



## TOWNSHIP OF DRUMMOND/NORTH ELMSLEY

#3 Council Meeting, Tuesday, February 10, 2015

# AGENDA

### **COUNCIL – CALL TO ORDER 7:00 p.m.**

**PLEASE NOTE:** *Meetings of Council and the Committee of the Whole are open to the public however they are not a public forum. Members of the public are welcome to attend and your interest is appreciated, however due to time constraints, we request that individuals or groups wishing to appear before Council or the Committee at a regular meeting shall advise the Clerk not later than 4:30 p.m. on the Thursday prior to the meeting as per By-law No. 2007-14*

### **MEMBERS WISHING TO DISCLOSE A PECUNIARY INTEREST DO SO NOW.**

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Township of Drummond/North Elmsley  
#02 Council Meeting of January 27, 2015  
Township Council Chambers

**MINUTES**

**Call to Order:** Reeve Churchill called the meeting to order at 6:00 p.m.

**Present:**

<b>Council:</b>	Reeve	Aubrey Churchill
	Deputy Reeve	Gail Code
	Councillor	Steve Fournier
	Councillor	Ray Scissons
	Councillor	George Sachs

**Staff:** Clerk Administrator Cindy Halcrow

**Members Wishing To Disclose A Pecuniary Interest Do So Now.** No members disclosed a pecuniary interest at this time.

**1.0 MINUTES**  
**1.1 Regular Minutes of January 13, 2015**

**Moved By: Steve Fournier**  
**Seconded By: George Sachs**

**BE IT RESOLVED THAT** the Council of the Corporation of the Township of Drummond/North Elmsley does hereby approve the minutes of the Regular Meeting of January 13, 2015 as circulated.

**Carried**  
**15-011**

**2.0 ADDITIONS & APPROVAL OF AGENDA**  
**2.1 Approval of Agenda**

**Moved By: Steve Fournier**  
**Seconded By: George Sachs**

**BE IT RESOLVED THAT** the Council of the Corporation of the Township of Drummond/North Elmsley does hereby adopt the agenda for the meeting of January 27, 2015 as presented.

**Carried**  
**15-012**

**3.0 DELEGATIONS/PUBLIC MEETINGS**

**3.1 6:00 P.M. Wesley Ried Zoning Amendment**

Reeve Churchill opened the public meeting at 6:02 p.m.

A. Purpose of Meeting

Reeve Churchill introduced the purpose of the meeting, which was to hear public comments on a Zoning Amendment application to allow a 1,200 sq foot, 22 feet in height garage for commercial storage on Ebert Road.

B. Staff Report and Presentation

Cindy Halcrow explained that the property would be rezoned as Rural-Special Exception to permit the commercial use and the height of the garage. No comments have been received from neighbours and commenting agencies. Her presentation reviewed the site context and an evaluation of the proposal as it applies to the Township's Official Plan, Zoning By-law, Lanark County's Official Plan and the Provincial Policy Statements.

C. Oral and Written Presentations by Those in Attendance

There was no one in attendance for this public meeting.

D. Questions and Discussion by Council Members

None

E. Chair's Closing Remarks and Reminder

None

F. Adjournment of Public Meeting

Reeve Churchill adjourned the public meeting at 6:07 p.m.

**4.0 COMMITTEE & BOARD REPORTS – No Report**

**5.0 BY-LAWS**

**5.1 #2015-006 Animal Control Services**

**Moved By: Steve Fournier**

**Seconded By: George Sachs**

**BE IT RESOLVED THAT By-law #2015-006**, being a By-law for the execution of an Agreement for Animal Control Services and entitled, "Animal Control Services By-law", be read a first, second and third time and finally passed in open Council.

**Carried**

15-013

**Action Item:** Staff was directed to prepare a report on the 2014 animal control statistics.

5.2 #2015-007 Council Remuneration

**Moved By: Ray Scissons**  
**Seconded By: Gail Code**

**BE IT RESOLVED THAT By-law #2015-007**, being a By-law to establish remuneration and to provide for the paying of expenses for members of Council and entitled, "Council Remuneration and Expense By-law", be read a first, second and third time and finally passed in open Council.

**Carried**  
**15-014**

5.3 #2015-008 Optima Commerce Park Part Lot Control Exemption

**Moved By: Gail Code**  
**Seconded By: Ray Scissons**

**BE IT RESOLVED THAT By-law #2015-008**, being a By-law to remove certain lands from the part-lot control provisions of the Planning Act, R.S.O 1990, Chapter P.13 (the Act) and entitled, "Optima Commerce Park Part Lot Control Exemption", be read a first, second and third time and finally passed in open Council.

