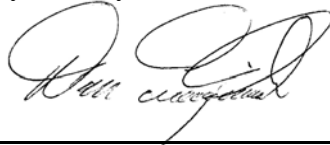
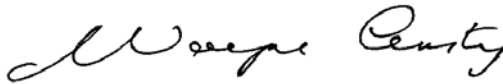


**TO:** Mayor Kelly and Members of Halifax Regional Council



**SUBMITTED BY:** \_\_\_\_\_  
Dan English, Chief Administrative Officer



\_\_\_\_\_  
Wayne Anstey, Deputy Chief Administrative Officer - Operations

**DATE:** March 25, 2008

**SUBJECT:** **Committee of the Whole - Regional Trails Program**

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**ORIGIN**

Councillor Reg Rankin requested information as to:

1. The maintenance of regional trails and
2. The need to outline the evolving relationship between community trail groups and HRM

**RECOMMENDATION**

It is recommended that Regional Council:

1. Recognize the Halifax Regional Trails Association (HRTA) as the principal partner to plan, develop and operate HRM's regional trail system.
2. Approve funding criteria and disbursement process for trails maintenance funds.

## **BACKGROUND**

Trails are the most widely requested type of recreation infrastructure in HRM. This is due to population demographics, ease of use, and wide ranging benefits extending to all ages and segments of the population. Regional trails provide active transportation infrastructure linking communities while providing opportunities for recreation, public health and fitness, environmental protection and economic development and tourism. The Halifax Regional Municipality has set goals for the development of a regional wide system of trails through the Regional Plan (2006), Regional Trails Plan (1997) and the Active Transportation Plan (2006). See Appendix A: History of Trail Development.

Currently there are twenty volunteer community trail groups who have built a total of 200 km of trails within HRM. The twenty trail groups collectively comprise the Halifax Regional Trails Association (HRTA). This “association of associations” is formed from the chairs of each one of the community trail organizations. It is the role of HRTA to work with HRM staff and the other trail partners to bring system wide coordination to the trails program. This includes planning, education, funding, policy and promotion. The key to HRTA is that all trail groups have a voice in decision making and those decisions are made jointly. See Appendix B: HRM Regional Trails Partnerships.

HRTA is formally constituted under the Societies Act of Nova Scotia, has an elected board of directors, meets once a month at various community venues and distributes approved minutes to its members and interested members of the public. See Appendix C: HRTA Bylaws.

## **DISCUSSION**

The Regional Trails Program has enjoyed a great deal of success and growth in the last ten years. That success has been through constant evolution, refinement and maturation on the part of the partners to the point where now there are 150 to 200 trained and experienced trail builders, three levels of government and two agencies working to create an HRM trails system of over 200 km.

The key to this partnership between government and the volunteers needs periodic reflection upon the terms of that relationship and its evolution in terms of roles and responsibilities, and to highlight any issues or needs. It has been nearly five years since Regional Trails has appeared before Council to review its work. There are two specific areas which require discussion. These are: volunteer support; and the principles required to engage the volunteer trail groups in maintenance of built trails.

### **Volunteer Support and Affirmation**

A principal challenge within the Regional Trails Program is providing continuous support to the volunteers who spend numerous hours developing their trail plans, talking to their neighbours about the benefits of the trail, consulting with user groups, hosting public meetings and doing actual construction and maintenance.

When asked, trail groups state that support for volunteer trail builders can come in several forms including;

- dependable and sustainable sources of funding (capital and maintenance)
- support from professional staff across departments and agencies
- help with building volunteer capacity and training

However, the foundational support that volunteers are looking for is the support and recognition of Regional Council in carrying out their work. As volunteers giving their time and effort to the benefit of others, and as HRM is the principal government agency involved in trails, moral support and support in principle from Regional Council is seen as key. From that all other types of support will flow.

This simple need for reinforcement is further strengthened when considering the evolution of the trails program. Beginning as a program delivered by the HRDA (Halifax Regional Development Agency) with HRM somewhat at arms length the program has evolved to today where the program involves a direct connection between HRM, HRTA and associated trails groups. That change in responsibilities, took place between HRM and the HRDA. The volunteers were never directly involved and that may have caused confusion for volunteers, the community, other agencies and departments.

For this reason, an overview is being brought before Regional Council to ensure that there is an understanding and an opportunity for endorsement of the structure and principles under which the trail system is being built.

The trail organizations are not unlike other volunteer groups involved with municipal service delivery in HRM including recreation groups, Volunteer Fire Departments, etc. Re-affirming HRM's support of HRTA will strengthen four important best practice elements:

- 1) Positive community participation and consultation will remain integral components of the trail development process at the local level,
- 2) Stewardship of community trail projects will continue through the development and maintenance phases,
- 3) A critical mass of community volunteers will continue to work with Council to deliver active, healthy, lifestyle infrastructure into the next decade, and
- 4) Equity in the Regional Trails System will be maximized.

## **Maintenance**

Currently nine of twenty trails groups have fully completed the construction phase of their trails and are transitioning into the next requirement. While other levels of government are prepared to participate in the regional trails partnership during initial development stages, sustainable maintenance funding remains mostly a municipal responsibility. Over the last four years, Regional Council has approved monies to cover day to day maintenance for regional trails. In keeping with the community development model which sees the community take a high level of ownership for its completed, trails HRTA and HRM staff have developed a community approach to maintenance for Regional Trails.

Together HRTA and HRM staff plan to flow Council approved maintenance monies to the volunteers through the operating budgets of HRM Transportation and Public Works (Parks) on an annual basis. In a manner similar to the current system for capital funding ( Appendix D: HRTA Capital Funding Evaluation Criteria) application for maintenance monies will be submitted by trail groups each year and will be evaluated using defined criteria. Trails groups would then have the authority to spend that money in accordance with their application to do regular seasonal maintenance to the trail bed, to cut back of vegetation, and to attend to periodic washouts, culvert blockages, graffiti and vandalism. However, unlike capital funding the intention is to provide pre approved allocations to the trail groups so that they may be more responsive to day-to-day maintenance needs. This procedure is analogous to those that exist where community groups maintain HRM ball fields and sport fields. Like groups who maintain sport fields, the trail groups will enter into service contracts agreeing to standards of trail maintenance. General experience has shown that the volunteer groups can perform most aspects of day-to-day maintenance cheaply and effectively.

