



## Executive Committee Agenda

Thursday, March 2, 2017  
Council Chambers  
County Administration Centre, Walkerton

### 1. Declaration of Pecuniary Interest

### 2. Action Items

- A. Procedure By-law Review (attached)
- B. Delegation of Head under the Municipal Freedom of Information and Protection of Privacy Act (attached)
- C. Royal Canadian Legion Ontario Command (attached)
- D. Expressions of Support for the Western Waste Management Facility Licence Renewal (attached)

### 3. Closed Meeting

- A. Minutes for Approval - February 16, 2017
- B. That the Committee move into a closed meeting to discuss County Grant Procedure, pursuant to Section 239. (2) (b) of the Municipal Act, personal matters about an identifiable individual, including municipal or local board employees.

### 4. Rise and Report

### 5. Next Meeting

April 6, 2017

### 6. Adjournment



## Committee Report

**To:** Warden Mitch Twolan  
Members of the Executive Committee

**From:** Kelley Coulter,  
Chief Administrative Officer

**Date:** March 2, 2017

**Re:** Procedure By-law Review

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### RECOMMENDATION:

That changes to the County's Procedure By-law as outlined in the Clerk's report dated March 2, 2017 be approved; and,

That a by-law be introduced to govern the proceedings of the Council and Committees of the Corporation of the County of Bruce; and,

That by-law 2016-013 be repealed.

### BACKGROUND:

The following changes to the Procedure By-law are being recommended and are highlighted in the attached draft by-law:

#### Section 2. Inaugural Meeting

Reference to the Warden's Committee was removed as this Committee no longer exists.

#### Section 6. Meetings Closed to the Public

Item (H) has been added to reference the Closed Meeting Procedures which were adopted by County Council on March 3, 2016. It was recommended by our Closed Meeting Investigator that the procedures be referenced in our Procedure By-law.

Section H will read as follows:

(H) The Closed Meeting Procedures as adopted by County Council is attached as Appendix "A".

#### Section 13. Order of Business

Some minor wording changes to the routine order of business for the regular meetings of Council:

- vi. Reports from Department Heads has been changed to Reports from Staff
- ix. Motions has been changed to Notice of Motion
- x. Unfinished Business has been changed to Other Business

#### Section 15. Rules of Conduct and Debate

Item (H) has been reworded and will read as follows:



# BRUCE county

(H) 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.

## Section 22. Standing Committees of Council

(A) v. Emergency Services Committee has been changed to Paramedic Services Committee

## Section 23. (C) Duties of the Committees

Duties of the Corporate Services; Human Resources; Social Services and Housing; Homes; Emergency Services; Highways and Executive Committees have been reworded as outlined in the attached by-law.

A further review of the Procedure By-law will be required when Bill 68, An Act to amend various Acts in relation to municipalities, receives Royal Assent.

### FINANCIAL/STAFFING/LEGAL/IT CONSIDERATIONS:

There is no financial, staffing, legal or IT considerations associated with this report.

### INTERDEPARTMENTAL CONSULTATION:

The current by-law was circulated to the Senior Management Team for review of Section 22, Duties of the Committees.

### LINK TO STRATEGIC GOALS AND ELEMENTS:

Evaluate best practices in order to ensure a well-connected community in order to enhance transparency and accountability.

Written by Donna Van Wyck, Clerk

Approved by:

Kelley Coulter  
Chief Administrative Officer



By-law Number 2017-~~011~~

~~A by-law to confirm proceedings of the Council of the County of Bruce at its meeting held the 6th day of January, 2017~~

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 2016-013 as follows:

1. General Provisions

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.

All points of Order or Procedure not provided for in this by-law shall be decided in accordance with "Bourinot's Rules of Order" and the Warden or Chair shall submit the ruling without debate.

2. Inaugural Meeting

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 ~~or the Warden's Committee~~ may from time to time decide.

3. Regular Council Meetings

Regular meetings of Council shall be held on the first Thursday of each month 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.

4. Special Meetings

(A) 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.

(B) 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.

(C) 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.

