two year-term;
- b) Four representatives appointed by the Governor-in-Council; for a two year term;
- c) The Executive Director and the Director, Medical Services and the Director, Rehabilitation Services will serve as ex-officio members of the Board. Ex-officio members do not have voting privileges;
- d) The office of a member shall be vacated if:
 - I. by notice in writing to the Chairperson, he resigns his office;
 - or
 - II. a member misses three consecutive meetings without just cause as determined by the Board;
 - or
 - III. a member who is a Councillor ceases to hold that office;

or

- IV. if a member's appointment by the Governor-in Council is rescinded.
- e) Where any vacancy occurs in the membership of the Board the Council or Minister responsible for the appointment shall appoint another representative for the remainder of that person's term.
- f) The Council and the Minister shall be kept informed regarding names, addresses, terms of appointments, appointment and termination of appointment dates of all members of the Board. Reports of all board meetings including the annual meeting shall also be filed with the Council and the Minister by the Secretary if so requested.

Duties of the Board

2.02 The Board is responsible to the Council and on behalf of the Council shall have the authority to oversee the management, control, operation and administration of the Centre's affairs and to report regularly to council thereon. The Board shall have the general power:

- a) To appoint an Executive Director subject to the approval of Council. In appointing the Executive Director, the Board shall make a recommendation of an appointment to Council.
- b) To be responsible for and with the approval of Council develop policies regarding the terms and conditions of hiring of all staff as well as the development of policies relevant to the following areas: personnel, general administration, finance, program development and the evaluation of any related matters. In addition, the Board shall be responsible for the hiring and discharge of senior staff.
- c) Through its Collective Agreements, to establish the salary scales and fringe benefits for the staff of the Centre; provided always that the salary scales and fringe benefits for staff shall comply with the guidelines of the Department and that any salaries on fringe benefits impacting on the Municipality be approved by Council..
- d) The Board shall appoint a Director, Medical Services and shall be responsible for the terms and conditions of his/her employment. The Director shall be a physician registered with the Medical Board of Nova

Scotia.

Audit of Accounts

3.01 The professional auditors of the Centre shall be the auditors for Council, who shall conduct an annual audit, reporting the results thereof to the Council and the Board.

Duties of the Officers

4.01 The Officers of the Board shall consist of the Chairperson, Vice Chairperson, Secretary, Treasurer and such other officers as may be elected from time to time by the Board. The Board shall elect these officers at the Annual Meeting of the Board, with the exception of the Treasurer who shall be appointed by the Board and who at all times shall be the Director of Finance of the Municipality.

4.02 Repealed.

4.03 The Chairperson shall be chosen annually from among the members who are Councillors.

4.04 The Vice-Chairperson shall be chosen annually from among the members who are appointed by the Governor-in-Council.

4.05 The Chairperson shall preside at all meetings of the Board and perform such other duties as may be required or requested by the Board.

4.06 The Vice-Chairperson shall in case of a vacancy in the office of Chairperson or during the Chairperson's absence or inability to act, exercise all the powers of the Chairperson and perform any other duties assigned by the Board.

4.07 The Secretary shall cause to be kept a careful record of all proceedings of Board meetings, shall give written notice of all meetings to members of the Board and shall in general perform all other duties incidental to the office of the Secretary, provided however the Secretary shall at all times be under the control and supervision of the Board.

4.08 The Treasurer shall be responsible for overseeing the financial matters of the Centre. The Treasurer through the Director of Finance and Support Services shall assist the Executive Director in preparing and operating within the limitations of the annual budget prepared in accordance with the guidelines of the Department and

approved by the Board and the Department.

- 4.09 The Treasurer shall ensure through the Director of Finance and Support Services the custody of all papers and documents relating to the financial interest of the Board. The Director of Finance and Support Services shall be responsible for the deposit of all funds of the Centre in the Centre's name at such bank as the Municipality shall designate or approve. The Director of Finance and Support Services shall deposit or cause to be deposited all operating income of the Centre in one such account which shall be known as the deposit account. Such funds shall be disbursed in accordance with such resolutions as the Board may from time to time adopt; however, at all times, such funds shall be dealt with in compliance with the annual budget as approved by the Department. Whenever requested, and at least once a year at the Annual Meeting, the Treasurer shall render to the Board and to the Council an accurate account of all transactions conducted by the Director of Finance and Support Services and of the financial position of the Centre. The Treasurer also shall perform such other duties as usually pertain to the office or may be assigned, provided however, the Treasurer shall at all times be under the control and supervision of the Municipality.

Conflict of Interest

- 5.01 The Municipal Conflict of Interest Act shall apply to the members of the Board.
- 5.02 No employee of the Centre, shall be eligible for appointment to the Board of Management, while so employed, except in accordance with Article 2.01 c.

Meetings

- 6.01 The Board shall meet monthly. These monthly meetings shall be called "regular" meetings. The Board may by resolution at any regular meeting dispense with the regular meeting for the succeeding month but shall hold at least ten (10) regular meetings a year. "Special" meetings may be called on seventy-two (72) hours' notice and, in an emergency, the Chairperson or Vice-Chairperson may call an emergency meeting on shorter notice. The Chairperson or Vice-Chairperson shall give notice to all members of the Board of the time and place of each meeting and shall also mail a notice of each meeting to each Board member at this last known mailing address at least three days before each meeting.
- 6.02 A simple majority (50% plus one) of the voting members of the Board shall constitute a quorum. Each member of the Board, including the Chairperson, shall

have one vote and in the case of a tie the vote shall be deemed to be in the negative.

6.03 A declaration by the Chairperson that a resolution has been carried and an entry to that effect in the minutes shall be prima facie evidence of the fact, without proof of the number or proportion of votes recorded in favour of or against such resolution unless specifically requested.

