



Tuesday, November 24th, 2009

2:30 p.m.

**Lanark Highlands Municipal Office - 75 George Street, Lanark, Ontario
Council Chambers**

**2:30 p.m. Committee of the Whole*

**7:00 p.m. Council*

Chair, Deputy Mayor Bruce Horlin

1. CALL TO ORDER

2. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

3. APPROVAL OF MINUTES

Suggested Motion:

*“**THAT**, the minutes of the Committee of the Whole Committee meeting held on November 10th, 2009 be approved as circulated.”*

4. APPROVAL OF AGENDA

Suggested Motion:

*“**THAT**, the agenda be adopted as presented.”*

5. DELEGATIONS & PRESENTATIONS

None.

6. COMMUNICATIONS

- i) **Municipal Property Assessment Corporation (MPAC):** Toronto Bank Towers Decision – Divisional Court – *attached, page 6.*
- ii) **Ministry of Municipal Affairs and Housing (MMAH):** Proposed Changes to Municipal Elections Act – *attached, page 7.*
- iii) **AMO Alert No. 09/074:** Good Government Bill Proposed Municipal Election Changes – *attached, page 9.*

- iv) **AMO Alert No. 09/072:** Minister of Finance Delivers Fall Economic Statement – *attached, page 10.*
- v) **AMO Alert No. 09/071:** Bill 168, Violence & Harassment in the Workplace – *attached, page 11.*
- vi) **AMO Alert No. 09/070:** Waste Diversion Act Review – *attached, page 12.*
- vii) **People First of Lanark County:** Request for Funding – *attached, page 13.*

Suggested Motion:

“THAT, *the communication items for the November 24th, 2009 Committee of the Whole Committee meeting be received for information only.”*

7. REPORTS

- i) **Report #PWWM-26-2009 Sewer & Water Project Update** (includes answers to questions from November 10th meeting) – *attached, page 15.*
David Riis, Township Engineer.

Suggested Motion:

“THAT, *the questions and response summary appended to and forming a part of Report #PWWM-26-2009 Sewer & Water Project be attached to materials submitted to appropriate regulatory authorities, and be forwarded to Mrs. Theresa Scott and the Lanark ERA, and be placed on the Township’s website;*

THAT, *the summary of events provided by the Township Engineer concerning an unsolicited proposed alternative drinking and source water contamination solution submitted by Mr. Jamie Saunders be received for information with copies to be forwarded to Lanark County Council and the media for the purpose of correcting misinformation currently in circulation with respect to Mayor Bob Fletcher’s role in the matter;*

THAT, *the comments provided by the Medical Officer of Health and supported by the Board of the Leeds Grenville and Lanark District Health Unit regarding the alternative water contamination solution proposed by Mr. Scott Reid, MP and Mr. Randy Hiller, MPP be noted and received for information;*

THAT, *Mr. David Riis’ letter of pending resignation from the position of Township Engineer be received with regret and a vote of sincere thanks for his fine and valuable services to the Township as its sewer and water project manager be expressed;*

THAT, *the Chief Administrative Officer bring forward a report and recommendation to address the matter of replacing Mr. Riis’s services;*

AND THAT, the process for finalizing the Addendum to the Environmental Study Report as set out by the Township Engineer be approved and implemented.”

- ii) **Monthly Financial Report – Ending October 31st, 2009 – attached, page 22.**
Robert Bunker, Treasurer.

Suggested Motion:

“THAT, the Monthly Financial Report – Ending October 31st, 2009 be received for information.”

- iii) **Report #FIN-10-2009 Propane Vendor – attached, page 24.**
Robert Bunker, Treasurer.

Suggested Motion:

“THAT, the Township of Lanark Highlands enter into a three year contract with Superior Propane for the provision of propane fuel at all Lanark Highlands sites requiring propane.”

- iv) **2010 Council/Committee Calendar – attached, page 26.**
Amanda Mabo, Clerk/Deputy CAO.

Suggested Motion:

“THAT, the 2010 Council/Committee Calendar be approved as presented.”

- v) **Municipal Drug Strategy Committee – Appointment of Council Rep (verbal).**
Amanda Mabo, Clerk/Deputy CAO.

