



By-law Number 2020-~~034~~

A by-law to govern the proceedings of the Council and Committees of the Corporation of the County of Bruce

Section 238 (2) of the Municipal Act, 2001, S.O. 2001, c.25 requires every municipality to pass a procedure by-law governing the calling, place and proceedings of meetings:

Section 238 (2.1) of the Municipal Act, 2001, S.O. 2001, c.25 requires that the procedure by-law shall provide for public notice of meetings:

The Council for the Corporation of the County of Bruce enacts By-law 2020-~~034~~ as follows:

1. General Provisions

- 1.1 The proceedings of Council and its Committee and the calling of meetings shall be governed by the rules of procedure contained in this by-law.
- 1.2 All points of Order or Procedure not provided for in this by-law shall be decided in accordance with "Robert's Rules of Order" and the Warden or Chair shall submit the ruling without debate.

2. Definitions

- 2.1 "Act" means the Municipal Act, 2001, as amended from time to time.
- 2.2 "Chair" means the person presiding at a meeting whether it be the Head of Council, Acting Head of Council or Chairperson of any Committee.
- 2.3 "Chief Administrative Officer" means the Chief Administrative Officer (CAO) or designate of The Corporation of the County of Bruce, appointed by by-law.
- 2.4 "Clerk" means the Clerk or designate of The Corporation of the County of Bruce, appointed by by-law.
- 2.5 "Closed Meeting" means a meeting, or portion thereof, closed to the public in accordance with Section 239 of the Municipal Act, 2001 and Section 7.1, 7.2 and 7.3 of this By-law.
- 2.6 "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.
- 2.7 "Council" means the elected members of The Corporation of the County of Bruce.
- 2.8 "County" means The Corporation of the County of Bruce.
- 2.9 "Head of Council" means the Warden (or Acting Warden) and who shall preside at all meetings of the Council.
- 2.10 "Majority" means more than half of the votes cast by members entitled to vote.

- 2.11 "Meeting" means any regular, special or other meeting of a council, of a local board or of a committee of either of them, where,
- (a) a quorum of members is present, and
 - (b) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee.
- 2.12 "Member" means a Member of Council or a Committee as defined in this by-law.
- 2.13 "Minutes" means a record of the proceedings of Council or Committee, which includes the place, date, time, name of Chair, list of members in attendance, evidence of quorum. Minutes will record the actions taken and decisions made by members at the meeting without note or comment in accordance with Section 239(7) of the Municipal Act.
- 2.14 "Pecuniary Interest" includes a direct or indirect financial interest of a member and a financial interest deemed to be that of a member, in accordance with Sections 2 and 3 of the Municipal Conflict of Interest Act.
- 2.15 "Quorum" means the minimum number of required members (fifty percent plus one of the membership) to be in attendance to conduct the business of the meeting and vote on any matter or question to achieve a simple majority.
- 2.16 "Recorded Vote" means the recording of the name and vote of every Member of Council or a Committee who is present when the vote is called on any matter of question.
- 2.17 "Resolution" means a formal state of opinion or intention adopted by Council in accordance with these rules.
- 2.18 "Warden" means the Head of Council and the Chief Executive Officer of the County of Bruce, pursuant to Section 225 of the Municipal Act, 2001.
- 3. Inaugural Meeting**
- 3.1 The Council shall hold its first meeting in each year on the first Thursday of the month of December at 9:30 a.m. in the Council Chambers or such other location as Council may from time to time decide.
- 4. Regular Council Meetings**
- 4.1 Regular meetings of Council shall be held on the first Thursday of each month, except for January when Council will meet on the second Thursday at 9:30 a.m. in the Council Chambers at the County Administration Centre or at such other time or location within the County as may be determined by Council.
- 5. Special Meetings**
- 5.1 The Warden may at any time summon a special meeting of Council and it shall be their duty to summon a special meeting whenever requested in writing by a majority of the members of Council.
- 5.2 In case of the absence of the Warden, or if the office is vacant, or if the Warden refuses to act, a special meeting may be summoned by the County Clerk upon a request signed by a majority of the members of Council.

- 5.3 At special meetings of Council, the Council shall not decide upon any matter unless the matter has been specified in the Notice calling the meeting. This provision may be waived only where all members are present to vote upon a motion to waive it.
- 5.4 Notwithstanding subsection 5.3, the Warden may call a special Council meeting without notice to consider and deal with an emergency or other extraordinary matter and such meeting shall be deemed to have been properly constituted if at least two thirds of all members of Council are present at the meeting.
6. **Open Meetings**
- 6.1 Except as authorized under this By-law, all meetings shall be open to the public except for matters that qualify for consideration at a closed meeting as provided in Section 7.1, 7.2 and 7.3.
7. **Closed Meetings**
- 7.1 A meeting or part of a meeting may be closed to the public if the subject matter being considered is:
- a) The security of the property of the municipality or local board;
 - b) Personal matters about an identifiable individual, including municipal or local board employees;
 - c) A proposed or pending acquisition or disposition of land by the municipality or local board;
 - d) Labour relations or employee negotiations;
 - e) Litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board;
 - f) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - g) A matter in respect of which a Council, Board, Committee or other body may hold a closed meeting under another Act;
 - h) Information explicitly supplied in confidence to the municipality or local board by Canada, a province or a territory or a Crown agency of any of them;
 - i) A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
 - j) A trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
 - k) A position, plan, procedure or criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.
- 7.2 **Other Criteria**
- A meeting or part of a meeting shall be closed to the public if the subject matter being considered is,

- a) 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; or
- b) an ongoing investigation respecting the municipality, a local board of a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, an Ombudsman referred to in subsection 223.13 (1) of this Act, or the investigator referred to in subsection 239.2(1).