(D) Notwithstanding subsection (C) 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.

## **5. Meetings Open to the Public**

All meetings shall be open to the public except as provided in section 6 (A), (B) and (C).

## **6. Meetings Closed to the Public**

**(A)** A meeting or part of a meeting may be closed to the public if the subject matter being considered is:

- i. The security of the property of the municipality or local board;
- ii. Personal matters about an identifiable individual, including municipal or local board employees;
- iii. A proposed or pending acquisition or disposition of land by the municipality or local board;
- iv. Labour relations or employee negotiations;
- v. Litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board;
- vi. Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- vii. A matter in respect of which a Council, Board, Committee or other body may hold a closed meeting under another Act.

### **(B) 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).

**(C)** 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:

- i. The meeting is held for the purpose of educating or training the members;
- ii. 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.

**(D)** 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:

- i. The fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting, or;

- ii. In the case of a meeting that is an educational or training meeting, 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 meeting.

(E) As provided in Section 239 (5) of the Municipal Act, S.O. 2001, c. 25, a meeting shall not be closed to the public during the taking of a vote except if it is for a procedural matter or for giving directions or instructions to officers.

(F) 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.

(G) 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.

(H) The Closed Meeting Procedures as adopted by County Council are attached as Appendix "A".

#### **67. Quorum**

(A) The majority of all members of Council is necessary to form a quorum.

(B) 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.

(C) 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.

(D) 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).

#### **78. Absence of Warden**

(A) 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.

(B) 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.

(C) 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.

(D) In the absence of the Head of Council, the Deputy Head of Council of all Bruce County ~~Local~~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.

## **89. Election of Warden**

(A) 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.

(B) 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.

(C) The election of the Warden shall be conducted by the Clerk or in their absence the Deputy Clerk shall preside.

(D) The election of the Warden shall be by secret ballot under the authority and direction of the Clerk.

(E) 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.

(F) Each candidate for Warden is permitted to speak a maximum of three minutes prior to the election of the Warden.

(G) 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.

(H) 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.

(I) 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.

(J) 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.

(K) When a candidate has received a majority vote of Council, five (5), there will be no further ballots.

(L) 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 would 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.

(M) The Clerk will report the successful candidate to Council.

(N) The Returning Officer for the election is to be an active Senior Partner of the County's Solicitor's firm.

(O) 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.

(P) A candidate may voluntarily withdraw their name at any time during the process.

**910. Powers and Duties of the Warden**

(A) The Warden as Head of Council, except where otherwise provided, shall preside at all meetings of the Council.

(B) If a quorum is present, as soon after the hour fixed for a meeting of Council, the Warden shall call the meeting to order.

(C) The Warden may expel any person for improper conduct at a meeting.

(D) 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.

(E) 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.

(F) It shall be the duty of the Warden:

- i. To open the meeting of Council by taking the Chair and calling the members to order;
- ii. To announce the business before the Council in the order of which it is to be acted upon;
- iii. To receive and submit, in the proper manner, all motions presented by the members of Council;
- iv. 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;
- v. To decline to put to vote motions which infringe the rules or procedure;
- vi. To authenticate, by signature, when necessary, all by-laws, resolutions and minutes of the Council;
- vii. To inform the Council when necessary or when referred to for the purpose, a point of order or its usage;
- viii. 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;
- ix. To enforce on all ~~occasions~~occasions, the observance of order and decorum among the members;
- x. 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.
- xi. 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.

(G) 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.

(H) 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.

#### **119. Voting Rights for the Warden**

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

#### **124. Warden Entering Debate**

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.

#### **132. Order of Business**

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

- i. Roll Call
- ii. Declaration of Pecuniary Interest
- iii. Adoption of the Minutes
- iv. Communications
- v. Delegations
- vi. ~~Reports from Department Heads~~ Reports from Staff
- vii. Inquiries and Announcements
- viii. Committee Minutes
- ix. ~~Motions~~ Notice of Motion
- x. ~~Unfinished Business~~ Other Business
- xi. By-laws
- xii. Adjournment
- xiii. O Canada

#### **134. Minutes**

(A) 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.