To provide public monies for these efforts, staff and Regional Council must ensure that there is a level of oversight in place and that there are sound and equitable means for access to, and spending of, maintenance funds.

*Eligibility* - As with trail capital funding, volunteer groups who are engaged in the provision of an HRM trail identified in the Regional Trails Program, are to be members of HRTA and may apply for maintenance monies through this program. Again, like the process for capital funding, an application process with the same criteria for eligibility and evaluation will be utilized.

*Transparency* - It is important to have transparency in all processes related to the spending of public funds. This transparency appears three ways.

- 1. Decision Making* - All information about decisions made in the expenditure of public funds will be available for review by members of the public upon request. This includes details about the decisions made and who made them and why. There already exists a process to document this within the HRTA framework.

Appeals of the decisions can be made through HRTA. Acquisition of services or goods using maintenance funds will either follow HRM procurement procedures or some other generally accepted practice for the open public procurement of services. This is the same requirement made by HRM of other volunteer service providers. All trail groups have been supplied with these regulations in the past as part of the capital program and will also receive them as part of any HRM funded maintenance program.

2. Public Disclosure - HRM is required under the Municipal Government Act to publish details of public monies given to non-profit groups for expenditure. This is part of the current practice of the HRM Grant Program and will be mirrored by the Regional Trails Program under HRM.

3. Conflict of Interest Guidelines - These guidelines are in place though the procurement process and through the decision making processes within HRTA and HRM.

Reporting - There must be both internal and external reporting measures to satisfy good practice in the expenditure of public funds;

1) Internal Reporting - Currently all capital expenditures must be itemized and a detailed invoice for goods and services submitted by the trail organization to HRM staff. The work is checked by HRM trail staff assigned to the project, and who signs off and forwards it to the divisional manager and departmental director (depending on the amount) for sign off and payment. In the case of the proposed maintenance program the aim is to transfer funds upon budget approval so that daily maintenance can be carried out in a timely fashion without delay of securing funds, billing HRM, etc. This is a similar situation enjoyed by community groups who carry out similar work on ball fields and recreation facilities. At the end of the year each trail group receiving funding will be required to submit a year end report detailing monies expended complete with receipts and invoices. Any unspent funds must be declared and HRM has the right to require that those funds be utilized in the following year as part of that groups new application for funds or be turned over for redistribution or other use.

2) External Reporting - Currently all trails groups and HRTA must file a financial statement in accordance with the Societies Act. These reports are submitted to HRTA and HRM in order to qualify for additional maintenance and capital funding. Again, these statements of income and expenditures are publically available.

*Equatability*- With twenty trails groups operating in different communities in HRM it is clear that “one size does not fit all”. However, there is a requirement to ensure that all trail groups are dealt with equitably. Various trail groups have different capacities and there are different trails with different levels of risk and liability. HRM cannot treat all trails groups exactly the same and expect to achieve a complete trails system. It is appropriate for government to assist different trail groups at different levels based upon these factors. Several steps have already been taken in an effort to instill equatability in dealing with trail groups:

- Segregation of trail funds into Rural and Urban funding programs - Wilderness, rural and urban trails have entirely different standards and costs associated with capital expenditures and operations. For that reason council approves two funding programs each year, one for rural systems (Regional Trails Program) and one for urban systems (Active Transportation Trails). This ensures that the higher cost urban program does not eclipse the lower cost rural program at the application process. The same approach will be taken with maintenance funding.
- Staff Support - More complex trail issues that involve complex land acquisitions, technical design, and construction solutions receive a higher level of staff involvement and assistance with supervision. This only follows good municipal practice. Staff helps to fill gaps and to raise the capacity of volunteer groups.
- Trail Group Requirements - The current practice in HRM has been that no regional trail is built unless there is a community trail group involved. All trail groups are required to have a basic level of capacity and functionality, produce minutes for its meetings and have a clear executive and sub committee structure.
- Advocacy - It is through HRTA, as a single point of entry, that all trail groups have a voice in the development of the overall trail system and the development of policy and programs for capital and maintenance. HRTA enables a level of equitability in dealing with the twenty trail groups within HRM.

HRM staff will continue to work with individual trail groups through the HRTA umbrella to ensure that well maintained trails are available to the public. Part of this will be a jointly developed definition between HRM and HRTA of the levels of maintenance services for various types of trails in order to treat trail groups fairly. This will enable service level agreements to be put in place for individual trail groups.

### **BUDGET IMPLICATIONS**

There are no budget implications associated with the recommendations in the report. The Proposed 2008/09 Budget contains capital funds of \$700,000 to support trails development and operating funds of \$165,000 to support the maintenance of existing trails. Upon approval of the 2008/09 budget, sufficient funding will be available for the current Regional Trails Program. HRM will review HRTA's audited financial statements as outlined in HRTA's By-Law 4.10.2 - Audit of Accounts; ensuring compliance with HRM's policies, procedures, and governing legislation.

### **FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN**

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

### **ALTERNATIVES**

Council not re-affirm the Halifax Regional Trails Association's role as our principal community trail building partner and we proceed independently using the direct delivery model for trail infrastructure development and maintenance.

Council not approve in principle HRTA's mandate and methodology for trails maintenance monies and staff deal with each trail group individually in the development of standards, policy, planning and capital and maintenance funding.

**ATTACHMENTS**

- Appendix A: History of Trails Development
- Appendix B: HRM Regional Trails Partnerships
- Appendix C: HRTA Bylaws
- Appendix D: HRTA Capital Funding Evaluation Criteria
- Appendix E: Active HRM Trails
- Appendix F & G: Halifax Regional Trails maps (11X17 Folded)

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

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## **Appendix A: History of Trail Development**

### **History of Trails Development**

Originally the Halifax Regional Development Agency (HRDA) was the lead agency in terms of trail development in HRM. This was through a service agreement with the municipality. At that time regional trail development was primarily a rural economic development program and HRM supported the program with capital and operating funds as well as some staff support. In 2003 the HRDA and HRM began shifting responsibilities for trails towards HRM with the idea that eventually the entire program would be directly under HRM and the HRDA would concentrate on other initiatives. This worked well as the focus for regional trails was shifting from rural economic development to active transportation and increasing numbers of urban and suburban trails groups were becoming involved. The transition was completed in 2006 when all trails staff began working directly for HRM at the Regional Trails Office at Fairbanks Centre in Shubie Park.