7.3 Educational or Training Sessions

A meeting of a Council or Local Board or of a Committee of either of them may be closed to the public if the following conditions are both satisfied:

- a) The meeting is held for the purpose of educating or training the members;
- b) At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council, Local Board or Committee.

7.4 Resolution

Before holding a meeting or part of a meeting that is to be closed to the public, a Municipality or Local Board or Committee of either of them shall state by resolution:

- a) The fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting, or;
- b) In the case of a meeting that is an educational or training session, the fact of the holding of the closed meeting, the general nature of its subject matter and that it is to be closed as an educational or training session.

7.5 As provided in Section 239 (5) of the Act, a meeting shall not be closed to the public during the taking of a vote.

7.6 Despite Section 244, a meeting may be closed to the public during a vote if,

- a) subsection (2) or (3) permits or requires the meeting to be closed to the public; and,
- b) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality, local board, or committee of either of them or persons retained by or under a contract with the municipality or local board.

7.7 Section 239.1 of the Municipal Act, S.O. 2001, c.25 permits a person to request an investigation of whether Council has complied with the requirements of the Municipal Act or this Procedure By-law governing a meeting or part of a meeting that was closed to the public.

7.8 Upon resuming open session, the Chair shall state:

- a) the matters which were considered and;
- b) confirmation that no motions were carried in closed other than procedural motions or directions to staff.

7.9 The Closed Meeting Procedures as adopted by County Council are attached as Appendix "A".

8. Quorum

- 8.1** The majority of all members of Council is necessary to form a quorum.
- 8.2** If a quorum is not present at a scheduled meeting fifteen (15) minutes after the scheduled commencement time, the meeting shall stand adjourned until the date of the next regular meeting and the Clerk shall record the names of the members present.
- 8.3** If during the course of a meeting a quorum is lost the Chair shall declare that the meeting shall stand adjourned and all unfinished business shall be carried forward to the next meeting.
- 8.4** Where the number of members, who by reason of the provisions of the Municipal Conflict of Interest Act, are prohibited from participating in a meeting is such that, at that meeting, the remaining members are not of sufficient number to constitute a quorum, then the remaining number of members shall be deemed to constitute a quorum, provided this number is not fewer than two (2).

9. Absence of Warden

- 9.1** In the case of the absence of the Warden from illness or any other case, except death, or other circumstances rendering the Warden's seat in the Council vacant by law, the Council shall, from among the members appoint a Chair who during such absence shall have all the powers of the Warden.
- 9.2** In the case of the death of the Warden, or a vacancy in the Warden's Office under circumstances, which by law render the Warden's seat on the Council vacant, the members shall without delay at their first meeting thereafter proceed in the manner directed by law to elect a successor for the remainder of the term.
- 9.3** If at any meeting of the Council, the Warden is not in attendance within fifteen (15) minutes after the hour appointed the members present, being a quorum of the Council, may appoint a Chair from among themselves and such Chair shall have the same authority in presiding at such meeting, as the person would have had if present.
- 9.4** In the absence of the Head of Council, the Deputy Head of Council of all Bruce County Local Municipalities who are duly appointed pursuant to the Municipal Act are authorized to act on behalf of the Head of Council at all Bruce County Council and Standing Committee meetings and are given the same authority as the Head of Council.

10. Election of Warden

- 10.1** At the first meeting of the Council in each year, immediately after calling the roll and a quorum being present, the Council shall proceed to elect a Warden.
- 10.2** The term of office of the Warden shall be one year; however, this does not preclude the current Warden from serving multiple years if they choose to stand for re-election.
- 10.3** The election of the Warden shall be conducted by the Clerk or in their absence, the Deputy Clerk shall preside.
- 10.4** The election of the Warden shall be by secret ballot under the authority and direction of the Clerk.

- 10.5 Pursuant to the provisions of the Municipal Act and amendments thereto, for the purposes of the election of the Warden, each member of County Council shall have one vote.
- 10.6 Each candidate for Warden is permitted to speak a maximum of three minutes prior to the election of the Warden.
- 10.7 Where it appears to the Clerk, by asking for further nominations and receiving no response, that there are no further nominations, the Clerk shall call for a motion declaring nominations closed.
- 10.8 The names of all those nominated shall be submitted to the Council at the same time on equal size pieces of paper listing those nominated in alphabetical order.
- 10.9 Where there is an equality of votes the Clerk will conduct two additional ballots to determine the successful candidate. If equality exists after two additional ballots, the successful candidate shall be determined by the Clerk by placing the names of the candidates on equal sized pieces of paper in a box and one name being drawn by the Clerk. The name of the candidate drawn shall be declared elected Warden.
- 10.10 If more than two candidates are seeking the office of Warden, the candidate receiving the fewest number of votes shall be eliminated after the first ballot.
- 10.11 When a candidate has received a majority vote of Council, five (5), there will be no further ballots.
- 10.12 Where there is an equality of votes between the second and third or more candidates, the Clerk will conduct an additional ballot to determine which candidate will remain on the ballot for Warden. If equality exists after two additional ballots, the Clerk will conduct a draw as previously described and the name drawn would be eliminated. Once this has been decided, all the remaining candidates would be placed on the next ballot.
- 10.13 The Clerk will report the successful candidate to Council.
- 10.14 The Returning Officer for the election is to be an active Senior Partner of the County's Solicitor's firm.
- 10.15 The Clerk and the Chief Administrative Officer are the scrutineers and are to be bound to secrecy regarding the number of votes received by the candidates.
- 10.16 A candidate may voluntarily withdraw their name at any time during the process.
- 10.17 The Warden will call for a motion to destroy the ballots.