(B) The minutes of each Council meeting shall be presented to Council for approval at the next regular meeting.

(C) After the Council minutes have been approved by Council they shall be signed by the Warden and Clerk.

(D) After the Committee minutes have been approved by Council, they shall be signed by the Committee Chair.

#### **154. Rules of Conduct and Debate**

- (A) Every member desiring to speak must be recognized by the Warden.
- (B) Members shall only speak on the subject in debate.
- (C) No member shall interrupt a member who has the floor except to raise a point of order.
- (D) No member shall speak more than once to a question, except in explanation of a material part of their speech in which the member may have been misconceived, but then the member may not introduce a new matter.
- (E) When two or more members indicate their desire to speak at the same time, the Warden shall designate the order of speakers.
- (F) No member shall use indecent, offensive or insulting language in or against the Council or any Councillors, staff, public or any other person.
- (G) 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 9 (C) shall decide on the case, if there is no appeal, the decision of the Warden shall be final and binding.
- (H) 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. ~~main floor of the Council Chambers during meetings without the leave of the Warden, except members, employees and servants of the Corporation and those representatives of the media who have appropriate identification to the satisfaction of the Clerk.~~

#### **156. Taping or Recording of Meetings**

- (A) 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.
- (B) 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.
- (C) Should the recording interfere with the proceedings of the Council or Committee ~~meeting, 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.
- (D) 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.

#### **176. Declaration of Pecuniary Interest**

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:

- i. Prior to any consideration of the matter at the meeting, disclose the member's interest and the general nature thereof; and,
- ii. Not take part in the discussion of or vote on any questions in respect of the matter; and
- iii. Not attempt in any way whether before, during or after the meeting to influence the voting on the matter.

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.

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.

The Clerk shall record in reasonable detail the particulars of any disclosure or pecuniary interest made by a member and this record shall appear in the Minutes of that meeting.

#### **187. Voting**

(A) 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.

(B) Any question that receives an equality of votes shall be declared to be negative.

(C) 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.

(D) 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.

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

(F) 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.

#### **198. Motions**

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

(B) 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.

(C) 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.

(D) **A motion to refer**, until it is decided, shall precede all amendments of the main question.

(E) **A motion to amend shall:**

- i. Be relevant to the main motion;
- ii. Be debatable;
- iii. Not be further amended more than once provided that further amendment may be made to the main motion;
- iv. Shall be put in reverse order to that in which they are moved;
- v. Shall be decided or withdrawn before the main question is put to the vote

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

- i. When a member is in possession of the floor;
- ii. When a vote is being called;
- iii. When the members are voting;
- iv. When adjournment was the last preceding motion

(G) When a **motion is under consideration**, no motion shall be received unless it is:

- i. A motion for adjournment;
- ii. To move the previous question;
- iii. To lay on the table;
- iv. To defer to a certain time;
- v. To refer; or,
- vi. To amend

(H) **A motion to reconsider:**

- i. Is debatable but not amendable;
- ii. No discussion of the main question which is proposed for reconsideration shall be allowed until the motion to reconsider is carried;
- iii. No motion shall be reconsidered more than once during a twelve (12) month period;
- iv. No motion to reconsider may itself be the subject of a motion to reconsider;
- v. 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;
- vi. Must be supported by a majority vote of the members of Council before the matter to be reconsidered can be debated

(I) **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.

(J) **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.

#### **2019. Notice of Motion**

(A) 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.

(B) All Notices of Motion shall be in writing, signed by the mover and filed with the Clerk.

(C) Notices of Motions filed with the Clerk shall be directed to the next regular meeting of Council unless otherwise noted.

#### **219. Committee of the Whole**

(A) 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.

(B) 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.

(C) 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.

#### **221. Standing Committees of Council**

(A) There shall be the following Standing Committees of Council in addition to the Committee of the Whole Council:

- i. Corporate Services Committee
- ii. Human Resources Committee
- iii. Social Services & Housing Committee
- iv. Homes Committee
- v. Emergency-Paramedic Services Committee
- vi. Museum Committee
- vii. Highways Committee
- viii. Planning and Development Committee

ix. Executive Committee

(B) All members of Council shall serve on the Standing Committees.