### **Organizational Overview**

Since 1998 HRM has been engaged in a partnership aimed at developing the regional trail system. That partnership is a unique approach to trails delivery. It is based upon a community development model and has attracted attention from trail developers all over North America. (Presentation at the 18<sup>th</sup> National Trails Symposium, Quad Cities, Illinois October 2006) The key to this approach is the individual volunteer community trail group. Trail groups are the heart and soul of the model. The volunteer trail groups actually build and maintain the individual trails which make up the system. The volunteers work to leverage other funding sources from the partners and are able to build trails more economically than government. Supporting those trails groups are the other members of the partnership; the federal and provincial governments, the Halifax Regional Municipality and the Halifax Regional Trails Association (HRTA). Generally HRM does not engage in a Regional Trails Project unless there is a community group involved.

### ***HRTA***

Currently there are twenty volunteer community trail groups who have built a total of 200 km of trails within HRM. The twenty trail groups collectively comprise the Halifax Regional Trails Association (HRTA). This “association of associations” is formed from the chairs of each one of the community trail organizations. It is the role of HRTA to work with HRM staff and the other trail partners to bring **system wide coordination** to the trails program. This includes planning, education, funding, policy and promotion. The key to HRTA is that all trail groups have a voice in decision making and those decisions are made jointly.

HRTA is formally constituted under the Societies Act of Nova Scotia, has an elected board of directors, meets once a month at various community venues and distributes approved minutes to its members and interested members of the public.

Under the HRTA constitution each community member group is required to:

- 1) have trail development as one of its primary mandates
- 2) hold officers and directors as well as third party liability insurance
- 3) attend HRTA meetings and sub-committee meetings on a regular basis
- 4) be members of Nova Scotia Trails Federation

To qualify for HRM funding a trail group must be a member of HRTA (See Appendix C: HRTA Bylaws) and must be working to advance a trail which contributes to the HRM trail system. This was an approach developed originally by the HRDA and has worked well since. A call for capital and maintenance trail proposals goes out to each trail group through HRTA in August of each year. Trail groups that require planning, construction and/or maintenance funding for the next HRM fiscal year must submit a proposal by a date fixed in October. Those proposals are analysed and prioritised by HRTA and HRM trails staff and recommendations are forwarded to the Manager of Real Property Planning. Those applications are then used to determine HRM capital funding programs which are submitted to Council through the Capital Budget process. The applications are also used to leverage other funding partners. The criteria for screening trail proposals by HRTA and HRM staff can be found in Appendix C. Adjustments are made, if needed, to project budgets once funds are approved by Regional Council and any other contributors. Adjustments are made through joint discussions between HRTA members and HRM Regional Trails Staff.

As Active Transportation (AT) involves on-road (bike lanes, sidewalks, walkways), off-road (trails), and transit connections, coordination of AT planning is jointly carried out by an interdepartmental team from Transportation Planning, Transportation Operations and Real Property Planning. HRM trail staff (Real Property Planning) then coordinates with HRTA and the appropriate trail group to achieve any off-road (trail) component of the AT program.

### ***Trail System Focus***

Originally the trail program focussed on rural trails as a means for economic development. In the last five years the program focus has shifted to include suburban and urban trail infrastructure initiatives key to AT. In recent years HRTA has also expanded its mandate under its constitution to include trail advocacy, promotion and research.

### ***Community Involvement***

The community development model is not simply about the community trail groups. An essential part of the model is the community consultation process. Consultation usually involves a series of open house meetings and consultations with a variety of community groups, individuals and community service organizations. HRM provides financial resources to support the volunteer community groups with professional trail planning expertise and training as part of the development process. This approach fits well with HRM's draft Community Engagement Strategy of enabling communities to take the lead.

### **Trail System Overview**

The regional trails system consists of an hierarchy of trails which threads its way through the communities that make up HRM. They include main corridors and spines connecting communities and regional destinations, community trails linking local destinations, and front and back country wilderness trails providing a variety of open-space experiences and both fresh-water and marine based trails. Often the trail system is part of the HRM Active Transportation plan which utilizes both on-and-off road connections to convey the user to their destination (i.e. bike routes etc.). (See Appendix E: Active HRM Trails)

The trails system can be divided into four categories of trails not unlike the hierarchy of roadways

in use in HRM. These trail categories are primary corridors, major spines, local community connections and wilderness/back country trails. These trails are on a combination of municipal, provincial and federal lands administered by a number of different departments. Intergovernmental and interdepartmental cooperation towards the building of a regional trails system is another key to that success.

Trails which are not included in the regional trails program are park trails which do not create connections but simply loop within a property and do not connect directly to other trails within the regional trails system (e.g. trails in Point Pleasant Park). Those park trails are funded through HRM parks budgets.

### **Legislative and Regulatory Authority**

Changes to the Municipal Government Act (MGA) have permitted municipalities across the Province to commit financial resources to the construction, maintenance and operation of trails on provincial crown land.

The authority for day-to-day management of the trails on provincial lands is transmitted directly from the Province to the individual community group and to some other municipalities by a Letter of Authority (LOA).

Under the MGA, HRM is permitted to build, maintain and manage a trail and active transportation system.

### **Other Challenges:**

There are other challenges which the trails partnership is working to overcome. These are being addressed and HRTA and Trails Staff will keep Council apprised or involved as appropriate. These include:

1. Assist the executive of HRTA with the preparation of its Green Paper, articulating the organization's vision, goals and objectives.
2. HRM's "say" on its investment upon provincial lands. As the principal funding partner HRM needs to be formally involved in the negotiation of management agreements and seriously considered as partner or recipient of LOA's for certain sections of trails on Provincial Land, similar to other Municipalities.
3. The recent "Get Out and Check it Out" brochure was very successful. However, a high percentage of HRM's residents are still unaware of the location of many of the trails and the means to access them or get involved. Therefore, additional efforts are required for web page development and promotion to market the trail system to HRM residents and visitors to the city.
4. As the urban and suburban network of trails is established there is a need to focus on key gaps in order to strategically complete a connection or link. These are usually pinch points which

are difficult to develop or require an elevated level of acquisition. The last section of trail can sometimes be the most difficult. Currently negotiations are underway to acquire access to some of these key sections in order to complete a number of sections.