11. Powers and Duties of the Warden

- 11.1 The Warden as Head of Council, except where otherwise provided, shall preside at all meetings of the Council.
- 11.2 If a quorum is present, as soon after the hour fixed for a meeting of Council, the Warden shall call the meeting to order.
- 11.3 The Warden may expel any person for improper conduct at a meeting.
- 11.4 The Warden shall preserve order and decorum and shall decide questions of order, subject to an appeal to the Council; and when called upon to decide a point of order or practice shall state the rule or authority applicable to the case, without argument or comment. If objection be taken to the Warden's

ruling the Warden shall submit it to a vote of the Council without debate in the following words: "Shall the ruling of the Chair be sustained?" and the decision of the Council shall be final.

11.5 It shall be the duty of the Warden whenever he understands a motion introduced to be contrary to the rules of the Council or inconsistent with the matter to which it is intended to refer, to apprise the Council thereof before such motion is debated upon or put, citing the rule applicable to the case.

11.6 It shall be the duty of the Warden:

- a) To open the meeting of Council by taking the Chair and calling the members to order;
- b) To announce the business before the Council in the order of which it is to be acted upon;
- c) To receive and submit, in the proper manner, all motions presented by the members of Council;
- d) To put to vote all questions which are regularly moved and seconded or necessarily arise in the course of the proceedings, and to announce the result;
- e) To decline to put to vote motions which infringe the rules or procedure;
- f) To authenticate, by signature, when necessary, all by-laws, resolutions and minutes of the Council;
- g) To inform the Council when necessary or when referred to for the purpose, a point of order or its usage;
- h) To represent and support the Council, declaring its will and implicitly obeying its decisions in all things, to restrain the members when engaged in debate within the rules or order;
- i) To enforce on all occasions, the observance of order and decorum among the members;
- j) To call by name any member persisting in breach of the rules of order in the Council thereby ordering the member to vacate the Council Chambers.
- k) Where it is not possible to maintain order, the Warden may without any motion being put, adjourn the meeting to a time to be named by the Warden.

11.7 In addition to the duties imposed upon the Warden by the Municipal Act, or any other Act, the Warden shall also perform such duties as are defined in this by-law or as may be determined from time to time by by-law or resolution of Council.

11.8 The Warden is hereby authorized to consult with the Solicitor when the necessity arises, and any instructions the Warden may give to the Solicitor on behalf of the County in special cases shall be in writing.

12. Voting Rights for the Warden

12.1 The Warden may vote with the other members on all questions, except where disqualified to vote by reason of pecuniary interest or otherwise.

13. Warden Entering Debate

- 13.1** If the Warden desires to leave the Chair for the purpose of taking part in the debate or otherwise, shall call upon one of the Councillors to fill their place until they resume the Chair.

14. Order of Business

- 14.1** The Clerk shall prepare a Council agenda with the routine order of business for regular meetings of Council as follows:

- a) Roll Call
- b) Declaration of Pecuniary Interest
- c) Adoption of the Minutes
- d) Communications
- e) Delegations
- f) Reports from Staff
- g) Inquiries and Announcements
- h) Committee Minutes
- i) Notice of Motion
- j) Other Business
- k) By-laws
- l) Adjournment
- m) O Canada

15. Minutes

- 15.1** The minutes of the Council, as taken by the Clerk or designate, shall consist of a record of the names of the members present or absent at each meeting and of all proceedings taken in the Council. Pursuant to the Municipal Act, the minutes shall record all resolutions, decisions and other proceedings without note or comment.
- 15.2** The minutes of each Council meeting shall be presented to Council for approval at the next regular meeting.
- 15.3** After the Council minutes have been approved by Council they shall be signed by the Warden and Clerk.
- 15.4** After the Committee minutes have been approved by Council, they shall be signed by the Committee Chair.

16. Rules of Conduct and Debate

- 16.1** Every member desiring to speak must be recognized by the Warden.
- 16.2** Members shall only speak on the subject in debate.
- 16.3** No member shall interrupt a member who has the floor except to raise a point of order.