(C) **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.

(D) **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.

(E) **Quorum**

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

(F) **Warden as Committee Member**

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

(G) **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.

(H) **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.

(I) **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.

(J) **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.

(K) **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.

(L) **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.

## (M) 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.

## (N) 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.

## 232. Duties of the Committees

(A) 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.

(B) The role of the Committees shall generally be to:

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

## (C) Corporate Services Committee

The Corporate Services Committee is responsible for all matters that generally concern the finances ~~for~~ the County. Responsibilities also include ~~administration related to County Council, legislation affecting the County,~~ property management for ~~certain~~ properties owned by the County and all aspects of information technology, including end user computing, server and network infrastructure, software licensing and voice and data communications.

### Human Resources Committee

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

### Social Services & Housing Committee

The Social Services & Housing Committee is responsible for the social assistance programs in the County of Bruce under the jurisdiction of the Ministry of Community & Social Services, including Ontario Works and related Employment and other ~~S~~supports. This Committee is also responsible for ~~C~~children's ~~S~~services ~~P~~programs in the County of Bruce under the jurisdiction of the Ministry of Education and the Ministry of Children and Youth Services which includes such programs as including Child Care Fee Subsidy, Home Child Care, Preschool Resource and Ontario Early Years Centres. This

Committee is also responsible for all matters relating to the delivery of Housing Programs under the jurisdiction of the Ministry of ~~Municipal Affairs and~~ Housing. The County is the Service System Manager for both Housing and Early Learning and Child Care in the County of Bruce.

### Homes Committee

The Homes Committee is responsible for oversite 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 Act.

### ~~Emergency-Paramedic~~ Services Committee

The ~~Emergency-Paramedic~~ Services Committee is responsible for the funding and service delivery of the paramedic services and the County's Emergency Management Program and Business Continuity Plan.

### Highways Committee

The Highways Committee is responsible for the ~~construction and~~ summer and winter maintenance and for the capital improvements on the County road system composed of approximately ~~69166~~ kilometers of collector and arterial roads and approximately ~~14325~~ bridges (values including boundary roads and bridges).

~~The Highways Committee oversees the County's responsibilities for waste management as identified in a Waste Management Master Plan completed in 1995 and specifically identified in County By-law Numbers 3544, 3545 and 3546.~~

### Museum Committee

The Museum (Bruce County Museum & Cultural Centre) Committee is responsible for 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.

### Planning & Development Committee

The Planning and Development Committee oversees the County wide land use planning program; the provision of economic development services; the establishment of corporate wide strategic research and policy development; and the management of resource assets.

### Executive Committee

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

(D) 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.

### ~~243.~~ Special Committees

(A) 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.

(B) 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.

**(C) Bruce County Library Board**

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

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

- i. Warden
- ii. 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)
- iii. Three non-elected members which includes one member from each of the following areas: Coastline (Huron-~~Kinloss, Kincardine~~Kinloss, Kincardine, Saugeen Shores); Inland (Arran-Elderslie, Brockton, South Bruce); North (North Bruce Peninsula, South Bruce Peninsula)

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.

**(D) 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 annually to the Grey Bruce Board of Health.

**(E) 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.

**254. By-laws**

(A) Every by-law shall be listed on the Agenda and will include a brief description of the intent of the by-law.

(B) By request of any member any by-law(s) may be discussed or voted on individually.

(C) All amendments to any by-laws approved by Council shall be incorporated into the by-law and if the by-law is enacted by Council, the amendments shall be recorded by the Clerk.

(D) Any by-law may be debated, amended or referred to a Committee or to staff for further consideration.

(E) 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.

(F) 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).

(G) 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.

(H) Every by-law passed by Council shall be dated, sealed and duly signed by the Warden and Clerk.

## **256. 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.

## **276. Delegations**

(A) Delegations wishing to address Council must notify the Clerk five (5) business days prior to the regular Council or Committee meeting.