5. Work is on going with the Province to develop an approach for the maintenance of motorized trails.
6. Understanding of the Trails Program delivery model has been a problem in the past. Although it is generally better now, it is still the intention to circulate HRTA's structure and criteria to HRM Business Units in order to better understand the role and structure of HRTA and the volunteer trail groups in building the HRM Trails System.
7. Develop a common vision for trails in HRM with Provincial representatives and HRTA.

## Appendix B: HRM Regional Trails Partnerships

<b>HRM Trails Program Partnership</b>	
<b>Partner</b>	<b>Role/Responsibilities/Contributions</b>
Volunteer Community Trail Groups	Detailed Trail Planning and Design Trail Advocacy and Community Consultation Trail Construction Trail Management Trail Maintenance Holders of Letters of Authority for Trails on Provincial Lands and Abandoned Rail Lines Fund raising
Halifax Regional Trails Association (Volunteer)	Trail System Coordination Coordination of member community trail groups Advice to Government Trail Advocacy Education and Volunteer support Trail Promotion Trail Research
Halifax Regional Municipality	Trail System Planning Active and Alternative Transportation Planning Provision of Public Land Base Direct Staff Support to Trail Groups Direct Staff Support to HRTA Volunteer education, support and capacity building Capital Trail Funding Operational Maintenance Funding Operational Maintenance Assistance (signage, snow clearing) Trail Promotion
Province of Nova Scotia	Capital Funding Public Land Base (abandoned rail lines, crown lands) Policy and Programming for Off Highway Vehicles Education and Volunteer support Nova Scotia Trail Manual Trail Promotion
Government of Canada	Access to Federal Lands Capital Funding Construction Assistance (e.g.DND)
Nova Scotia Trails Federation	Access to Insurances for Trails Groups Advocacy Training Trail Warden Program
Trans Canada Trail	Promotion Limited Funding

## Appendix C

# Halifax Regional Trails Association Bylaws

## Table of Contents

1.0 Introduction .....	2
1.1 Mission Statement.....	2
1.2 Statement of Purpose.....	2
1.3 Goals.....	2
2.0 Memorandum of Association .....	2
3.0 Statement of Activities .....	3

## Bylaws

4.0 Bylaws.....	3
4.1 Definitions.....	3
4.2 Membership.....	4
4.3 Expulsion of Members.....	5
4.4 Fiscal Year.....	5
4.5 Meetings.....	5
4.6 Directors.....	6
4.7 Board of Directors Meetings.....	7
4.8 Powers of the Directors.....	7
4.9 Officers.....	8
4.10 Audit of Accounts.....	9
4.11 Special Resolutions and Amendments of Bylaws.....	9
4.12 Miscellaneous.....	9

## **Halifax Regional Trails Association**

### **1.0 Introduction**

The Halifax Regional Trails Association (referred to throughout this document as HRTA) is an umbrella group representing a wide range of Community Trail Groups throughout the Halifax Regional Municipality. Our primary purpose is to promote the development and wise use of trails for the benefit of residents of HRM, other Nova Scotians and visitors.

### **1.1 Mission Statement**

The mission of the Halifax Regional Trails Association is to assist and support community trails groups to develop, build and promote a system of interconnecting trails in HRM.

### **1.2 Statement of Purpose**

The Halifax Regional Trails Association is established to advise the HRM Council on matters related to:

Coordinating an integrated trail and walkway system for areas within HRM

Coordinating activities among community groups and federal, provincial, municipal and corporate partners,

Promoting the development of trail focused community groups throughout HRM

Other matters concerning trails within HRM.

HRTA is established to provide leadership, promote public awareness and advocate action on matters related to trail development in HRM.

### **1.3 Goals**

The Association will have standing committees from time to time adhoc committees will be struck to conduct the business of the Association. The goals of HRTA are reflected in the goals of its committees.

## **2.0 Memorandum of Association**

The name of the Society is: Halifax Regional Trails Association.

The objectives of the Society are:

- a. To provide leadership and support to the recreational trails community in HRM
- b. To assist and support the development and maintenance of recreational trails in HRM
- c. To provide a public information service to promote recreational trails and their use in HRM

For the further attainment of the above objectives, HRTA may:

1. Acquire, accept, solicit and receive by purchase, lease, contract, donation, legacy, gift,

- bequest or otherwise any kind of real or personal property
2. Acquire by purchase, lease, devise, gift or otherwise, and to hold any real property necessary for the carrying on of its undertaking and for the purpose of drawing of a revenue there from and to sell, lease, mortgage, dispose of and convey the same or any part thereof as may be considered advisable.
  3. Demand, receive, and compel the payment of all sums of money that may become due payable to the Society and to apply the said sums for the objects and purposes of the Society
  4. Acquire, accept, solicit, or receive any gift of real or personal property either as an annual or other contribution or as an addition to the fund or funds of the Society.
  5. Employ and pay such assistants, agents, representatives, consultants or employees, legal advisors and to procure, equip and maintain such offices and other facilities and to incur such reasonable expenses as may be necessary
  6. Apply for, secure, acquire by assignment, transfer, purchase or otherwise, and to exercise, carry out and enjoy any license, power, authority, franchise, that a public body may be empowered to grant, and to pay for, aid in and contribute towards carrying the same into effect, and to appropriate any of the Society's assets to defray the necessary costs, charges and expenses thereof.
  7. HRTA does not engage in any activity that would include the borrowing of funds. PROVIDED that nothing herein contained shall permit the Society to carry on any trade, industry or business and the Society shall be carried on without purpose or gain to any of the members and that any surplus or any assets of the Society shall be used solely for the purposes of the Society and the promotion of the objectives PROVIDED further, that if for any reason the operations of the Society are terminated or are wound up, or are dissolved and there remains, at that time, after satisfaction of all its debts and liabilities, any property whatsoever, the same shall be paid to a provincially recognised charitable organisation recommended by the Board. The activities of the Society are to be carried on in Nova Scotia.

### **3.0 Statement of Activities**

The Halifax Regional Trails Association (HRTA) will support the development of a public, multiuse trail system within the Halifax Regional Municipality of Nova Scotia. The Halifax Regional Trails Association will work in partnership with its Community Group Members, communities, other organizations, the private sector, governments and individuals for the establishment, development and maintenance of such a trails system. The Halifax Regional Trails Association will promote environmentally sound trail development, the preservation of the natural and historic features of adjacent lands and the appreciation of the natural environment. The Halifax Regional Trails Association will fulfill its mission in an objective and impartial manner, directing the resources and energy of the many diverse groups wishing to work towards a common goal of an extensive, municipal trail system. The Halifax



Regional Trails Association will avoid partisan political involvement. The Halifax Regional Trails Association has a board of directors made up of appointees from its Community Group Members. Each Community Group Member in good standing is eligible to appoint a representative to the Board of Directors. Officers will be elected by these representatives of the community group members.

