

Type of Decision									
Meeting Date	Friday, September 1, 2017				Report Date	Tuesday, August 22, 2017			
Decision Required	X	Yes		No	Priority	X	High		Low
Direction	x	Information Only			Type of Meeting	X	Open		Closed
REPORT TITLE Appointment to Council to Fill Vacant Seats									
Report #01/09/17/701									

Subject:

Appointment of two applicants to vacant seats on municipal council for the remainder of this term.

RECOMMENDATION:

That Council hear/receive deputations from each candidate/applicant and make a selection as to whom the members feel would best serve the municipality until the next regular election.

**Resolution #1**

**WHEREAS** Council is required to fill two vacant seats on council and advertisement for interested applicants has occurred as per policy and legislation;

**THEREFORE BE IT RESOLVED THAT** the following individuals, who have signified in writing that they are legally qualified to hold office and consented to accept the office if they are appointed to fill the Council vacancy, be considered by Council for appointment to fill such vacancy.

- Baird, Sylvia
- Elliot, Susan
- McKay, Catherine
- Villeneuve, Ernest Jr.

**Resolution #2**

**WHEREAS** Council has advertised for and accepted applications for appointment to the vacant seats on council;

**THEREFORE BE IT RESOLVED THAT** By-Law 2017-10 Being a By-Law to Appoint Members to Council for the Corporation of the United Townships of Head, Clara & Maria for the remainder of this term:

1. **THAT** \_\_\_\_\_ and

\_\_\_\_\_ be appointed to Council for the Corporation of the United Townships of Head, Clara & Maria effective immediately be read a first time short and passed this 1<sup>st</sup> day of September, 2017.

## BACKGROUND/EXECUTIVE SUMMARY:

Please read the appointment procedure document to familiarize yourself with the process prior to the meeting. If you have any questions, please call.

### 1. **Question:** is electronic attendance at a council meeting allowed?

The short answer is “**not yet**”. With the passing of Bill 68 the laws have/ will change, we simply don’t know when yet. From the Municipal Act...

***“Note: On a day to be named by proclamation of the Lieutenant Governor, section 238 of the Act is amended by adding the following subsection: (See: 2017, c. 10, Sched. 1, s. 25 (2))***

#### *Electronic participation*

*(3.1) The applicable procedure by-law may provide that a member of council, of a local board or of a committee of either of them, can participate electronically in a meeting which is open to the public to the extent and in the manner set out in the by-law provided that any such member shall not be counted in determining whether or not a quorum of members is present at any point in time. 2017, c. 10, Sched. 1, s. 25 (2).”*

Councillors will be able to participate in public meetings electronically, as long as there is an in-person quorum of councillors.

Councillors will not be able to participate electronically in meetings that are closed to the public.

Head, Clara & Maria, due to our isolated location, may have some challenges with bandwidth, speed and reliable connectivity to effectively provide this service to a council member. Ultimately it will be a decision of Council.

If desired, once the legislation is enacted, Council will need to amend the Procedure By-Law to affect this change. Consideration would need to be given to determining who would be responsible to pay for the increased costs of connectivity from distances, often outside of Canada. As Council currently does not provide electronic participation or equipment, it would have to consider the logistics within the meeting location as well as the council members’ location – bandwidth, computer etc. Equipment exists within the municipality currently; the main consideration would be with equipment for the council member(s).

It was expressed to the candidate who asked this question that there was always the possibility of obtaining an exemption from Council to miss more than 3 meetings in a row as has occurred in the past.

### 2. **Question:** The need to be in attendance at the meeting to be appointed.

Although the new policy states that “the Candidates will be afforded the opportunity to address Council”; it is not a requirement and does not specify whether that should be in person or via written words. Each candidate has submitted their comments in writing which have been included with this report. Either is acceptable, although by submitting in writing, the individual foregoes the opportunity to provide additional answers to questions from council members.

In Head, Clara & Maria, persons appointed to council traditionally were not in attendance at the meetings and were notified by the Head of Council or Clerk after the decision was made via letter or phone call.

3. Questions to be answered in Deputation – provided to candidates in advance.
1. Please address why you would like to be a member of Council and elaborate on what makes you the best representative for Head, Clara & Maria.
2. The following two statements are taken from the Council Member Code of Conduct. Please provide your thoughts on what this means:
  - 1.1. Members of Council must serve and be seen to serve their constituents in a conscientious and diligent manner.
  - 1.2. Members of Council must be committed to performing their functions with integrity, avoiding the improper use of the influence of their office, and conflicts of interest, both apparent and real;
3. Council may make decisions that not all members of the public agree with. Outline how you would address an unhappy citizen and explain how your experiences have equipped you to deal with these types of situations.
4. Tell us how you feel about being the Council representative on volunteer committees (Economic Development, Recreation, Library Board, Community Policing, etc.) and where you see you can most contribute.
5. What is your short and long-term vision for the Municipality?

Options/Discussion: Council is required to fill two vacant seats. Council has chosen to appoint persons willing to accept the appointment. Council must now select two people to appoint to fill the vacant seats.

The applications, which are public documents, have been included for your information and review.

Financial Considerations/Budget Impact: - none

Policy Impact: As per policy, the Municipal Act and the Municipal Elections Act.

Others Consulted:

Approved and Recommended by the Clerk

Melinda Reith,  
Municipal Clerk

*Melinda Reith*

## DRAFT - BY-LAW NUMBER 2017- 10

**BEING** a by-law to appoint Members to Council for the Corporation of the United Townships of Head, Clara & Maria for the remainder of this term.

**WHEREAS** under the *Municipal Act, 2001* c.25, S.O. 2001, s 263 (1) (a) a municipality shall fill the vacancy by appointing a person who has consented to accept the office if appointed;

**AND WHEREAS** Council policy and procedure, the Municipal Act and The Municipal Elections Act has been followed in advertising for and accepting applications;

**AND WHEREAS** Council has completed its voting process as per municipal policy;

**NOW THEREFORE** the Council of the United Townships of Head, Clara & Maria does enact as follows:

1. **THAT** \_\_\_\_\_ and  
\_\_\_\_\_ be appointed to Council for the Corporation of the United Townships of Head, Clara & Maria effective immediately following completion of the Oath of Office.

**READ** a 1<sup>st</sup> time short and passed this 1<sup>st</sup> day of September 2017.