**Carried**  
**15-015**

- 6.0 RESOLUTIONS/NOTICE OF MOTIONS - None
- 7.0 CLOSED SESSION - None
- 8.0 BUDGET CONSIDERATIONS - None
- 9.0 COMMUNICATIONS/CORRESPONDENCE - None
- 10.0 NEW BUSINESS - None
- 11.0 CONFIRMATION OF COUNCIL PROCEEDINGS

**Moved By: Ray Scissons**  
**Seconded By: Gail Code**

**BE IT RESOLVED THAT By-law #2015-009** being a By-law to confirm the

proceedings of Council at its meeting of January 27, 2015, be read a first, second and third time and finally passed in open Council.

**Carried  
15-016**

**12.0 ADJOURNMENT**

**Moved By: Gail Code  
Seconded By: Ray Scissons**

**BE IT RESOLVED THAT** the Council of the Corporation of the Township of Drummond/North Elmsley adjourn their regular meeting of Council.

Adjourned at 6:13 p.m.

**Carried  
15-017**

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**Aubrey Churchill, Reeve**

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**Cindy Halcrow, Clerk Administrator**

**BY-LAW No. 2015-010  
THE CORPORATION OF THE TOWNSHIP OF DRUMMOND/NORTH ELMSLEY**

Being a By-law  
to amend Comprehensive  
Zoning By-law No. 2012-060  
of the Township of Drummond/  
North Elmsley

**RURAL SPECIAL EXCEPTION (RU-85) ZONE**

Wesley Reid

Part of Lot 10, Concession 1  
251 Ebert Road  
(Geographic Township of Drummond)

TOWNSHIP OF DRUMMOND/NORTH ELMSLEY

BY-LAW No. 2015-010

REID ZONING BY-LAW AMENDMENT

A Zoning By-law, being a By-law to amend By-law No. 2012-060 of the Township of Drummond/North Elmsley for prohibiting the use of land for or except for such purposes as may be set out in this By-law and for prohibiting the erection, location or use of buildings or structures for or except for such purposes as may be set out in this By-law within the said lands; and for regulating the character of buildings or structures to be erected or located on the said lands.

The Council of the Corporation of the Township of Drummond/North Elmsley enacts as follows:

Section 1: The lands shown shaded on Schedule "A" attached to and forming part of this By-law, are the lands affected by this By-law.

Section 2: Schedule "A1" of By-law No. 2012-060 is hereby amended by changing the zoning on the affected lands from Rural to Rural- Special Exception (RU-85) Zone.

Section 3: Section 7.4 of By-Law No. 2012-060 is hereby amended by adding the following sub-section following Section 7.4.84:

7.4.85 RU-85: Part of Lot 10, Concession 1, Drummond Ward (2015-010)

Notwithstanding any other provisions of this By-law, on the lands zoned RU-85 commercial storage shall be permitted within an accessory building subject to the following provisions:

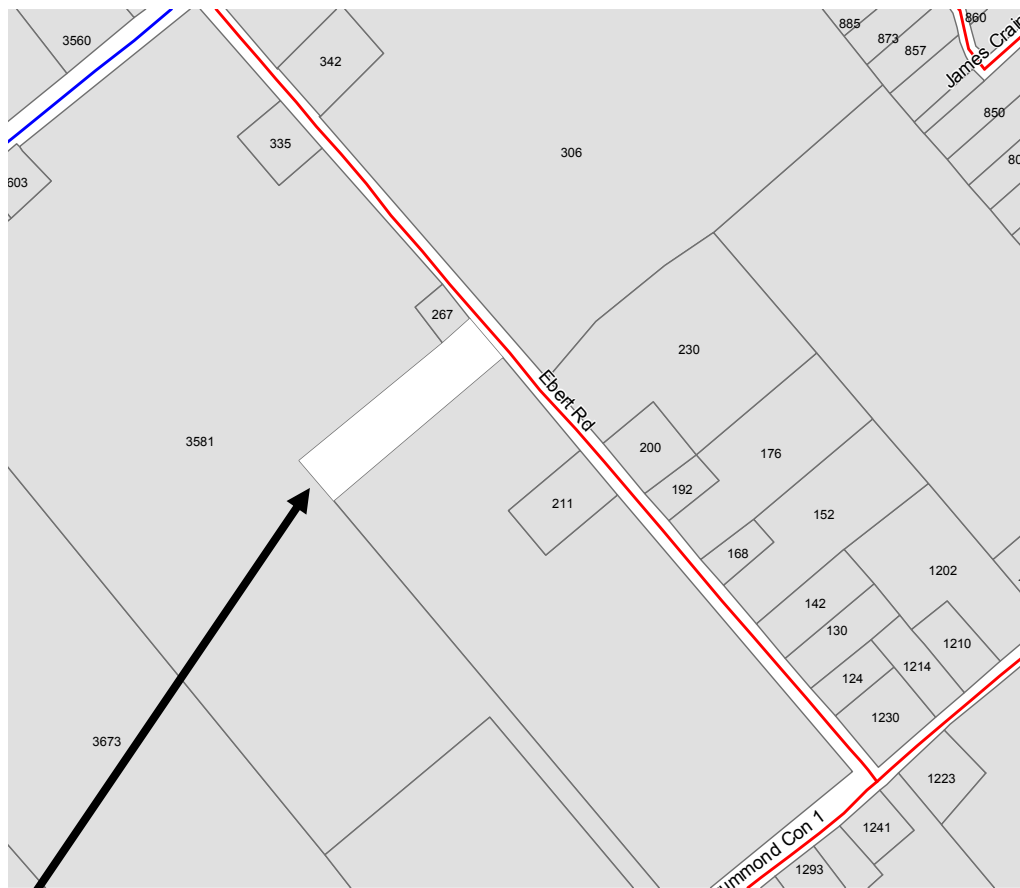
- 1. Maximum gross floor area (accessory building) 111 m<sup>2</sup>
- 2. Maximum height (accessory building) 6.7 m