6.04 The order of business at a Regular Meeting of the Board shall be:

- a) Call to Order
- b) Approval of the minutes of the last regular meeting and of any special meeting held since the last regular meeting.
- c) Business Arising Therefrom.
- d) Correspondence
- e) Reports
- f) Old Business
- g) New Business
- h) Agenda Items for Next Meeting
- i) Adjournment

Unless changed by resolution of the Board at any particular meeting.

6.05 At any Special Meeting of the Board, the order of business provided by these rules shall not apply, but the Board shall proceed immediately to the consideration of business for which the meeting was called. If there is more than one item of business, the chairperson shall designate the order in which the same shall be taken up.

- 6.06 The Executive Director shall attend all meetings of the Board unless otherwise directed, and shall make special reports to the Board from time to time as may be required for any matters which are required to be dealt with by the Board. The Executive Director shall not have any voting privileges; provided however, the Board may confer on the Executive Director voting privileges on any particular committee on which he/she serves.
- 6.07 The Board shall hold an Annual Meeting in September of each year, at which written annual reports as requested by the Board, including an Annual Report prepared by the Executive Director, shall be submitted and the election of Officers and the appointment of medical personnel shall take place.

Remuneration

- 7.01 A member of the Board shall be paid the sum of One Thousand, Five Hundred Dollars (\$1,500) per annum, and the Chair of the Board shall be paid the sum of Two Thousand, Five Hundred Dollars (\$2,500), inclusive of the membership sum, per annum. Tax forms will be issued by the Centre for non-council members and by the Municipality for Councillors.
- 7.02 A member of the Board shall, in addition to the remuneration set out in Section 7.01 be paid for the actual miles travelled once each day for travelling to and returning from every daily session of a regular or a special meeting of the Board or a committee thereof at the maximum rate for reimbursement of mileage prescribed from time to time for employees of the Provincial Government.
(Passed May 18, 1993; Approved July 7, 1993 and July 23, 1993)

Committees

- 8.01 Repealed November 22, 1994
- 8.02 The following Committee shall be the Standing Committee of the Board:

Executive Committee

- (a) The Board shall appoint the Standing Committees at its annual meeting to serve for a term of one (1) year.

- 8.03 Members of the Standing Committee shall annually review the Committee's Terms of Reference and shall bring such review or revisions to a meeting of the Board for approval.
- 8.04 The Board shall appoint such other Committees from time to time as it considers necessary for management of the Centre. All Committees shall have their Terms of Reference approved at a meeting of the Board.
- 8.05 Each Committee shall elect a chairperson of the Committee at its first meeting following the Annual Board Meeting.
- 8.06 Each Committee shall keep minutes of its meetings and shall report, in writing, on meetings to the Board.
- 8.07 A majority of Committee members shall constitute a quorum at any Committee meeting.
- 8.08 TRANSITIONAL:

The Board may appoint the Standing Committee to serve from the effective date of this By-Law until the appointment of the Standing Committee at its annual meeting in 1999.

Executive Director

- 9.01 The Executive Director shall be appointed by the Board subject to the approval of Council and the Minister and shall be the Chief Executive Officer of the Centre.
- 9.02 The Executive Director shall have authority and be accountable to the Board for general administration, organization and management of the Centre including all of its Departments and Services, in accordance with the Executive Director's contract of employment with the Council, the applicable position description and the policies established by the Board.

Without limiting the generality of the foregoing, the Executive Director shall:

- i) attend all meetings of the Board and its Committees unless otherwise directed;
- ii) submit to the Board for approval an organizational plan of the personnel concern with the operation of the Centre;
- iii) select, employ, direct, control and discharge all employees of the Centre, in accordance with established policy and existing collective agreements and recognizing that senior management positions must receive Board approval for both employment and discharge;
- iv) prepare an annual operating and capital budget for Board approval showing projected revenues and expenditures;
- v) prepare and submit an Annual Report at each Annual Meeting of the Board.

Medical Advisor

- 10.1 The Board shall appoint such medical practitioners to the Medical Staff of the Centre as the Board deems necessary or desirable, in accordance with Nova Scotia Homes for Special Care Act.
- 10.2 The Director, Medical Services shall attend all Board meetings and such Committee meetings as deemed necessary by the Board.
- 10.3 The Director, Medical Services shall perform responsibilities as outlined in a position description.

Amendment

- 11.01 The By-laws shall be reviewed by the Board of Management or a Committee of the Board at least every two years.
- 11.02 Repealed.
- 11.03 Amendments shall come into effect only after approval of the Council, the Minister of Municipal Affairs and the Minister of Community Services.

Adoption of By-Laws

- 12.01 All former bylaws for the Management of the Centre are hereby repealed.

Act and Regulations

13.02 The Homes for Special Care Act and the Regulations prescribed thereunder take precedence over these by-laws and where there is a conflict the Act and the Regulations prevail.

Done and passed in Council this 15th day of September, 1998.

MAYOR

MUNICIPAL CLERK

I, Vi Carmichael, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by law was passed at a meeting of the Halifax Regional Council held on September 15, 1998.

Vi Carmichael, Municipal Clerk

BY-LAW H-300 (as amended by H-301)

Notice of Motion:	July 14, 1998
First Reading:	August 18, 1998
"Notice of Intent" Publication:	September 5, 1998
Second Reading:	September 15, 1998
Third Reading:	September 15, 1998
Approval of Minister of Community Services:	April 27, 1999
Approval of Minister Housing and Municipal Affairs:	May 26th & Dec. 22, 1999
Effective Date:	June 19, 1999