(B) 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 five (5) business days preceding the meeting.

(C) 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.

(D) 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.

(E) No person shall be permitted as a delegate to Council if the purpose of the delegation is to speak regarding:

- i. A tender or request for proposal which is either proposed, pending, or actually before Council or a Committee of Council for its consideration;
- ii. Labour relations;
- iii. Legal issues including the enforcement of By-laws, litigation and potential litigation;
- iv. Insurance claims; or
- v. Contract negotiations.

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

**287. Notice Provisions**

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.

**298. Conflict**

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

**3029. Repeal and Enactment**

(A) By-law number 2016-013 is hereby repealed.

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

Passed this ~~3<sup>rd</sup>~~-day of ~~March~~, 2017

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Mitch Twolan

Warden

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Donna Van Wyck

Clerk

## Contents

1. General Provisions .....	1
2. Inaugural Meeting .....	1
3. Regular Council Meetings .....	1
4. Special Meetings .....	1
5. Meetings Open to the Public .....	2
6. Meetings Closed to the Public.....	2
7. Quorum.....	3
8. Absence of Warden .....	3
9. Election of Warden .....	4
10. Powers and Duties of the Warden.....	5
11. Voting Rights for the Warden .....	6
12. Warden Entering Debate .....	6
13. Order of Business .....	6
14. Minutes.....	6
15. Rules of Conduct and Debate .....	7
16. Taping or Recording of Meetings .....	7
17. Declaration of Pecuniary Interest.....	7
18. Voting .....	8
19. Motions.....	8
20. Notice of Motion.....	10
21. Committee of the Whole .....	10
22. Standing Committees of Council .....	10
23. Duties of the Committees .....	12
24. Special Committees.....	13
25. By-laws.....	14
26. Petitions and Communications .....	15
27. Delegations.....	15
28. Notice Provisions .....	16
29. Conflict .....	16
30. Repeal and Enactment.....	16
<del>1. General Provisions</del> .....	<del>1</del>
<del>2. Inaugural Meeting</del> .....	<del>1</del>
<del>3. Regular Council Meetings</del> .....	<del>1</del>
<del>4. Special Meetings</del> .....	<del>1</del>
<del>5. Meetings Open to the Public</del> .....	<del>2</del>
<del>6. Quorum</del> .....	<del>3</del>
<del>7. Absence of Warden</del> .....	<del>3</del>
<del>8. Election of Warden</del> .....	<del>4</del>
<del>9. Powers and Duties of the Warden</del> .....	<del>5</del>
<del>10. Voting Rights for the Warden</del> .....	<del>6</del>

11.	Warden Entering Debate	6
12.	Order of Business	6
13.	Minutes	7
14.	Rules of Conduct and Debate	7
15.	Taping or Recording of Meetings	7
16.	Declaration of Pecuniary Interest	8
17.	Voting	9
18.	Motions	9
19.	Notice of Motion	10
20.	Committee of the Whole	11
21.	Standing Committees of Council	11
22.	Duties of the Committees	13
23.	Special Committees	14
24.	By-laws	15
25.	Petitions and Communications	16
26.	Delegations	16
27.	Notice Provisions	17
28.	Conflict	17
29.	Repeal and Enactment	17



The Corporation of the County of Bruce

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Closed Meeting Procedures

Effective Date: March 1, 2016 Revision Date:

Reviewed by Staff:

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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 as amended.

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

Closed meeting minutes are taken by the Recording Secretary. In the event the Recording Secretary is excused from the closed portion of the meeting, the C.A.O. will document the proceedings. The authority for the responsibility of minutes has been delegated to the C.A.O. by the Director of Corporate Services.

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 that this shall be 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 circulated to the members electronically, in advance of the meeting, to allow members time to read the minutes and reports.

Recipients shall not copy, forward or in any way share the confidential information. It is recommended the email containing the confidential information related to the closed meeting be deleted immediately following the closed meeting.