Suggested Forthwith Motion:

“THAT, _____ be appointed to the Lanark Highlands – Municipal Drug Strategy Committee as the Council Representative.”

- vi) **Procedural By-Law Draft #1 – Sections 8.0, 9.0, 10.0, 5.0, 6.0, 1.0 - attached, page 27.**
Amanda Mabo, Clerk/Deputy CAO.

Suggested Motion:

“THAT, Sections 8.0, 9.0, 10.0, 5.0, 6.0 and 1.0 of the Draft Procedural By-Law be approved and be presented at the December 15th, 2009 Township Council meeting in the final version of the new Procedural By-Law for final approval.”

- vii) **Mississippi Valley Conservation Administration Office (verbal).**
Tom Derreck, Chief Administrative Officer.

8. IN-CAMERA ITEMS

None.

9. NEW/OTHER BUSINESS

- i) **Councillor Accessibility – Customer Service Training – 1 Hour.**
Amanda Mabo.

10. DEFERRED ITEMS

**The following items will be discussed at the next and/or future meeting:*

- ***Downtown Village Parking (verbal).***
Councillor Peter McLaren.

11. ADJOURNMENT

COMMUNICATIONS



MUNICIPAL PROPERTY ASSESSMENT CORPORATION

September 30, 2009

To: All Heads of Council
Ontario Municipalities

From: Debbie Zimmerman
Chair, MPAC Board of Directors

Subject: Toronto Bank Towers Decision – Divisional Court

On August 11, 2009, the Divisional Court released its decision regarding the Toronto Bank Towers. In a unanimous decision, the Court found that the Assessment Review Board's (ARB) interpretation of "current value" and "fee simple if unencumbered" is wrong in law. The decision confirms the approach that the Municipal Property Assessment Corporation (MPAC) has used in valuing commercial property across Ontario.

The issue arose in February 2008 as a result of a decision of the ARB related to the Toronto Bank Towers. The ARB ruled that "current value" for assessment purposes should be based only on the interest of the owner, not the tenant, and that the buildings must be valued as if vacant. MPAC and the City of Toronto appealed the decision to the Divisional Court.

In its decision, the Divisional Court found that the ARB's interpretation of the *Assessment Act* would significantly under-value these properties and would not result in a fair distribution of the property tax burden. The Court stated that the ARB's interpretation does not comply with long-standing common law dating back to 1907. The Divisional Court ordered that the matter be returned to a differently constituted panel of the ARB and will give that panel direction on the application of this decision.

However, on August 25, representatives for the property owners filed a motion requesting 'leave to appeal' to the Court of Appeal for Ontario. Unfortunately, we do not have a time line as to when the Court of Appeal will hear the leave application.

Background information about the decision has been posted on our website for your reference. If you have any questions, please feel free to contact Arthur Anderson, Director, Municipal Relations, 905 837-6993.

Yours truly,

"Original Signed by"

Debbie Zimmerman
Chair, MPAC Board of Directors

Copy: Carl Isenburg, President and Chief Administrative Officer, MPAC
Executive Management Group
Arthur Anderson

Office of the Chair c/o Municipal Property Assessment Corporation
1305 Pickering Parkway, Pickering, Ontario L1V 3P2
T: 905.688.0990 ext 224 F: 905.831.0040 www.mpac.ca

Amanda Mabo (Lanark Highlands)

From: "Ministry of Municipal Affairs and Housing / ministère des Affaires municipales et du Logement" [communications.mah@ontario.ca]
Sent: October 27, 2009 3:32 PM
To: Amanda Mabo (Lanark Highlands)
Subject: A message from the Ministry of Municipal Affairs and Housing / Un message du ministère des Affaires municipales et du Logement

To: Heads of Council

C: Municipal Clerks

A bill introduced in the Ontario Legislature today includes proposed reforms in a number of areas of interest to municipalities, including proposed changes to the Municipal Elections Act, 1996, the Municipal Act, 2001, and the City of Toronto Act, 2006.