- 16.4 No member shall speak more than once to a question, except in explanation of a material part of his or her speech in which the member may have been misconceived, but then the member may not introduce a new matter.
- 16.5 When two or more members indicate their desire to speak at the same time, the Warden shall designate the order of speakers.
- 16.6 No member shall use indecent, offensive or insulting language in or against the Council or any Councillors, staff, public or any other person.
- 16.7 A member called to order by the Warden shall immediately sit down, after which the Warden shall give the reason for calling the member to order, and the Council, if appealed to, pursuant to Section 11.3 shall decide on the case, if there is no appeal, the decision of the Warden shall be final and binding.
- 16.8 No person other than Council members, representatives or employees of the County and representatives of the news media shall be allowed to enter the lower circle without permission of the Chair.
- 17. Electronic Participation, Emergencies**
- 17.1 Members will be permitted to participate in both open and closed meetings. Allowing electronic participation in closed meetings is only available during emergencies. Once the emergency has ended, regular meetings rules will apply.
- 17.2 Members participating electronically will be counted towards quorum. Counting electronic participants for quorum purposes is only available during emergencies. Once the emergency has ended, regular meeting rules will apply.
- 17.3 Members participating electronically shall do so using telephone or video conferencing (Skype).
- 17.4 Members attending electronically shall verbally announce their vote when asked to do so by the Clerk or Deputy Clerk.
- 17.5 Committee members should dress (if video conference) and act as though in attendance in person. They are also responsible for ensuring there is no background noise at their location that would interfere with the meeting.
- 17.6 Members must connect electronically with the County no later than 15 minutes prior to the commencement of the Council or Committee meeting. Members attending electronically may leave a meeting early, however, members must announce their departure prior to leaving the meeting. If electronic connection is lost during a meeting, no effort will be made by the Clerk to reconnect and the member attending electronically shall be considered to have left the meeting at the point of disconnection. This does not prevent the member from rejoining and announcing they have rejoined the meeting.
- 18. Electronic Participation Non-Emergency**
- 18.1 Members shall not participate in closed meetings.
- 18.2 Members shall not count for quorum purposes and a quorum of members must be physically present at the meeting.
- 18.3 Members may participate in debate, draft motions and vote.

- 18.4 Members participating electronically shall do so using telephone or video conferencing.
- 18.5 Members attending electronically shall verbally announce their vote when asked to do so by the Clerk or Deputy Clerk.
- 18.6 Committee members should dress (if video conference) and act as though in attendance in person. Members are also responsible for ensuring there is no background noise at their location that would interfere with the meeting.
- 18.7 Members must connect electronically with the County no later than 15 minutes prior to the commencement of the Council or Committee meeting. Members attending electronically may leave a meeting early, however, members must announce their departure prior to leaving the meeting. If electronic connection is lost during a meeting, no effort will be made by the Clerk to reconnect and the member attending electronically shall be considered to have left the meeting at the point of disconnection. This does not prevent the member from rejoining and announcing they have rejoined the meeting.

19. Taping or Recording of Meetings

- 19.1 Council or Committee meetings, not held in closed, may be taped, televised or otherwise electronically or mechanically recorded by a cable television company, by another licensed telecommunications company, or by any other media at the back of the Council Chambers or meeting room and in such a manner as not to interfere with the proceedings of the meeting with advance notification to the Clerk, Head of Council or Chair of the Committee as the case may be.
- 19.2 Members of the public will be permitted to make recordings of proceedings provided that the action of recording does not interfere with the conduct of the meeting with advance notification to the Clerk or Chair of the Committee. Meetings which take place during closed session will not be recorded.
- 19.3 Should the recording interfere with the proceedings of the Council or Committee meeting; the recording privileges may be withdrawn. The ruling of the Presiding Officer or Chair shall be final unless by appeal to the Council which shall decide upon the question without debate.
- 19.4 When exercising the discretion to authorize the use of equipment such as described above, regard shall be had as to whether the use will be a distraction to the meeting, whether the use is required for an accessibility reason and also as to whether there is a recording secretary present with the capability of providing a complete record of the meeting.

20. Declaration of Pecuniary Interest

20.1 When present at meeting at which matter considered

Where a member, either on their own behalf or while acting for, by, with or through another has any pecuniary interest, direct or indirect, in any matter and is present at a meeting at which the matter is the subject of consideration, the member shall, in accordance with the Municipal Conflict of Interest Act:

- a) Prior to any consideration of the matter at the meeting, disclose the member's interest and the general nature thereof; and,
- b) Not take part in the discussion of or vote on any questions in respect of the matter; and

- c) Not attempt in any way whether before, during or after the meeting to influence the voting on the matter.

20.2 Where member to leave closed meeting

Where a meeting is not open to the public, the member shall, in accordance with the requirements of the Municipal Conflict of Interest Act, forthwith leave the meeting or the part of the meeting during which the matter is under consideration.

The following rules apply if the matter under consideration at a meeting or a part of a meeting is to consider whether to suspend the remuneration paid to the member under subsection 223.4 (5) or (6) of the Municipal Act, 2001:

- a) Despite clauses 18.1 (b) or (c), the member may take part in the discussion of the matter, including making submissions to Council or the local board, as the case may be, and may attempt to influence the voting on any question in respect of the matter, whether before, during or after the meeting. However, the member is not permitted to vote on any question in respect of the matter.
- b) In the case of a meeting that is not open to the public, the member may attend the meeting or part of the meeting during which the matter is under consideration.

20.3 When absent from meeting at which matter considered

Where the interest of a member has not been disclosed by reason of the member's absence from a particular meeting, the member shall disclose the member's interest and otherwise comply at the first meeting of the Council or Committee, as the case may be, attended by the member after the particular meeting.

20.4 Written Statement re disclosure

At a meeting at which a member disclosed an interest, or as soon as possible afterwards, the member shall file a written statement of the interest and its general nature with the Clerk or the secretary of the committee or local board, as the case may be.

20.5 Influence

Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter that is being considered by an officer or employee of the County or local board, or by a person or body to which the County or local board has delegated a power or duty, the member shall not use his or her office in any way to attempt to influence any decision or recommendation that results from consideration of the matter.

20.6 Exception

However, if the County delegates a power to suspend the remuneration paid to a member under subsection 223.4 (5) of the Municipal Act, 2001 to a person or body, and the person or body is considering exercising that power with respect to a member, subsection 18.5 does not prevent the member from attempting to influence any decision of recommendation of the person or body that results from consideration of the matter.