## Committee Report

**To:** Warden Mitch Twolan  
Members of the Executive Committee

**From:** Kelley Coulter,  
Chief Administrative Officer

**Date:** March 2, 2017

**Re:** Delegation of Head under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)

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### **RECOMMENDATION:**

That a by-law be introduced to designate the Executive Committee as Head for the purposes of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA); and,

That the Executive Committee delegates its powers and duties of the Head for the purposes of the Municipal Freedom of Information and Protection of Privacy Act, 1990, to the Clerk; and,

That by-law 2011-025 be repealed.

### **BACKGROUND:**

The purpose of the Municipal Freedom of Information and Protection of Privacy Act is to provide individuals with a right of access to certain records and personal information under the custody or control of the institutions covered by the Act.

Under Section 3.(1) of the Municipal Freedom of Information and Protection of Privacy Act the Council of a municipality may by by-law designate from among themselves an individual or a committee of the council to act as head of the municipality for the purposes of the Act. If no person is designated as head under this section, the head shall be the Council, in the case of a municipality.

Under Section 49.(1) of the Municipal Freedom of Information and Protection of Privacy Act a head may in writing delegate a power or duty granted or vested in the head to an officer or officers of the institution or another institution subject to such limitations, restrictions, conditions and requirements as the head may set out in the delegation.

In 2011 a by-law was passed designating the Corporate Services Committee as the Head under MFIPPA in addition to also delegating its duties to the Clerk-Treasurer. With the promotion of the Deputy Clerk to Clerk who reports through the Executive Committee, the by-law requires updating.

### **FINANCIAL/STAFFING/LEGAL/IT CONSIDERATIONS:**

There is no financial, staffing, legal or IT considerations associated with this report.



Corporation of the County of Bruce  
Executive Committee

brucecounty.on.ca

**INTERDEPARTMENTAL CONSULTATION:**

There was no interdepartmental consultation.

**LINK TO STRATEGIC GOALS AND ELEMENTS:**

Goal #3 - Find creative new ways to engage our public

Element #C - Make the County fully accessible to the people through access to information

Written by Donna Van Wyck, Clerk

**Approved by:**

A handwritten signature in black ink, appearing to read 'Kelley Coulter', with a stylized flourish at the end.

Kelley Coulter  
Chief Administrative Officer



## By-law Number 2017-

### A by-law to designate a Head for the purposes of the Municipal Freedom of Information and Protection of Privacy Act, 1990

Pursuant to Section 3. (1) of the Municipal Freedom of Information and Protection of Privacy Act the members of the council of a municipality may by by-law designate from among themselves an individual or committee of the council to act as head of the municipality for the purposes of the Act.

Pursuant to Section 49. (1) a head may in writing delegate a power or duty granted or vested in the head to an officer of officers of the institution or another institution subject to such limitations, restrictions, conditions and requirements as the head may set out in the delegation.

The Council for the Corporation of the County of Bruce enacts By-law 2017- as follows:

1. That the Executive Committee of the Corporation of the County of Bruce is hereby designated to act as the Head for the purposes of the Municipal Freedom of Information and Protection of Privacy Act, 1990.
2. That the Executive Committee delegates its powers and duties of the Head for the purposes of the Municipal Freedom of Information and Privacy Act, 1990, to the Clerk.
3. That by-law 2011-025 be repealed.
4. This by-law shall come into effect on the day it is passed by Council.

Passed this 6th day of April, 2017

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Mitch Twolan  
Warden

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Donna Van Wyck  
Clerk



## Committee Report

**To:** Warden Mitch Twolan  
Members of the Executive Committee

**From:** Kelley Coulter, CPA, CGA, MPA  
Chief Administrative Officer

**Date:** March 2, 2017

**Re:** Royal Canadian Legion Ontario Command

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### RECOMMENDATION:

That the request from the Royal Canadian Legion, Ontario Command to sponsor an advertisement in the Military Service Recognition Book be approved and funded from the 2017 Unassigned/Miscellaneous Grants Account.

### BACKGROUND:

In 2014, the County approved a request to sponsor an advertisement in the Military Service Recognition Book. This sponsorship was a full page color add at a cost of \$1,595. Very positive feedback from the ads was received.