Section 4: This By-law shall come into effect on the date of passing, subject to the provisions of Sections 34 and 34(10) of *The Planning Act*, R.S.O. 1990 as amended.

Read a first, second and third time and finally passed this 10<sup>th</sup> day of February, 2015

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Clerk Administrator



Land to be rezoned to RU- Special Exception (RU-85) Zone

This is **SCHEDULE A** to By-law No.2015-060  
passed the 10<sup>th</sup> day of February, 2015

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Clerk Administrator  
Township of Drummond/North Elmsley



**Corporation of the Township of Drummond/North Elmsley  
By-law No. 2015-011  
PROCEDURAL BY-LAW**

**BEING A BY-LAW TO GOVERN THE PROCEEDINGS OF COUNCIL, THE CONDUCT OF ITS MEMBERS AND THE CALLING OF MEETINGS.**

**WHEREAS** Section 238 (2), of the Municipal Act, 2001, S.O. 2001, c. 25 as amended, requires that every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings;

**AND WHEREAS** it is deemed necessary to establish the rules of procedure for the orderly conduct of Council business;

**NOW THEREFORE BE IT RESOLVED THAT** the Council the Corporation of the Township of Drummond/North Elmsley hereby enacts as follows:

- 1. **THAT** the Procedural By-law”, attached hereto is hereby adopted as an official document of the Township of Drummond/North Elmsley.
- 2. **THAT** Schedule A attached hereto shall form part of this By-law.
- 3. **THAT** should any sections of this By-law, including any section or part of the schedule attached hereto be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.
- 4. **THAT** By-law 2010-017 shall be and is hereby repealed.

**BY-LAW** read a first, second and third time and finally passed on the 10<sup>th</sup> day of February, 2015

\_\_\_\_\_  
Aubrey Churchill, Reeve

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Cindy Halcrow, Clerk Administrator

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## **Definitions**

**“Agenda”** means the written Order of Business.

**“Chair”** means the member who presides at a Council, Committee of the Whole, Steering or Sub-Committee meeting.

**“Clerk”** means the Clerk the Township of Drummond/North Elmsley or designate duly appointed by the Council of the Corporation of the Township of Drummond/North Elmsley as prescribed in Section 228 of the Municipal Act and in his/her absence, the Deputy Clerk.

**“Closed Session (In-Camera)”** means a meeting or part of a meeting closed to the public as prescribed in Section 239 of the Municipal Act.

**“Committee”** means any advisory or other committee, subcommittee or similar entity of which at least 50 per cent of the members are also members of one or more councils or local boards.

**“Committee Recommendation”** means a resolution passed by a Committee of the Whole during a meeting which is subject to approval by Council at the next Council meeting.

**“Committee of the Whole Meeting (CoW)”** means a committee of the whole Council pursuant to the Municipal Act, in which the entire Council becomes a committee for the purpose of conducting business for specific service areas in order to make recommendations to Council.

**“Communications”** means, but is not limited to, letters, memos, notices, emails, faxes, petitions, brochures, newspaper/magazine articles, etc.

**“Confirming By-Law”** means a By-Law passed prior to adjournment of every Council meeting to confirm by By-Law the resolutions and actions of Council taken at that meeting.

**“Council”** means the elected Municipal Council of the Corporation of the Township of Drummond/North Elmsley.

**“Council Meeting(s)”** means Regular and Special Meetings of the Council of the Corporation of the Township of Drummond/North Elmsley.

**“Councillor”** means a person elected or lawfully appointed as a Councillor to Council.

**“Debate”** shall mean discussion on the merits of the question/motion and whether the proposed action should or should not be taken.

**“Delegation”** means a person or group of persons who are not Members of Council or Township Staff who have requested and are permitted to address Council or Committee, individually or on behalf of a group, on a matter on the agenda for that meeting in accordance with the provisions of this By-Law.

**“Department Head”** shall mean the person or designate in charge of a Township department.

**“Deputy Clerk”** shall mean the person appointed by the Township who has all the powers and duties of the Clerk, as prescribed in Section 228 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended. A Deputy Clerk is not required to be an employee of the municipality.