## **4.0 Bylaws**

### **4.1 Definitions**

In these bylaws, unless there is something in the subject or context inconsistent therewith,

- a. 'HRTA' means Halifax Regional Trails Association,
- b. 'Registrar' means the Registrar of Joint Stock Companies appointed under the Nova Scotia Companies Act,
- c. 'Community Group' shall mean an organisation devoted to a specific trail or community system of trails, which has been formally recognised by the Board of Directors of the HRTA, and which has been incorporated under the Societies Act of Nova Scotia or under an act of the Nova Scotia legislature, such as a Commission,
- d. 'Director(s)' shall mean any appointed representative from a recognized community group, each qualified community group may have a single voting representative on the Halifax Regional Trails Association Board of Directors,
- e. 'Special Resolution' a resolution passed by not less than three fourths of such members entitled to vote as are present in person or by proxy, where proxies are allowed, at a general meeting of which notice specifying the intention to purpose the resolution as a special resolution has been duly given.
- f. 'Voting Member' any Director appointed by a recognized community group in good standing with the Halifax Regional Trails Association.
- g. 'Member' any person voting or nonvoting recognized by the Halifax Regional Trails Association as participating in the development and maintenance of trails within the Halifax Regional Municipality.

### **4.2 Membership**

- a. There shall be only one category of voting membership in the HRTA: that is the Community Group Member.
- b. Every group member of the Halifax Regional Trails Association shall be entitled to attend any meeting of the HRTA.
- c. Membership in the HRTA shall not be transferable.
- d. There shall be no limit on the number of Community Group Members in HRTA.
- e. A Community Group Member represents a distinct Community Trail Group within the Halifax Regional Municipality. No two organizations representing the same distinct Community trail shall hold membership in the HRTA at the same time.
- f. Participation in the management of the affairs of the HRTA shall be through appointed

directors: one representative from each Community Group Member.

- g. The membership year for Community Group Members is from April 01 of any year to March 31 of the following year.
- h. Any member of the public may attend HRTA meetings or become a volunteer he/she does not have voting status.
- i. Exofficio (nonvoting) members of HRTA shall be permitted. HRM Trails staff shall be considered exofficio members.

#### 4.2.1 The Membership

The membership of HRTA shall be composed of representatives of trail groups within HRM who share the common goals of trail development and a commitment to cooperative effort to maximize the realization of such goals. To be members, the community trail organizations represented must:

1. Have community support
2. Have trail development as one of its mandates and core goals
3. Be developing, maintaining and/or managing trails in HRM
4. Be a registered society under the Nova Scotia Societies Act, or incorporated under an act of the Nova Scotia Legislature
5. Be a member in good standing of NS Trails
6. Annually provide an updated list of their officers and executive to HRTA
7. Attend HRTA meetings on a regular basis

These members shall be known as Community Group Members. Community groups may apply for HRTA membership at any time. In addition, HRTA shall have exofficio members, such as the trails staff of the Halifax Regional Municipality.

HRTA will provide the following services:

1. Liaison with Halifax Regional Municipality staff
2. Representation to the public and/or government
3. Speakers/support for public meetings
4. Information on funding
5. Information on trails within the Halifax Regional Municipality
6. Support fellow community group members

#### 4.2.2 Privileges and Responsibilities of Membership

1. Only Community Group Members in good standing may apply for capital, recapitalization and/or operational funding for trail development from Halifax Regional Municipality and/or funds provided to HRTA for such purposes. Community Group Member representatives on the Board of Directors are expected to report to the Board of HRTA on any trail related issues arising from his/her Community Group, or any issues relating to its interests of which she/he may become aware.

2. Expected to represent the interests of his/her organization in a strong but fair way on HRTA, in spirit of compromise and negotiation on issues where interests of various groups intersect.
3. Expected to report fairly and regularly to her/his Community Group on matters which arise in HRTA or any other trailsrelated issues Community Group Member representatives nominated to the Board of HRTA are expected to serve for one full year, encouraged to serve for two or three years and to orient their successor.

### **4.3 Expulsion of Members**

- a. Any Community Group Member may be expelled from the HRTA for activity prejudicial to the goals of the HRTA or for not meeting the requirements of membership outlined herein.
- b. Expulsion pursuant to 4.3a above shall be by passage of a motion at a Board of Directors meeting, and such a motion shall require a two thirds majority vote for passage.
- c. Notice of motion, identifying the member or members involved, must be sent to all Community Group Members, and all directors at least 30 days in advance of any motion made pursuant to 4.3b above.

### **4.4 Fiscal Year**

The fiscal year of the HRTA shall be from April 01 in any year to March 31 of the following year. These dates are set so as to be compatible with the fiscal year of HRM.

### **4.5 Meetings**

All Annual General Meetings of the HRTA shall be open to all members of all Community Group members, but Community Groups shall be represented at any voting by their appointed or elected representative to the Board of Directors of HRTA. All business at General Meetings except elections of directors representing the Community Group. Members shall be decided by vote of the directors present.

- 4.5.1 The Annual General Meeting (AGM) of the HRTA shall be held within three months of the end of the fiscal year of the HRTA.
- 4.5.2 A Special General Meeting (SGM) of the HRTA may be called by the Chair the Board of Directors at any time, and shall be called if requested in writing by at least 75% of directors.
- 4.5.3 Seven days notice of a Regular meeting, specifying the place, day and hour of the meeting, and, in the case of special business, the nature of the business, shall be given to members. Notice shall be in writing, by email, by facsimile or by sending it through the post in a prepaid letter or newsletter addressed to each member at his or her last known

address. The nonreceipt of any notice by any member shall not invalidate the proceedings of any Annual General Meeting.