20.7 Disclosure to be recorded in minutes

The Clerk shall record every declaration of interest and the general nature thereof, where the meeting is open to the public, in the minutes of the meeting.

Every declaration of interest made, but not the general nature of that interest, shall, where the meeting is not open to the public, be recorded in the minutes of the next meeting that is open to the public.

21. Voting

21.1 Every member present at a Council meeting shall vote when a question is put, unless the member has declared a pecuniary interest in that matter and the member's declaration shall be recorded.

21.2 Any question that receives an equality of votes shall be declared to be negative.

21.3 When the Warden is putting the question, no member shall walk across or out of the room, or make any noise or disturbance, nor when a member is speaking, shall any other member pass between the member and the Chair.

21.4 Any member may require a motion or question under discussion to be read at any time during the debate but not so as to interrupt the member speaking.

21.5 All decisions of Council shall require a majority vote except as otherwise set out in this by-law.

21.6 When called for by a member or when required by law, a recorded vote shall be taken and the results declared by the Clerk. A member may call for a recorded vote immediately prior to or immediately after the taking of a vote. On taking a vote the names shall be called in alphabetical order, or in reverse order, at the pleasure of the Warden if requested by any member.

22. Motions

22.1 All motions must be submitted in writing with the names of the mover and seconder, before being read by the Clerk or debated.

22.2 After a motion is read by the Clerk, it shall be deemed to be in the possession of the Council but may be withdrawn by a majority vote of Council.

22.3 Only two adopted amendments shall be allowed on the original motion before Council. The first vote to be called shall be on the first amendment, the next vote shall be on the second amendment, and the last vote shall be on the original motion as may be amended. Numerous amendments however may be introduced to obtain the first two adopted amendments to the original motion. Only two motions to amend an amending motion shall be permitted regardless of whether they pass or fail.

22.4 A motion to refer, until it is decided, shall precede all amendments of the main question.

22.5 A motion to amend shall:

- a) Be relevant to the main motion;
- b) Be debatable;
- c) Not be further amended more than once provided that further amendment may be made to the main motion;

- d) Shall be put in reverse order to that in which they are moved;
- e) Shall be decided or withdrawn before the main question is put to the vote

22.6 A motion to adjourn and amendments thereto shall take precedence over any other motion and shall be put immediately without debate except:

- a) When a member is in possession of the floor;
- b) When a vote is being called;
- c) When the members are voting;
- d) When adjournment was the last preceding motion

22.7 When a motion is under consideration, no motion shall be received unless it is:

- a) A motion for adjournment;
- b) To move the previous question;
- c) To lay on the table;
- d) To defer to a certain time;
- e) To refer; or,
- f) To amend

22.8 A motion to reconsider:

- a) Is debatable but not amendable;
- b) No discussion of the main question which is proposed for reconsideration shall be allowed until the motion to reconsider is carried;
- c) No motion shall be reconsidered more than once during a twelve (12) month period;
- d) No motion to reconsider may itself be the subject of a motion to reconsider;
- e) A motion to reconsider shall not be introduced unless it is moved and seconded by two members from among those who voted with the majority;
- f) Must be supported by a majority vote of the members of Council before the matter to be reconsidered can be debated

22.9 A previous question, until decided, shall preclude all amendments and debate of the main motion and shall be put forthwith without debate.

The previous question shall be put as follows: "That the main motion be now put". If this motion is resolved in the affirmative, the main motion shall be put immediately without amendment or debate, but if the aforesaid motion is resolved in the negative the debate shall continue.

22.10 A motion to table removes the subject from consideration until a vote of Council lifts it from the table. A matter can be tabled for a specific period of time or tabled indefinitely. A motion to table cannot be debated or amended.

23. Notice of Motion

- 23.1 Any member of Council may give notice of intent that they will introduce a motion at the next or a subsequent meeting of Council to introduce a new matter, or initiate any measure to make any change in the Council's established policy. The giving of notice requires no seconder and is not at that time debatable.
- 23.2 All Notices of Motion shall be in writing, signed by the mover and filed with the Clerk.
- 23.3 Notices of Motions filed with the Clerk shall be directed to the next regular meeting of Council unless otherwise noted.

24. Committee of the Whole

- 24.1 The rules governing the procedures of the Council and the conduct of members shall be observed in Committee of the Whole, except that the number of times speaking on any question shall not be limited provided that no member speaks more than once until every member who desires to speak has spoken.
- 24.2 The only motions that may be approved during Committee of the Whole are motions to "amend", to "adopt" and to "rise and report". As a Committee of the Whole cannot adjourn, a motion to "rise and report" shall be put immediately and shall be decided without debate. As soon as the motion to "rise and report" is adopted, the Warden resumes the Chair.
- 24.3 The Warden may preside as Chair of Committee of the Whole or may appoint another member of Council to act as Chair. Any member so appointed shall have the same duties and powers as the Warden in the Chair of the Council.

25. Standing Committees of Council

- 25.1 There shall be the following Standing Committees of Council in addition to the Committee of the Whole Council:
- a) Corporate Services Committee
 - b) Executive Committee
 - c) Homes Committee
 - ~~d) Human Resources Committee~~
 - ~~e)d) Human Services Committee~~
 - ~~f)e) Museum Committee~~
 - ~~g)f) Paramedic Services Committee~~
 - ~~h)g) Planning and Development Committee~~
 - ~~h) Transportation and Environmental Services Committee~~
 - i) Workplace Engagement Services Committee

- 25.2 All members of Council shall serve on the Standing Committees.