**“Deputy-Head”** means the Deputy Reeve of The Township of Drummond/North Elmsley.

**“Emergency”** means a time sensitive matter which if not dealt with may have serious ramifications, including but not limited to, the inability to address or influence the matter at a later date.

**“Head”** means the Reeve of the Township of Drummond/North Elmsley. The Reeve shall act as chief executive officer of the municipality.

**“Local Board”** does not include Police Services Boards or Public Library Boards.

**“Majority Vote”** means a vote where over half of the Members present, and eligible to vote, vote in the same manner.

**“Matter”** shall include any record, communication, report, presentation, item, document or information, or the contents, or any part thereof, as the context permits.

**“Meeting”** means any regular, special, committee or other meeting of a council, of or a local board or of a committee of either of them.

**“Member”** referring to a member of Council includes the Head of Council.

**“Motion”** means an item placed before the Council or a committee, which has been properly moved and seconded by members.

**“Minutes”** mean a record of what was done at a meeting, without note or comment.

**"Municipal Act"** means the Ontario Municipal Act, 2001, S.O.2001, c.25 as amended.

**"Pecuniary Interest"** shall mean a direct or indirect pecuniary interest within the meaning of the Municipal Conflict of Interest Act, R.S.O. 1990, Chapter M. 50, as amended.

**"Point of Order"** shall mean any alleged breach of the rules or irregularity in the proceedings of a meeting.

**"Point of Privilege"** shall mean a statement calling attention to a matter where the integrity of an individual (personal) or the entire Council is perceived to be in question.

**"Presentation"** shall mean the occurrence when, staff, an individual or group have been invited to present information to Council or Committee.

**"Presiding Officer"** means the member chairing a meeting, whether the Reeve, the Deputy Reeve, the chair of a committee, or other person in accordance with the procedural rules.

**"Quorum"** means a majority of the whole number of members required to constitute a Council. A quorum of the Council of the Township of Drummond/North Elmsley shall be three members (50% plus 1).

**"Recorded Vote"** means the recording of the name and vote of every qualified member on any matter of question.

**"Resolution"** means a motion on which a vote is taken.

**"Rules of Order"** means the rules established by this by-law to regulate conduct during a meeting of Council.

**"Sub-Committee"** includes any sub-committee established by Council and approved through a resolution of Council which has a continuing existence.

**"Summer Recess"** means the month of July each year where no Committee of the Whole or Council meetings are held unless a Special Meeting is called by the Reeve or Chair.

The rules and regulations contained in this By-law shall be observed in all proceedings of the Council and shall be the rules and regulations for the dispatch of business by Council and its committees.

Where procedural matters of Council or Committees of Council are not governed by the Municipal Act, Municipal Conflict of Interest Act or provisions of this By-law, Robert's Rules of Order (most recent edition) shall apply.

## **Council and Committee Meetings:**

### **Regular Meetings:**

1. Regular meetings of Council/CoW shall be held in the Council Chamber on the second and fourth Tuesday of each month starting at 5:00 p.m.

### **Inaugural Meeting:**

2. The Inaugural meeting of Council after a regular election shall be held on the first business day in December at 5:00 p.m. Every member of Council shall make and subscribe a "Declaration of Office" and an "Oath of Allegiance" before entering on the duties of office.
3. Council may, by Resolution, alter the date and/or time of a regular meeting provided that adequate notice of the change is posted and published in local newspapers and/or the Township's website.

### **Recess:**

4. Summer Recess shall be deemed to be the month of July each year where no Council or Committee of the Whole meetings are held unless a Special Meeting is called by the Reeve or Chair pursuant to Section 8 of this by-law.

### **Public Notice:**

5. Public Notice of all meetings shall be placed on the Township's website and the minutes of all Public meetings shall be made available on the website for a period of not less than the preceding six months.

### **Recording Devices:**

6. Recording devices may be permitted for use by staff members to aid in the taking of notes and minutes of either Council or Committee meetings. The recording does not form part of the minutes. No members of the public or Council shall be permitted to use a recording device in Council chambers without permission from the Head of Council.

### **Special Meeting:**

7. The Head of Council may, at any time, summon a special meeting.

8. The Clerk shall summon a special meeting upon receipt of a petition of the majority of the Council members for the purpose and at the time and date mentioned in the petition pursuant to the provisions of Section 240(b) of the Municipal Act.
9. In either case of (7) or (8) above, the Special Meeting shall be held not sooner than 48 hours following the Head's summons or receipt of the petition, as the case may be and the Clerk shall provide written notice of the special meeting immediately following receipt of the summons or petition.

**Emergency:**

10. Notwithstanding the notice requirement set out above, in the event of a bona fide Emergency the meeting may be held as soon as practicable following receipt of the summons or petition, as the case may be, and notice may be given by telephone or personal contact as determined by the Clerk.
  - a) Unless otherwise specified in the notice described in Section 5, a special meeting shall be held in the Council Chamber.
  - b) The notice of a special meeting shall specify the purpose for the meeting.