- 4.5.4 At each Annual General Meeting of the HRTA, the following items of business shall be dealt with, and shall be deemed to be ordinary business:
- a. Minutes of the preceding AGM, and any intervening SGM (Special General Meeting)
  - b. Consideration of the Annual Report of the Directors
  - c. Consideration of the Financial Statements, including the balance sheet. All other business transacted at an Annual General meeting, and all other business transacted at a Special General Meeting shall be deemed to be special business.
- 4.5.5 No business shall be transacted at any Annual General meeting of the HRTA unless 60% of the Directors are present at the commencement of such business.
- 4.5.6 If fewer than 60% of the Directors are present:
- a. And, if the meeting was convened at the request of a minority of the Directors, it shall be dissolved, otherwise,
  - b. This meeting shall stand adjourned to such time and place as 60% of Directors then present shall direct, and if at that subsequent meeting 60% of directors are not present, it shall be adjourned without further fixing of another date.
- 4.5.7 The Chair of the HRTA shall preside as chairperson at any General Meeting of the HRTA. If there is no Chair, or if the chair is not present, the Vice Chair shall preside as chairperson. The Chair shall have not vote except in the case of an equality of votes, when he/she shall have a casting vote. If there is also no Vice Chair, or if the Vice Chair is not present the directors present shall choose one of their number to be Chairperson for the session.
- 4.5.8 The Chair may, with the consent of the directors, adjourn the meeting from time to time and place to place, but no business shall be transacted at any adjourned meeting, other than business left unfinished when the adjournment occurred, unless notice of such new business is given to the members.
- 4.5.9 At any General Meeting, unless a poll is demanded by at least three members, a declaration by the Chair that a resolution has been carried and an entry to that effect in the book of the proceedings of the HRTA shall be sufficient evidence of the fact, without proof of the number or proportion of the directors recorded in favour or against such resolution.
- 4.5.10 If demanded, a poll of the directors shall be taken in the manner prescribed by the Chair, and the result of such poll shall be deemed to be the resolution of the HRTA in a General Meeting.

## **4.6 Directors**

4.6.1 The affairs of the HRTA shall be managed entirely by its Board of Directors.

4.6.2 The subscribers of the Memorandum of Association of the HRTA shall be the first

Directors of the HRTA.

4.6.3 Community Group representatives must attend HRTA meetings in order to remain members in good standing. If three consecutive meetings have been missed the officers will attempt to contact the community group and request their presence at meetings. If the community group does not comply, the community group may be voted out of the Halifax Regional Trails Association and forfeit all remaining funds appointed to them. Therefore:

- a. Each Community Group Member may select one individual as its Director, and provide the HRTA with formal letter of accreditation. That person may then correspond with the HRTA on the Community Group Member's behalf, and cast the Community Group Member's vote on any matter of business that is raised at meetings of the HRTA. If said Member is unable to attend the HRTA meeting, he/she may send a representative of the Community Group in his/her place and that person will be entitled to vote as a Director at said meeting.
- b. Each Community Group Member shall provide the HRTA with formal notice of its representative for the HRTA's AGM. HRTA should also have the executive officers' contact information for each community group membership.

4.6.4 At the first Annual General Meeting of the HRTA, and at every succeeding Annual General Meeting, all elected Officers shall retire from office, but shall hold office until the dissolution of the Meeting at which their successors are elected. Retiring Officers are eligible for reelection.

4.6.5 In the event that a Director resigns or ceases to be a member of the HRTA, where upon his office as Director shall ipso facto be vacated, the vacancy thereby created may be filled by another representative appointed by the Community Group Member.

## **4.7 Board of Directors Meetings**

4.7.1 Regular meetings of the Board of Directors shall be held monthly, on the second Monday, unless otherwise determined.

4.7.2 A meeting of the Directors may be held at the close of every Annual General Meeting without notice.

4.7.3 Notice of each other meeting, specifying the time and place, shall be given to each director within a reasonable time before the meeting is to take place, but non receipt of such notice by any director shall not invalidate the proceedings of any meeting of the Board of Directors.

- 4.7.4 Notice of Board of Directors Meetings shall be given by the Secretary.
- 4.7.5 No business shall be transacted at any meeting of the Board of Directors unless 60% of Directors is present at the commencement of such business.
- 4.7.6 The Chair, or in his/her absence, the ViceChair, or in the absence of both of them, any director chosen from among the directors present, shall preside as Chairperson for that meeting of the Board.

#### **4.8 Powers of the Directors**

- 4.8.1. The management of HRTA activities shall be vested in the Directors who, in addition to the powers and authorities conferred on them by these bylaws and otherwise, may exercise all such powers, acts and business as exercised by the HRTA, and are not hereby, or by statute directed or required to be exercised or done by the HRTA in a General Meeting. The certain assigned directors as prescribed in the business of a meeting can conduct that business and only that business outside a meeting, reporting actions and results back to the Board of Directors at the next meeting, and any other consequential meetings until the prescribed business has concluded. In particular, the Directors shall have the power to engage volunteers or employees, following accepted human resource practices, and determine their duties, responsibilities, and remuneration. The Directors may appoint an Executive Committee, consisting of the officers and such other persons as the Directors decide in order to conduct HRTA business as expressed by the Directors.
- 4.8.2 Contracts, deeds, bills of exchange and other instruments and documents may be executed on behalf of the HRTA by the Treasurer and the Chair or ViceChair, or other as prescribed by resolution of the Directors.

#### **4.9 Officers**

- 4.9.1 The officers of the HRTA shall be a Chair, a ViceChair, a Treasurer and a Secretary and up to two additional directors. The offices of Secretary and Treasurer may be combined.
- 4.9.2 The Directors shall elect one of their numbers to be Chair of the HRTA. The Chair shall have the supervision of the activities of the HRTA, and shall perform such duties as may be assigned by the Directors from time to time. The Chair shall serve a two year, renewable term. Nomination and election of the Chair will take place at the AGM.
- 4.9.3 The Directors shall also elect one of their numbers to be ViceChair. The ViceChair shall, subject to the direction of the Board, perform the duties of the Chair during his/her absence, illness or incapacity, or during such periods as the chair may request him/her to do so. The ViceChair shall serve a two year, renewable term. Nomination and election of the ViceChair will take place at the AGM, in the same years as election of the Chair

- 4.9.4 The Directors shall elect a Secretary who shall keep minutes of all meetings, and shall perform such other duties as are assigned by the Board. The Directors may appoint a temporary substitute for Secretary who shall be deemed the Secretary for the purposes of the bylaws. The Directors shall elect a Treasurer of the HRTA to carry out such duties as the Board may assign. If the Directors so decide, the same person may hold the offices of both Secretary and Treasurer. The Secretary and Treasurer shall serve a two year, renewable term. Nomination and election will take place at the AGM, in alternate years to those of the Chair and Vice Chair. It is the intent that a member of the HRM Staff who are designated to work on trails within HRM, shall provide staff support for the functions of both Secretary and Treasurer. The number of additional officers elected by the Directors will be determined by the decision of whether the offices of Secretary and Treasurer are combined.
- 4.9.5 The seal of the HRTA, if one is obtained, shall be in the custody of the Secretary, and may be affixed to any document or resolution of the Directors.
- 4.9.6 Preparation of the minutes, custody of the books and records, and custody of the minutes of all meetings of the HRTA and the Directors shall be the responsibility of the Secretary with the support of the HRM trail staff.