25.3 Appointing Committee Chair

Committee Chairs are selected by Council in Committee of the Whole at the Inaugural Session and ratified by a motion of Council.

25.4 Committee Tenure

No member of Council shall be appointed to serve as the same Chair for more than three consecutive years without the permission of Council.

25.5 Quorum

Committee quorum shall be defined as 50% of the membership of the Committee, including the Warden.

25.6 Warden as Committee Member

The Warden shall be a member ex-officio of all Committees and may vote on all questions before the Committee.

25.7 Regular Committee Meetings

Regular Committee meetings shall be held on the first and third Thursday of every month, except for the months of July and August when the Committee's will meet on the first and second Thursday in the Council Chambers at the County Administration Centre or at such other time or location within the County as may be determined by Council.

25.8 Calling of Committee Meetings

The Warden shall represent the Council while the same is out of Session and the Warden is hereby empowered to summon a meeting of any Standing Committee or Special Committee whenever, in their judgment, the urgency of the matter or the interests of the County justify such action.

25.9 Committee Vacancy

In the event of a vacancy occurring for any reason the individual filling such vacancy shall assume the same rotational position on the same Committee as the individual who caused such vacancy to occur.

25.10 Committee Member

In the event of any person ceasing to be a member of County Council for any reason shall cease to be a member of all Standing and Special Committees.

25.11 Absence of Committee Chair

In the absence of the Chair of any Committee, the Warden shall preside and the Warden shall discharge the duties and possess all the powers and privileges of the Chair until their arrival. In the absence of the Chair and the Warden at any Committee, one of the other members shall be selected to preside and they shall discharge the duties and possess all the powers and privileges of the Chair.

25.12 Committee Chair Voting

The Chair of any Committee may vote on any question submitted for consideration and any case on which there is an equality of votes shall be declared to be negative.

25.13 Reporting Procedure

Each Committee shall report to the Council on every matter referred to it. No report shall be presented to or be received by the Council as the report of a Committee which shall not have been approved at a meeting of the Committee or a majority of its members, nor shall a report of a Committee be final or

anything done by virtue thereof until such report is approved by the Council unless where such Committee has been expressly authorized by the Council to deal with the questions.

25.14 Committee Rules of Procedure

It is the responsibility of each Committee to adhere to the same rules of procedure governing the procedures of Council as prescribed by this by-law. It shall be the duty of the Chair of each Committee to see that the business is conducted in accordance with such rules.

25.15 Responsibility to Act on Recommendations

No action shall be taken on Committee recommendations until the minutes have been approved by Council unless:

- a) the responsibility has been delegated to the Committee by Council through Council's delegation policy; or
- b) in the case of a time-sensitive matter, the Committee has directed in its minutes that action be taken prior to Council's adoption of its minutes.

26. Duties of the Committees

26.1 Committees shall establish regular meeting dates, times and locations at the beginning of each term. Meetings will generally be held in the County Administration Centre but may be moved to alternate locations on the recommendation of the Chair.

26.2 The role of the Committees shall generally be to:

- a) Make recommendations to Council on matters which are in their jurisdiction;
- b) Guide and request staff to provide reports on the direction and nature of policy development, fact finding, analysis and generation of public policy matters;
- c) Receive public deputations and establish mechanisms to receive further public input on vital public policy matters.

26.3 Corporate Services Committee

The Corporate Services Committee is responsible for the oversight of matters related to finance, purchasing, emergency management and facilities management. The Committee reviews both policy and operational matters and provides direction on the operations of the County. Corporate Services is a dynamic service department for all of the other departments within the County. Our inquisitive nature provides opportunities to assist all departments on their journey to achieve the goals and objectives set out in their business plans. Together we explore new challenges and offer innovative expertise on how to explore opportunities to move the organization forward. This is accomplished through our five Divisions: Finance, Purchasing, Information Technology Services, Emergency Management and Facilities Division.

26.4 Executive Committee

The Executive Committee is responsible ~~for~~ for the oversight of matters that are outside the authority and responsibility of all other Standing Committees, generally related to the long-term strategic goals of the County of Bruce. Responsibilities also include administration related to County Council and legislation affecting the County.

26.5 Homes Committee

The Homes Committee is responsible for ~~oversight~~oversight of the management of the County Long Term Care Homes (Brucelea Haven and Gateway Haven) and ensures that all objectives, goals and policies are being achieved. The Committee shall ensure that all legislative and professional medical standards are being maintained in the care of the residents and shall exercise the powers set out in the Long Term Care Homes Act.

~~26.6 Workplace Engagement Services Committee~~

~~The Workplace Engagement Services Committee is responsible for all aspects of employment in the County, including recruitment, collective agreement negotiation, administration, policy and procedure development and implementation, employee benefits, job evaluation, health and safety, payroll and other Provincial legislation relating to employment.~~

26.7 Human Services Committee

The Human Services Committee is responsible for the oversight of human services programs in the County of Bruce including: Children’s Services Programs; Housing Facilities Programs; Housing Services Programs; Income and Employment Support Programs and Strategic Community Initiative Fund Programs. These programs are under the jurisdiction of: the Ministry of Education; Ministry of Housing; the Ministry of Community & Social Services; the Province of Ontario (through provincial ministries) in partnership with and the County of Bruce ~~respectively~~. The County is the Service System Manager for both Child Care and Early Years and Housing and Homelessness in the County of Bruce.