The Royal Canadian Legion Ontario Command released Volumes II and III in 2015 and 2016, and once again the County sponsored full page color adds at a cost of \$1,595.

Again in 2017, the Royal Canadian Legion Ontario Command will be releasing the Military Service Recognition Book. The Books are published to assist in identifying and recognizing many of the veterans within the Province of Ontario and also to serve as a reminder for generations to come. The Ontario Command is asking for Bruce County to once again consider this sponsorship in 2017.

As was reported in the report related to the 2014 request, the County does not historically contribute to requests to advertise in publications. Departments have however sponsored advertisements in Association publications recognizing certain events, ie. EMS Week, Long Term Care, Museum, but it is very minimal.

This request is somewhat unique and should Council choose to support this request, it could be funded from the 2017 Unassigned / Miscellaneous Grants Account. \$5,000 has been budgeted for requests received through the year and approved by Council.

### STAFFING/LEGAL/IT CONSIDERATIONS:

There are no staff, legal or IT considerations associated with the report.

### INTERDEPARTMENTAL CONSULTATION:

None required.



Corporation of the County of Bruce  
Executive

[brucecounty.on.ca](http://brucecounty.on.ca)

LINK TO STRATEGIC GOALS AND ELEMENTS:  
None.

A handwritten signature in black ink, appearing to read 'Kelley Coulter', is written over a light blue horizontal line.

Kelley Coulter  
Chief Administrative Officer

**From:** CAIN Lynda -CORPRELCOMM <[lynda.cain@opg.com](mailto:lynda.cain@opg.com)>

**Date:** Tue, 21 Feb 2017 14:16:04 -0500

**To:** 'warden@brucecounty.on.ca' <[warden@brucecounty.on.ca](mailto:warden@brucecounty.on.ca)>

**Cc:** KUNTZ Fred -CORPRELCOMM <[fred.kuntz@opg.com](mailto:fred.kuntz@opg.com)>

**Subject:** Expressions of Support for the Western Waste Management Facility Licence Renewal

Warden Mitch Twolan, County of Bruce

**Re – Expressions of Support for the Western Waste Management Facility Licence Renewal**

Dear Mitch,

As you may be aware, Ontario Power Generation (OPG) is seeking regulatory approval to renew the Western Waste Management Facility (WWMF) operating licence by 10 years to May 31, 2027. During this licensing process, OPG's regulator the Canadian Nuclear Safety Commission (CNSC) encourages and appreciates input from the community in making their decision.

In May 2016, OPG submitted the licence application to CNSC. The application seeks continued operation of the Western Waste Management Facility on the Bruce Site to support continued safe operations and refurbishment of Ontario's nuclear stations. The licence term from 2017 to 2027 will ensure:

- Continued operations of storage buildings and request for additional storage space for all types of waste.
- Continued stringent environmental reviews and monitoring to protect the environment.
- Enhanced abilities to process and store low-level waste.
- Upgrades to existing processes and equipment.

Here is a link to the web page we have created about the WWMF licence renewal. It also contains links to information about the WWMF as well as OPG's waste organization. <http://www.opg.com/generating-power/nuclear/nuclear-waste-management/Pages/WWMF-Licence-Renewal.aspx>

Members of the public are invited to comment on OPG's application. Directions on how to make a submission are located at [this link](#) to the CNSC and in this [Notice of Public Hearing](#) announcement. **The deadline is March 13, 2017.**

[OPG has been safely storing nuclear waste](#) from the Bruce, Pickering and Darlington generating stations for more than 40 years. We are proud of our operating record and the progress we have made toward long-term solutions for the future. WWMF employees are well trained and regard safety for employees, the public and the environment as their top priority. We feel confident our licence submission meets the requirements of the CNSC.

Thank you for your support of the relicensing process.

**Lynda Cain** /Senior Communications Advisor /Corporate Relations and Communications

**Ontario Power Generation**, 177 Tie Road, Box 7000, B21, Tiverton, Ontario N0G 2T0

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