**Presiding at Meetings:**

11. The Reeve shall preside at all meetings of the Council.
  - a) When the Reeve is absent or refuses to act, or the office is vacant, the Deputy Reeve shall act in the place and stead of the Head, and, while so acting, the Deputy Reeve has and may exercise all the rights, powers and authority of the Reeve.
  - b) Notwithstanding Section 11 (a) above, the members may appoint another presiding officer from among themselves for the purpose of chairing a particular meeting.
12. The Reeve or presiding officer may expel from a meeting anyone who engages in improper conduct.
13. All Council and Committee meetings shall be open to the public.

**Closed Meetings:**

14. Notwithstanding Section (13) above, a meeting of Council or a Committee may be closed to the public if the subject matter being considered relates to:
  - a) the security of the property of the Township, or local board;

- b) personal matters about an identifiable individual including municipal or local board employees;
  - c) a proposed or pending acquisition of real property or the disposition of land by the municipality or a local board;
  - d) employee negotiations or labour relations;
  - e) litigation or potential litigation including matters before administrative tribunals, affecting the Township or a local board;
  - f) a matter in respect of which Council, a Committee of Council or a local board has authorized a meeting to be closed under an Act of the Legislature or an Act of Parliament.
  - g) the receiving of advice that is subject to solicitor - client privilege, including communications necessary for that purpose.
  - h) a matter which relates to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act if the council, board, commission or other body is the head of an institution for the purposes of that Act.
15. For the purposes of this section “closed to the public” shall mean closed to any person not appointed or elected to the body calling the meeting. In addition, the sitting body may invite any person deemed appropriate to the closed portion of the meeting. Nothing in this section diminishes the responsibilities of Members with respect to disclosure of interest.
16. Before all or part of a meeting is closed to the public under Section 14, the Council shall pass a resolution stating the following:
- a) the fact of the holding of the closed meeting;
  - b) the general nature of the matter considered at the closed meeting;
17. A meeting shall not be closed to the public during the taking of a vote.
18. A meeting may be closed to the public during a vote if Section 14 permits or requires a meeting to be closed to the public and, the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Township or persons retained by or under contract with the Township.
19. Meetings or sessions which are closed to the public may be referred to as in-camera meetings or sessions.



20. A meeting of Council or a Committee may be closed to the public if the subject matter being considered relates to training and education as described in Section 239(3) of the Municipal Act, as amended, subject to the Council or Committee first passing a separate motion, noting that this closed session is being entered into pursuant to Section 239(3) of the Act.

### **Agendas and Supporting Material**

21. The Clerk shall prepare agendas of Council and Committee meetings as assigned.
22. Insofar as is practicable, Council and Committee agendas, along with supporting material, shall be prepared and made available to members on the Friday prior to a regular meeting.
23. Individuals or groups wishing to appear before Council at a regular meeting shall advise the Clerk no later than 2:00 p.m. on the Thursday prior to the meeting and the Clerk may make a determination as to deferral of delegations to a subsequent meeting. No delegation will be heard a second time on the same issue unless there is significantly new information to be considered.
24. Written reports of officers and/or staff shall be made available to the Clerk or designate by 12:00 p.m. (noon) the Thursday prior to the regular meeting.

### **Agenda Format:**

25. Agendas shall be generally formatted as follows but modifications to the matters to be included or the order of business may be affected without requiring amendment to this By-law.

Call to Order  
Disclosure of Pecuniary Interest  
Minutes of Previous Meetings  
Approval of Agenda  
Petitions/Delegations/Public Meetings  
Communication/Correspondence  
Committee and Board Reports  
    a) Committee of the Whole (Consent Agenda)  
    b) Report from Clerk/Members of Council  
By-laws  
Resolutions/Notice of Motions  
Closed Session  
New Business  
Confirmation of Council Proceedings  
Adjournment

26. The business of the Council shall be taken up in the order as listed on the agenda unless otherwise decided by the Reeve or presiding officer.

### **Quorum**

27. If no quorum is present on a half hour after the time appointed for a Council or Committee meeting, the Clerk or recording secretary shall record the names of the members present and the meeting shall stand adjourned until the date of the next regular meeting or until rescheduled.

### **Curfew**

28. Council and Committee meetings shall stand adjourned after **3 hours** but business may be continued upon a Resolution passed by unanimous vote.