#### **4.10 Audit of Accounts**

- 4.10.1 The appointed auditor of HRTA shall be anyone outside the past or present executive, together with one other director selected by the past Chair, and approved by the members, shall be responsible for the review of the accounts of the preceding year, and for preparing a report for members.
- 4.10.2 The HRTA shall provide an annual written report for its members. This shall include a financial statement, and the statement by review committee regarding the correctness of the view of the HRTA's affairs presented. A copy of the balance sheet, showing liabilities and assets, and a statement of income and expenses for the preceding year, as audited by the auditor, shall be filed with the Registrar within fourteen days after the Annual General Meeting each year, as required by law.

#### **4.11 Special Resolutions and Amendments of Bylaws**

The society has the power to repeal or amend any of these bylaws by a special resolution passed in the manner prescribed by law. Bylaws must be amended by special resolution which is defined in the Societies Act as a resolution passed by not less than three fourths of such members entitled to vote as are present in person or by proxy, where proxies are allowed, at a general meeting of which notice specifying the intention to purpose the resolution as a special resolution has been duly given.

- 4.11.1 Every special resolution must be approved by a 60% majority of the Directors present at the General Meeting to be adopted.

- 4.11.2 The HRTA has the power to repeal or amend any of these bylaws by a resolution passed in a manner prescribed by law.
- 4.11.3 Except by unanimous approval of the Directors, twenty one days notice must be given before consideration of a special resolution.

#### **4.12 Miscellaneous**

- 4.12.1 The HRTA shall file with the Registrar, along with its Annual Statement, a list of its directors with their addresses, occupations, and date of appointment or election. The HRTA shall notify the Registrar within fourteen days of any change in the information as outlined in section 4.11.
- 4.12.2 The HRTA shall file duplicate copies of every Special resolution passed with the Registrar within fourteen days.
- 4.12.3 The books and records of the HRTA may be inspected by any member of the HRTA at any reasonable time with two days notice at the registered office of the HRTA.
- 4.12.4 The Directors will not be permitted to engage in any trade, industry or business whose purpose is to give tangible gain to any person currently a member of the Board.
- 4.12.5 HRTA, or the Directors on behalf of HRTA, shall not borrow funds nor engage in any activity that would include the borrowing of funds. This change was presented Dec 10th 2007 for discussion and special resolution vote at the regular HRTA meeting Jan 2008. In order to satisfy the Registry of Joint Stocks the following changes are required:

That HRTA adapt the Table of Contents according to the changes agreed upon in the Special Resolution. Changes include:

Constitution note 2.0 number seven has been added, in order to clarify HRTA stand on borrowing monies and is continued in the 4.12.5 addition to the Bylaws.

Bylaw 4.1 Definitions c through g have been altered.

Bylaw 4.2 h has a grammar change.

Bylaw 4.2.1 The Membership has been removed from the Constitution 1.4 and moved to 4.2.1 with clarifications.

Bylaw 4.2.2 The Privileges and Responsibilities of Membership has been removed from the Constitution 1.5 and moved to 4.2.2 with clarifications.

Bylaw 4.11 required quite specific amendments to satisfy the Registry of Joint Stock Companies. This must be passed without further adjustments.



## **Appendix D: HRTAT Capital Funding Evaluation Criteria (amended Oct 4, 2006)**

### ***Criteria 1: Overall Quality of the Trail Experience***

Is the trail of local, regional or provincial significance in terms of its natural and/or scenic appeal. To what extent does it have the appeal to draw users from other parts of the region, the province or just from the local area?

### **Criteria 2: Tourism Potential**

Will the trail have appeal to visitor markets (from outside the province as well as from other regions of Nova Scotia)? Will it be promoted to tourism markets and is there a plan in place or efforts already underway to do this? Does the trail fit within the overall strategic directions of the Department of Tourism and Culture for trail development?

### **Criteria 3: Potential Economic Impacts**

Will the trail, once completed, generate new economic impacts for the community in terms of employment, spending in the local area, new business opportunities, attracting new visitors to the local area, etc.

### **Criteria 4: Proximity to Users**

How convenient is the trail to the HRM population base?

### **Criteria 5: Deliverable**

Is there evidence that the project as proposed can be delivered during the next construction season? This includes consideration of issues such as: permits, authorizations and approvals planning and design any major constraints or roadblocks to be overcome

### **Criteria 6: Community Support**

Is there evidence of community support for the project - e.g. number of members of the association, number of community volunteers involved, attendance at public meetings, input from the community via newsletters, surveys, public meetings, etc. Has a reasonably detailed capital budget been prepared? Is it realistic? Has there been consideration of the potential sources of funding? Are they realistic? Are there any funding constraints that might hamper completion of the trail, such as other sources of funding exhausted?

### **Criteria 8: Strategic Status of Trail Work**

Where does the proposed effort for the upcoming year fit into the overall plan for the trail? Is it the “final piece” of the trail? Is it a complete trail project on its own (i.e. without subsequent phases)? What portion of the ultimate project is this year’s plan?

### **Criteria 9: Impact on Natural Environment**

Will the trail be routed through or around environmentally sensitive areas? How has the trail been designed to minimize negative impacts on slopes, wetlands, lakes, or habitats?

### **Criteria 10: Public Transportation Alternatives (Active Transportation)**

Does the trail provide a public transportation alternative, and how likely is it to be used as such?