26.8 Information Technology Committee

The Information Technology Services Committee is responsible for all aspects of information technology including but not limited to end user computing, server, network, cloud infrastructure, software as a service vendor agreements, software licensing and voice and data communications.

The Committee will review and approve IT-related projects and technology architecture initiatives, which require approval by the Committee. In considering such projects and initiatives, the Committee shall assess risk areas, including:

- data quality and data governance
- privacy and protection of personal information
- data security and information technology system controls
- disaster and recovery planning
- financial, reputational, compliance risks
- sustainability considerations
- project and system implementation risks

26.8 Museum Committee

The Museum (Bruce County Museum & Cultural Centre) Committee is responsible for the oversight of the development of short and long term strategic goals as well as the responsibility of securing the funding necessary for the operation and capital maintenance of the Museum and Archives.

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26. ~~998~~ Paramedic Services Committee

The Paramedic Services Committee is responsible for oversight for the funding and service delivery of Paramedic Services. The Committee shall ensure that all legislative and professional medical standards are being maintained in the care of patients and shall exercise the powers set out in the Ambulance Act and its associated Regulations.

26. ~~109~~10 Planning & Development Committee

The Planning and Development Committee oversees two core functions including the oversight of ~~the~~ County- wide land use planning program including both strategic policy work and land use planning application delivery; and the provision of the economic development function which includes the delivery of core programs, administering grants and funding opportunities and managing various economic opportunities as they arise.

26.1 ~~110~~ Transportation and Environmental Services Committee

The Transportation and Environmental Services Committee is responsible for the oversight of permitting, year round maintenance and for the capital improvements on the County road system and recreational trails. This Committee oversees environmental matters: waste management, County forests management, vegetation management, wildlife and fisheries management, and protected lands. The Committee also has oversight of public, specialized and active transportation. The Committee oversees land transactions for the County right of way. The Transportation and Environmental Services Committee is responsible for the oversight of the summer and winter maintenance and for the capital improvements on the County road system composed of approximately 691 kilometers of collector and arterial roads, approximately 143 bridges (values including boundary roads and bridges) and 180 km of and recreational trails. This Committee also oversees environmental matters: the County's including waste management responsibilities that include; monitoring the consumption and remaining capacity of municipal landfill sites; monitoring the activities and volumes of municipal waste diversion; education of waste management practices; and undertaking the collection of municipal hazardous and special waste (MHSW), 13,000 hectares of as well as County forests, and environment on County property (vegetation, wildlife, fisheries, drinking water, protected lands). The Committee also has oversight of public and active transportation. The Committee is responsible to plan, coordinate, implement and manage public transportation/transit services in Bruce County at the County level.

26.124 Workplace Engagement Services Committee

The Workplace Engagement Services Committee is responsible for the oversight all aspects of employment in the County, including recruitment, collective agreement negotiation, administration, policy and procedure development and implementation, employee benefits, job evaluation, health and safety, payroll and other Provincial legislation relating to employment.

26.1 ~~132~~ Any matter which is not on the Committee Agenda or does not relate to a matter on the Agenda may be considered by the Committee if the members agree to consider it by a majority vote.

27. Special Committees

- 27.1** The Council or the Warden may from time to time as may be necessary appoint one or more Special Committees to which may be referred for report any matter sent to such Committee by the Council or the Warden.
- 27.2** The Council or the Warden when appointing a Special Committee shall be satisfied that the matter or matters referred are beyond the normal responsibility of any Standing Committee or other Committee referred to in this by-law.

28. Bruce County Library Board

The Bruce County Library Board performs such duties as are prescribed by the Statutes and County by-laws.

28.1 Composition

The Bruce County Library Board shall be comprised of seven members as follows:

- a) Warden
- b) Three elected members which includes one member from each of the following areas: Coastline (Huron-Kinloss, Kincardine, Saugeen Shores); Inland (Arran-Elderslie, Brockton, South Bruce); North (North Bruce Peninsula, South Bruce Peninsula)
- c) Three non-elected members which includes one member from each of the following areas: Coastline (Huron-Kinloss, Kincardine, Saugeen Shores); Inland (Arran-Elderslie, Brockton, South Bruce); North (Northern Bruce Peninsula, South Bruce Peninsula)

28.2 Term

Where non-elected individuals are appointed to the Library Board, the appointments shall reflect the requirements of the Library Act whereby the appointment term will coincide with the term of Council.

Where elected members are appointed to the Library Board, appointments shall reflect the term of Council.

29. Grey Bruce Board of Health

Public Health programs and services promote healthy living, protect the health of populations and prevent illness and disease. The Ontario Public Health Standards and the Health Protection and Promotion Act establish requirements and provide for the organization and delivery of fundamental public health programs and services. The Board of Health is responsible for the assessment, planning, delivery, management and evaluation of these programs and services.

The Health Protection and Promotion Act and R.R.O. 1990, Regulation 559: Designation of Municipal Members of Boards of Health, outline the requirements for the composition of Boards of Health.

The Warden and two members of Bruce County Council are appointed for a two-year term to the Grey Bruce Board of Health.

30. Bruce County Housing Corporation

The Board of the Bruce County Housing Corporation oversees the development and implementation of policies and procedures in the areas of tenant

placement, financial, facilities management and tenant administration as set out in the Corporations Act and the Housing Services Act.