### **Duties of the Reeve**

29. It shall be the duty of the Reeve, or other presiding officer, to preside over council meetings so that its business can be carried out efficiently and effectively, and to:

- a) open the meeting by taking the chair and calling the members to order;
- b) announce the business before Council in the order in which it is to be acted upon;
- c) receive and submit, in the proper manner all motions presented by the members;
- d) put to a vote all questions which are moved and seconded, or necessarily arise in the course of the proceedings, and to announce the result.
- e) decline to put to vote motions which infringe upon the rules of procedure;
- f) enforce on all occasions the observance of order and decorum among the members;
- g) call by name any member persisting in breach of the rules or order of the Council thereby ordering the member to vacate the Council Chamber;

- h) authenticate by signature all By-laws, Resolutions and minutes of the Council;
- i) inform the Council when necessary or when referred to for the purpose, on a point of order or usage;
- j) select the members of Council who are to serve on Committees;
- k) represent and support the Council, declaring its will and implicitly obeying its decisions in all things;
- l) to ensure that the decisions of Council are in conformity with the laws and By-laws governing the activities of the municipal Corporation;
- m) ensure that administrative policies, practices and procedures and controllership are in place to implement the decisions of council;
- n) ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- o) ensure that administrative practices and procedures are in place to implement the decisions of council;
- p) adjourn the meeting without question in the case of grave disorder arising in the Council Chamber;
- q) order any individual or group in attendance at the meeting to cease and desist any behaviour which disrupts the order and decorum of the meeting and to order the individual or group to vacate the Council Chamber where such behaviour persists.

## **Role of Council**

30. It shall be the duty of the members of Council to:

- a) To prepare for each meeting by thoroughly reviewing their agenda packages prior to the commencement of each meeting.
- b) Represent the public and to consider the well-being and interests of the municipality;
- c) Develop and evaluate the policies and programs of the municipality;

- d) Collectively determine which services the municipality provides;
- e) Maintain the financial integrity of the municipality; and
- f) Carry out the duties of Council under the Municipal Act or any other Act.

## **Conduct of Members of Council and Guests**

31. No member shall:

- a) use offensive words or un-parliamentary language in or against the Council or against any member, staff or guest,
- b) disturb another, or the Council, staff, or guest, by any disorderly conduct disconcerting to the speaker or the assembly,
- c) speak on any subject other than the subject in debate,
- d) resist the rules of Council or disobey the decisions of the Reeve or presiding officer or of Council on questions of order or practice or upon the interpretation of the rules of Council,
- e) leave a meeting without first obtaining permission from the Reeve or presiding officer,
- f) be permitted to retake their seat after being ordered to vacate, having committed a breach of any rule of the Council, until the next meeting and without making an apology to Council,
- g) interrupt the member who has the floor except to raise a point of order,
- h) shall be allowed to address Council or speak in debate without permission of the Reeve or presiding officer.

## **Committee of The Whole (CoW)**

32. Council shall conduct its business using a Committee of the Whole System that offers an opportunity to discuss and debate, in an informal meeting forum, all subject matter within the jurisdiction of Council.

33. Committee of the Whole meetings shall be held in the Township Council Chambers at 310 Port Elmsley Road on the 2nd and 4th Tuesday of every month following Council meetings which starts at 5:00 p.m.

34. All directives from Committee of the Whole, unless administrative in nature, shall be considered recommendations for formal debate and decision by full Council. The Chair of Committee of the Whole shall rotate, alphabetically among Councillors, on a monthly basis. The Committee of the Whole meetings shall include reports in the following four (4) areas of service delivery.

**Corporate Services**

- Financial/Budget
- Taxation
- Human Resources
- Administration
- Council
- Information Technology

**Public Works**

- Buildings – tangible, physical and maintenance works
- Transportation
- Drainage
- Environmental Services

**Community Services**

- Emergency Management
- Recreation
- Library
- Museum
- Police Service Board
- Fire Board

**Community Development**

- Planning
- Building Department
- By-law Enforcement
- Conservation Authorities
- Severances
- Animal Control

**Authority – CoW:**

35. The authority of the Committee of the Whole is limited to the making of recommendations to Council. No decision to take any action or do anything other than administrative in nature shall be recognized as emanating from any Committee, and all Committee recommendations shall be referred to Council before becoming effective. Recommendations from the regular Committee of

the Whole meetings shall appear on the next appropriate Council Agenda for decision.

36. The Clerk shall have prepared for the use of the Members at all meetings, an agenda as follows:

Call to Order  
Disclosure of Pecuniary Interest  
Approval of Minutes  
Approval of Agenda  
Delegations/Presentations  
Communications  
Reports  
Closed Session  
New/Other Business  
Adjournment

#### **Committee Reports to Council:**

37. The Committee of the Whole shall report to Council.
38. The Committee Chair will offer a report for approval which shall contain an “A” section for information, and a “B” section requiring action by Council.
39. The "A" section of reports will be read only when the Chair of the Committee is directed by Council, by unanimous consent, to do so.
40. Recommended motions for information only may be included in Section “A” of the Report.
41. The “B” section of reports will be read by the Chair of the Committee in its entirety unless otherwise requested or directed by Council, by majority consent, not to do so.
42. Prior to the adoption of a Committee report, any Member may request that an item be separated for consideration, or voted on separately.
43. When a request to separate an item from the report is accepted by the Chair, a motion to consider the separated item as recommended by the Committee will be the next order of business prior to the adoption of the remaining report.

#### **Staff Reports to Committee of the Whole**

44. The standard staff report format has been adopted as set out in Schedule “C”.

45. Staff shall not read the report at the meeting, unless requested to do so by the Chair, but only speak to the recommendations.

