

MUNICIPAL SILICA SAND ADVISORY COMMITTEE (“MSSAC”, a regional group of southeastern municipalities)

TERMS OF REFERENCE

1.0 MANDATE

- 1.1 To serve as an advisory body to the Council of each participating Municipality regarding an independent review and obtaining of information to better understand the effects that may arise as a result of silica sand mining operations, and in particular the proposal for silica sand mining proposed by CanWhite Sand, specifically including, but not limited to:
- (a) any impact on municipal infrastructure;
 - (b) any land use issues including undue contamination;
 - (c) any water quality issues;
 - (d) any possible environmental impacts or issues including effects on the aquifer; and
 - (e) any impacts to municipal services.
- 1.2 MSSAC members are bound by these Terms of Reference.

2.0 DUTIES AND RESPONSIBILITIES

- 2.1 To instruct and monitor the work of:
- (a) the Staff Liaison and Support Services Committee (“SLSS”) established under Section 7; and
 - (b) any consultants engaged to provide research and recommendations to the MSSAC.
- 2.2 To provide recommendations to the Council of each participating Municipality regarding the best solutions for mitigating the impacts of silica sand mining in such Municipality, having regard to the uniqueness of each Municipality and their concerns, which solutions may include regulation through municipal by-laws or prohibition of silica sand mining within the municipal jurisdiction.

3.0 MEMBERSHIP AND ORGANIZATION

- 3.1 Membership of the MSSAC shall be comprised of two (2) appointed members from each participating Municipality, each of which members shall be appointed by their respective Council (“Appointed Members”). At least one appointed member should be a municipal Councillor and one appointed member may be the Chief Administrative Officer or other administrative official for the Municipality.

- 3.2 The Chair of the MSSAC shall be the Mayor of the Rural Municipality of Tache.
- 3.3 An Appointed Member who does not attend three (3) consecutive meetings without an approved leave of absence by the MSSAC shall be deemed to have resigned and a request shall be made to the participating Municipality which appointed such member to appoint a replacement at its next regular Council meeting.
- 3.4 An Appointed Member who ceases to be an elected official or employee of the Municipality shall be deemed to have resigned and a request shall be made to the participating Municipality which appointed such member to appoint a replacement at its next regular Council meeting.
- 3.5 Appointed Members will not receive remuneration from the MSSAC for their involvement in MSSAC meetings or activities.

4.0 REPORTING AND NON-DISCLOSURE

- 4.1 Each Appointed Member shall be responsible for reporting on the activities of the MSSAC to their respective Councils. Certain reporting shall take place at an *in camera* meeting of Council, where appropriate.
- 4.2 Each Council may request a direct update from the MSSAC executive and consultant experts but MSSAC shall not be bound to provide additional reporting beyond what each Appointed Member shall be obligated to provide their respective Council.
- 4.3 Appointed Members shall only use information obtained through their role as Appointed Members as required for their duties as an Appointed Member and shall not disclose such information unless authorized by a resolution of the MSSAC or to their respective Councils.

5.0 MEETINGS

- 5.1 Meetings of the MSSAC will be held at the call of the Chair.
- 5.2 A quorum is a majority of Appointed Members.
- 5.3 Information for meetings shall be available a minimum of twenty-four (24) hours in advance of the meeting.
- 5.4 The following persons shall be entitled to attend all MSSAC meetings:
 - (a) the Chair of the SLSS;
 - (b) the Appointed Members;

- (c) the MSSAC's legal advisors; and
- (d) the MSSAC's engineering advisors.

5.5 The MSSAC may from time to time invite resource people to attend and participate in a meeting including, as required, in making presentations to the MSSAC.

6.0 VOTING

6.1 All Appointed Members have a vote at each meeting.

6.2 A tie vote deems that a motion or decision is defeated.

6.3 An Appointed Member who may be in a conflict-of-interest situation must declare such conflict and abstain from voting and not participate in the discussion.

7.0 STAFF LIAISON AND SUPPORT SERVICES – SLSS

7.1 The Chief Administrative Officer of the Rural Municipality of Tache shall provide direct administrative support to MSSAC and act as Chair of and liaison with the SLSS.

7.2 The SLSS shall consist of the Chief Administrative Officer of each participating Municipality and shall provide administrative, research and clerical support to their individual members and Councils as requested by MSSAC.

8.0 BUDGET

8.1 The Rural Municipality of Tache shall facilitate and administer the financial responsibilities authorized and incurred by MSSAC with each participating Municipality required to share equally in the costs including, without limitation:

- (a) direct administrative costs incurred by the Rural Municipality of Tache;
- (b) engagement of consultants;
- (c) preparation of reports; and
- (d) disbursements.

8.2 A participating Municipality may withdraw from the MSSAC upon written notification to the Chair, provided that such Municipality shall pay its share of all costs incurred up to and including the date of withdrawal.