31. By-laws

- 31.1 Every by-law shall be listed on the Agenda and will include a brief description of the intent of the by-law.
- 31.2 By request of any member any by-law(s) may be discussed or voted on individually.
- 31.3 All amendments to any by-laws approved by Council shall be incorporated into the by-law and if Council enacts the by-law, the Clerk shall record the amendments.
- 31.4 Any by-law may be debated, amended or referred to a Committee or to staff for further consideration.
- 31.5 When a by-law is being considered in Committee of the Whole, it shall be debated clause by clause or as otherwise considered advisable by the Warden and members of Council, leaving the preamble and title to be considered last.
- 31.6 Any changes to by-law(s) made in Committee of the Whole shall be reported by the Warden to Council and shall be received forthwith and the amendments so incorporated into the by-law(s).
- 31.7 The proceedings of every meeting of Council shall be confirmed by by-law so that every decision of Council at that meeting and every resolution thereof shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.
- 31.8 Every by-law passed by Council shall be dated, sealed and duly signed by the Warden and Clerk.

32. Petitions and Communications

Every communication, including a petition to be presented to Council shall be legibly written or printed and shall be signed by at least one person and filed with the Clerk.

33. Delegations

- 33.1 Delegations wishing to address Council must notify the Clerk seven (7) business days prior to the regular Council or Committee meeting.
- 33.2 Any person or group who is scheduled to appear as a delegation before Council or a Committee is requested to submit to the Clerk written or electronic documentation concerning the presentation not less than seven (7) business days preceding the meeting.
- 33.3 Each delegation shall be limited in speaking to not more than ten (10) minutes. Extensions to this time limit will be at the discretion of the Warden.
- 33.4 No person shall be permitted to speak to Council more than once within six (6) months on the same topic without the prior permission of Council.
- 33.5 No person shall be permitted as a delegate to Council if the purpose of the delegation is to speak regarding:
 - a) A tender or request for proposal which is either proposed, pending, or actually before Council or a Committee of Council for its consideration;

- b) Labour relations;
- c) Legal issues including the enforcement of By-laws, litigation and potential litigation;
- d) Insurance claims; or
- e) Contract negotiations.

33.6 Delegations not listed on the Agenda may be heard provided a majority of the members' present vote to hear the delegation.

34. Notice Provisions

34.1 The form, manner and times when notice will be provided to the public regarding specific by-laws and the holding of certain meetings is outlined in the County's Notice Policy.

34.2 The published Agenda on the County's website shall be considered as adequate notice of Regular and Special Council and Committee meetings.

35. Conflict

35.1 If there is any conflict between this by-law and any statute, the provisions of the statute prevail.

36. Repeal and Enactment

36.1 By-law number 2020-025 is hereby repealed.

36.2 This by-law shall come into force and effect on the date it is passed by Council.

Passed this 4th day of June, 2020

Mitch Twolan
Warden

Donna Van Wyck
Clerk

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Appendix “A” The Corporation of the County of Bruce

Closed Meeting Procedures

Effective Date: March 1, 2016 Revision Date: March 1, 2019
Reviewed by Staff: February, 2019

1. Coverage

This procedure applies to Council, Committees, Sub-Committees and Local Boards of the County of Bruce.

2. Purpose

This procedure defines the process on when closed meetings are to be held and the processes to be followed. The County of Bruce supports the principles of open and accountable governance. There are circumstances, however, where it is necessary to hold a closed meeting.

3. Procedure

Agenda

Agendas shall include closed meeting items, when required, including information surrounding the nature of the closed meeting item. The Agenda will also include confidential reports for discussion and Minutes for approval.

Confidential Reports

Whenever possible, written closed meeting reports are preferred over verbal reports as the former provides for a more detailed account of the confidential record. Whenever possible, written reports are to be distributed in advance in order to ensure that Council or Committee is prepared for any decisions they may need to consider in relation to a closed meeting discussion.

Staff who are considering labelling a report “confidential”, and therefore to be considered a closed meeting matter, should, if necessary, seek advice from the Chief Administrative Officer or Clerk to ensure that the subject matter meets the criteria for a closed meeting discussion.

Resolution to go into a Closed Meeting

A resolution to go into a closed meeting should voluntarily disclose as much information as possible about the subject matter to be discussed to provide transparency and accountability to the public. The reason must meet the criteria as set out in Section 239 of the Municipal Act, 2001.

If Council or a Committee is going into a closed meeting under Section 239 then the resolution must also include the following:

- Notation that the meeting is going into closed session under Section 239 of the Municipal Act

- A description of the subject matter to be discussed and the fact that the meeting is being closed under the specific subsection.

Discussion and Voting

Voting during closed meetings is restricted to procedural matters or for giving directions or instructions to officers, employees or agents of the municipality or committee of either of them or persons retained by or under a contract with the municipality.

It is recommended that where voting is permitted that formal motions be utilized for voting.

The Warden or Chair shall prohibit discussion of any matter that was not disclosed in the resolution authorizing the closed meeting.

Minutes

The Clerk or delegate takes minutes of the closed meeting. In the event the Clerk or delegate are excused from the closed portion of the meeting, the C.A.O. will document the proceedings. The C.A.O. has been delegated the authority to record closed proceedings, by the Clerk.

Once back in the open meeting the Warden or Chair shall confirm that the Council or Committee discussed only those matters identified in the resolution to go into a closed meeting and recorded in the minutes.

Approval of Closed Meeting Minutes

Closed meeting minutes shall be approved at the next closed meeting.

Circulation of Closed Meeting Minutes and Confidential Reports

Closed meeting minutes and confidential reports shall be published through eScribe and notification sent to the members.

Recipients shall not copy, forward or in any way share the confidential information.