### **Confidential Reports**

46. Staff reports that are “confidential” will be copied onto coloured paper and marked “CONFIDENTIAL” in the upper right hand corner.

47. The Clerk shall ensure that any material relating to any matter for which a meeting may resolve into “closed session” under the Municipal Act, is circulated as confidential material pending Council’s approval of release to the public.

### **Motions/Rules of Debate**

48. Insofar as is practicable, notice of motions shall be given in writing to the Clerk not later than 12:00 p.m. (noon) on the Thursday preceding the next regular meeting so that the matter may be included in the Council agenda package.

49. Any motion may be introduced without notice if Council, without debate, agrees on a majority vote to dispense with notice.

50. A motion must be formally seconded before the question can be put or a motion recorded in the minutes.

51. When a motion is presented in Council in writing it shall be read, or, if it is an oral motion, stated by the Reeve or presiding officer.

52. The following matters and motions may be introduced orally without written notice and without leave except as otherwise proved by these rules:

- a) a point of order or personal privilege;
- b) presentation of petitions;
- c) to lay on the table (to defer temporarily)
- d) to postpone indefinitely or to a specific day;
- e) to move the previous question (immediate vote on the main motion).

53. The following motions may be introduced without notice and without leave, such motions shall be in writing and signed.

- a) to refer;
- b) to adjourn;
- c) to amend;
- d) to suspend the rules of procedure.

54. Except as provided in Section 53 all motions shall be in writing and signed by the mover and seconder.
55. The Clerk and other officers may introduce matters to be dealt with by motion subject to the notice provisions set out in Section 39.
56. Council may, from time to time, employ a confirming Resolution immediately prior to adjournment for the purpose of validating decisions or direction given which is minor in nature and not set out in a By-law or Resolution.
57. A motion to amend shall;
  - a) be presented in writing;
  - b) be dealt with by Council before a previous amendment or the main motion;
  - c) not be further amended more than once provided that further amendment may be made to the main motion;
  - d) be relevant to the main motion;
  - e) not propose a direct negative to the main motion.
58. Once read or stated by the Reeve or presiding officer a motion may not be withdrawn without the consent of the majority of the members.
59. Immediately prior to voting on a motion, the Reeve or presiding officer shall state the question in the precise form it is to be recorded in the minutes, including any amendments to the question.
60. After a motion as amended is finally put, no member shall speak to the question nor shall any other motion be made until after the vote is taken and the result is declared.
61. Members shall not speak more than once to the same question without the consent of the Reeve or presiding officer.
62. Reconsideration of a Motion:
  - a. Once disposed of, Council shall not reconsider the same question or by-law until a motion to reconsider the question or by-law has been disposed of by Council.
  - b. When a question or by-law has been presented and disposed of either in the affirmative or negative, it shall be in order for any Member who voted with the majority of the original motion to move for reconsideration. The
  - c. Chair may ask the Member to confirm that he/she voted with the majority on the issue in question. A seconder for a motion to reconsider is



required and such motion to reconsider shall be reduced in writing. A motion of reconsideration shall be approved by a 2/3 majority vote.

- d. A motion for reconsideration shall not be in order if Council is made aware that the question or by-law has been implemented resulting in legally binding commitments as of the date the motion to reconsider is moved.
- e. Debate on a motion to reconsider shall be confined to such matters as new information that has come forward, an error in documentation presented or incorrect statements made during the original debate. Debate on the subject matter of the question or by-law proposed for reconsideration shall be prohibited until the motion to reconsider has been disposed of.
- f. If a motion to reconsider has been carried in the affirmative, no action shall be taken to carry into effect the question or by-law until that question or by-law has been presented to Council for reconsideration.
- g. A vote to reconsider a decided matter shall not be considered more than once in a twelve-month period from the date the motion/resolution was approved by Council.

**Voting:**

- 63. On an unrecorded vote, the manner of determining the decision on a motion shall be at the discretion of the Reeve or presiding officer and may be by voice, show of hands, standing or otherwise.
- 64. Where a vote is taken for any purpose and a member requests, before or after the vote, that the vote be recorded, each member present, except a member disqualified from voting by any Act, shall, in an order determined by the Reeve or presiding officer, announce their vote openly, and any failure to vote by a qualified member shall be deemed to be a negative vote and the Clerk shall record each vote.
- 65. The Reeve or presiding officer, except where disqualified to vote, may vote on all questions and when so doing, shall vote last.
- 66. Except where expressly provided in Statute, any question on which there is an equality of votes shall be deemed to be defeated.
- 67. No vote shall be taken by ballot or any other method of secret voting and every vote so taken is of no effect.

68. Unless otherwise authorized by the Reeve or presiding officer, all members, staff and guests shall address Council through the chair and only when recognized to do so.
69. When two or more members seek to address Council, the Reeve or presiding officer shall designate the member who may speak first.
70. Any member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a member while speaking.