**Criteria 11: Linking Communities**

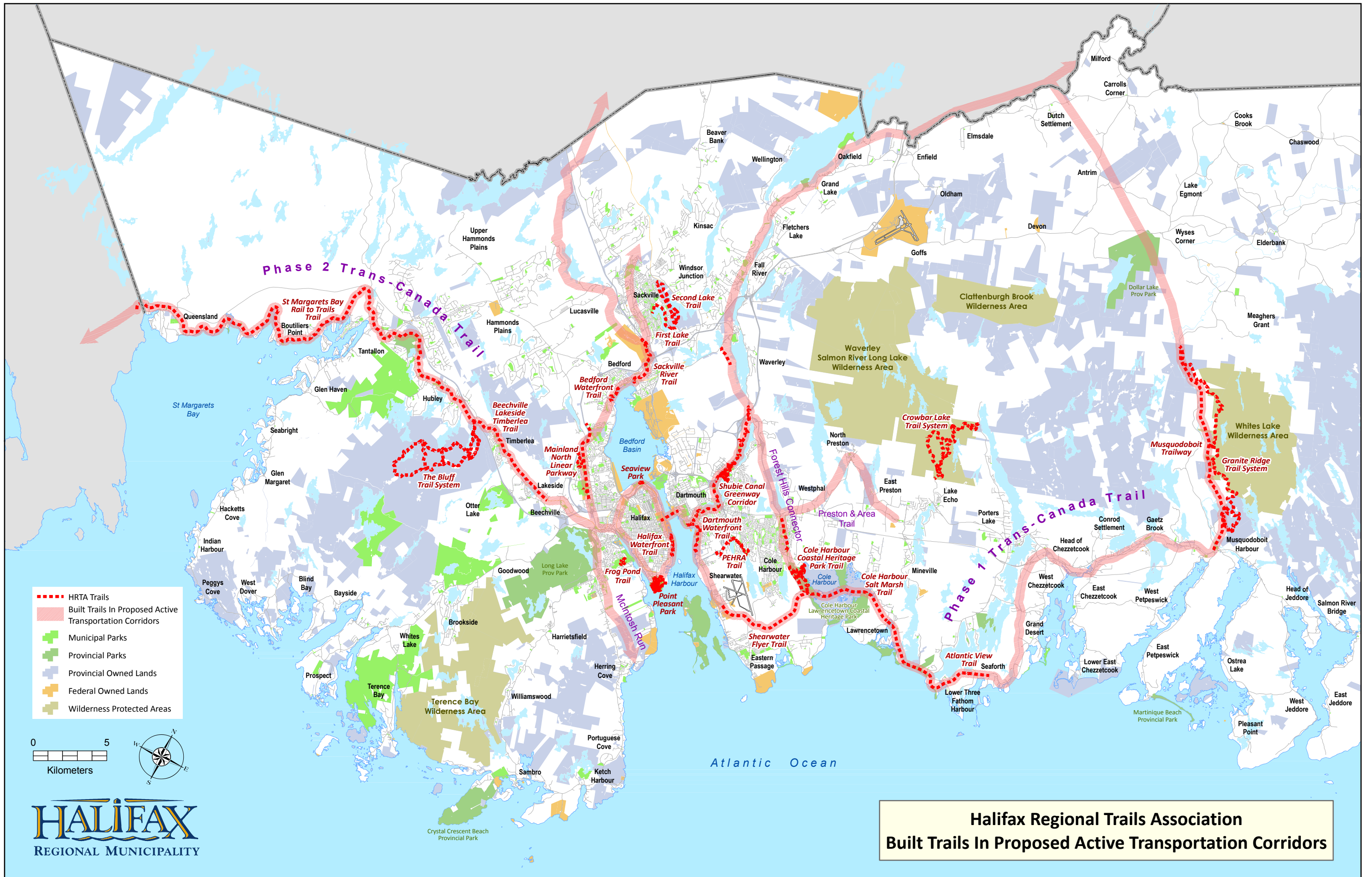
Does the proposed trail project connect or link existing communities and their trails/walkways, thus adding to vital continuity.

## Appendix E: HRM Regional Trails

Trail Type	General Use	Trail name	Associated Trail Group
Primary Corridors	AT	<b>Shubenacadie Canal Waterway</b>	
	AT	Shubenacadie Canal Trails	Shubenacadie Canal Commission
	AT	<b>Sackville River Corridor</b>	
	AT	Bedford Sackville Connector Greenway	Sackville Rivers Association
	AT	<b>South Shore Rail Corridor</b>	
	AT	St Margaret's Bay Rail Trail	St. Margaret's Bay Rails to Trails Association
	AT	Beechville Lakeside Timberlea Trail	BLT Trails Association
	AT	<b>Eastern Shore Rail Corridor</b>	
	AT	Musquodoboit Trailway	Musquodoboit Trailways Association
	AT	Chezzetcook Musquodoboit Trail*	Chezzetcook Musquodoboit Trail Association
	AT	Atlantic View Trail	Atlantic View Trails Association
	AT	Cole Harbour Salt Marsh Trail	Cole Harbour Parks & Trails Association
<b>Major Spines</b>	AT	Dartmouth Harbourfront Trail	Dartmouth Harbourfront Trails Association
	AT	Mainland North Linear Trail	Halifax North West Trails Association
	AT	Halifax Urban Greenway*	Halifax Urban Greenway Association
Community Connectors	AT	First Lake Trail	Friends of First Lake Society
	AT	Second Lake Trail	Second Lake Regional Park Association
	AT	Portland Lake Trail	Portland Estates & Hills Residents Assoc.
	AT	Cole Harbour Heritage Park Trails	Cole Harbour Parks & Trails Association
	AT	Preston & Area Trails*	Preston & Area Trails Association
	AT	MacIntosh Run*	MacIntosh Run Watershed Association
<b>Wilderness Area Trails</b>	Hiking	Crowbar Trail	Porters Lake/Myra Rd Wilderness Heritage Association
	Hiking	White Lake Wilderness Area Trail	Musquodoboit Trailways Association

<b>Back Country/Front Country Trails</b>	Hiking	Bluff Trail	Woodens River Watershed Environmental Organization
	Hiking	Admiral Lake, Bayers Lake and Gibraltar Rock Trails	Musquodoboit Trailways Association
		* proposed or in planning stages trails	

**Appendix: F & G HRM Built Trails in Active Transportation Corridors ( 11x17 Folded)**



**Halifax Regional Trails Association  
Built Trails In Proposed Active Transportation Corridors**