### **Points of Order and Privilege**

71. The Reeve or presiding officer shall preserve order and decide questions of order.
72. The Council, if appealed to, shall decide the question without debate and its decision shall be final.

### **By-Laws**

73. No By-law shall be presented to Council unless the subject matter has been considered and approved by Council.
74. Every By-law when introduced shall be in typewritten form and shall contain no blanks except as may be required to conform to accepted procedure or to comply with provisions of any Act.
75. Every By-law shall be given three readings prior to passage.
76. The first and second readings of a By-law shall be decided without amendment or debate.
77. By-laws may be given three readings on the same day except when requested otherwise by motion of the majority of the members present or as otherwise provided in law.
78. Upon passage, By-laws shall be numbered, signed by the Reeve or presiding officer and embossed with the seal of the Corporation.
79. Any proposed By-law may be referred to a Committee, Department Head or other officer for review and comment, including the solicitor for the Corporation.

## **General**

80. When the Reeve of Council is absent on a temporary basis, under no circumstances shall the Council take a decision regarding capital spending unless provision for the capital spending is included in the estimates for that given year as approved by By-law or unless the expenditure is required as a result of an emergency.
81. In all matters and under all circumstances the members shall be guided by and shall have regard to the Municipal Conflict of Interest Act.
82. Delegations, individuals or groups which are listed on an agenda or are otherwise approved to appear before Council shall be limited to not more than ten (10) minutes except that a delegation consisting of more than five (5) persons shall be limited to two (2) speakers each limited to speaking not more than five (5) minutes.
83. Following a regular or new election, the Clerk shall provide each new member of Council with a copy of this By-law, including any amendments thereto.
84. Any procedure under this By-law which is discretionary and not mandatory under statute may be suspended with the consent of a majority of the members present.
85. No amendment or repeal of this By-law or any part thereof shall be considered at any meeting of the Council unless notice of the proposed amendment or repeal is given at a previous regular meeting of the Council and the waiving of notice is prohibited.
86. Where procedural matters of Council or Committees of Council are governed by the Municipal Act, Municipal Conflict of Interest Act or provisions of this By-law, Robert's Rules of Order (most recent edition) shall apply.

Schedule "A"

STAFF REPORT FORMAT

TOWNSHIP OF DRUMMOND/NORTH ELMSLEY

COMMITTEE NAME

DATE

Report of the,  
Authors Title

TITLE OF REPORT

STAFF RECOMMENDATIONS:

As recommended by the Committee \_\_\_\_\_: THAT,

1. PURPOSE
2. BACKGROUND
3. DISCUSSION
4. FINANCIAL IMPLICATIONS
5. CONCLUSIONS
6. ATTACHMENTS

Prepared and Recommended By:

Approved for Submission By:

Name  
Title

Name  
Clerk Administrator

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**RESOLUTION OF COUNCIL**

**TOWNSHIP OF DRUMMOND\NORTH ELMSLEY**

February 10, 2015

Number: 15-\_\_\_\_\_

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

**BE IT RESOLVED THAT** the Council of the Corporation of the Township of Drummond/North Elmsley approves that Janet George be appointed as the Acting Tax Administrator in line with the salary recommended in Administration Report #CA 2015-05.

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CARRIED

**CORPORATION OF THE TOWNSHIP  
OF DRUMMOND/NORTH ELMSLEY**

**BY-LAW NO. 2015-012**

**BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL.**

**WHEREAS** pursuant to Section 5 of the Municipal Act 2001 S.O. 2001 c.25, the powers of a municipal corporation are to be exercised by its Council through the passage of a by-law;

**AND WHEREAS** Subsection 2 of Section 11 of the Municipal Act, 2001, S.O. 2001, c. 25, the powers of every Council are to be exercised by By-law;

**AND WHEREAS** it is deemed expedient that the proceedings of the Council of the Corporation of the Township of Drummond/North Elmsley at this meeting be confirmed and adopted by By-law;

**NOW THEREFORE** the Council of the Corporation of the Township of Drummond/North Elmsley enacts as follows:

1. The action of the Council of the Corporation of the Township of Drummond/North Elmsley at its meeting held on February 10, 2015 in respect of each recommendation contained in each motion and resolution passed and other action taken by the Council of the Corporation of the Township of Drummond/North Elmsley at its meeting is hereby adopted and confirmed as if all such proceedings were expressly embodied in this By-law.
2. The Reeve and proper officials of the Corporation of the Township of Drummond/North Elmsley are hereby authorized and directed to do all things necessary to give effect to the action of the Council of the Corporation of the Township of Drummond/North Elmsley referred to in the preceding section hereof.
3. The Reeve and the Clerk are authorized and directed to execute all documents necessary to that behalf and to affix thereto the seal of the Corporation of the Township of Drummond/North Elmsley.

By-law read a first, second and third time and finally passed this 10th day of February, 2015

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Aubrey Churchill, Reeve

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Cindy Halcrow, Clerk Administrator