Municipal Elections

We are proposing changes to the Municipal Elections Act, 1996 in the following areas:

- Moving the election date forward to the fourth Monday of October, beginning October 25, 2010.
- Promoting greater accessibility to the election process for voters and candidates with disabilities.
- Improving the accuracy of the voters' list.
- Bringing greater transparency to the voting process by requiring voter identification.
- Clarifying campaign finance rules and supporting a more level playing field for candidates.
- Creating a new contribution limit of \$5,000 per contributor in each jurisdiction, in addition to the existing limit of \$750 per candidate.
- Eliminating the carrying forward of surplus campaign funds by candidates from one election to the next (existing surplus will be grandfathered for use in the 2010 campaign).
- Strengthening the compliance and enforcement regime through firm deadlines for submitting financial statements and harmonized penalties.

Other Reforms

Proposed changes to the Municipal Act, 2001 and City of Toronto Act, 2006 fall into the areas of finance and accountability and transparency:

- Clarifying that a municipal Auditor General's functions are to be carried out in an independent manner.
- Providing greater flexibility by reducing and streamlining prescriptive financial process requirements (e.g. the removal of deadlines for certain tax policy decisions).
- Revoking all municipal restructuring orders signed prior to January 2, 2005, except for provisions in orders that still have effect. (This would not undo any restructuring implemented by any of the affected municipal restructuring orders)
- Changing regulation making authority for municipal services corporations established by municipalities.

Proposed regulatory amendments would allow municipal services corporations to put in place corporate structures and subsidiaries.

These legislative and regulatory amendments are aimed at increasing municipalities' economic competitiveness, innovation, economic readiness and flexibility in meeting their needs.

Should your municipality have any additional questions, please feel free to call (416) 585-7041 or visit the [Ministry of Municipal Affairs and Housing website](#).

Learn more about the proposed [Good Government Act](#).



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Toronto, ON M5H 3C8
Tel: (416) 971-9856 | Fax: (416) 971-6191
E-mail: amo@amo.on.ca

ALERT

MEMBER COMMUNICATION

ALERT N°: 09/074

To the attention of the Clerk and Council
October 27, 2009

FOR MORE INFORMATION CONTACT:
Matthew Wilson, AMO Senior Policy Advisor
(416) 971-9856 ext. 323

Good Government Bill Proposes Municipal Election Changes

Issue: Today the Honourable Chris Bentley, Attorney General introduced a bill which would amend the *Municipal Elections Act, 1996*.

Quick Summary:

After each municipal election, the provincial government reviews the Act which governs the conduct of elections to determine any changes to improve the administration of elections. The government has completed its review and proposes a number of changes to existing election practices. Proposed changes include:

Date Change - The legislation would move the election date forward to the fourth Monday of October. The next municipal election would be held on October 25, 2010.

Campaign Financing - Campaign surpluses in future elections would go to the municipality. Existing surpluses could be used by candidates for the election of 2010 only. Fundraising limits would be increased from 70 cents per elector to 85 cents. The bill would establish new contribution limits of \$5,000 per contributor in each jurisdiction in addition to the existing limit of \$750 per candidate. The proposal provides for more detailed reporting requirements of election expenses for all campaigns. In addition, municipal clerks would make all financial filings available in electronic format.

Compliance Audits and Financial Accountability - Responsibility for Compliance Audits would be shifted from Councils to an arms-length Compliance Committees of 3-7 citizens appointed by all Councils. This would replace the current system in which Council's may appoint or delegate such duties.

Accessibility - The proposed changes would have regard for the needs of disabled voters and candidates.

Voters List - The change would permit municipalities and MPAC to use additional sources of personal information to improve the accuracy of the voters list.

For more information regarding these and other proposals contained in the Good Government Bill, please visit the Ministry of Municipal Affairs and Housing's [website](#). AMO's detailed review of the bill will continue.

This information is available in the Policy Issues section of the AMO website at www.amo.on.ca.



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ALERT

MEMBER COMMUNICATION

ALERT N°: 09/072

To the attention of the Clerk and Council
 October 22, 2009

FOR MORE INFORMATION CONTACT:
 Matthew Wilson, AMO Senior Policy Advisor
 (416) 971-9856 ext. 323

Minister of Finance Delivers Fall Economic Statement

Issue:

Today the Honourable Dwight Duncan, Minister of Finance delivered the 2009 Ontario Economic Outlook and Fiscal Review.

Quick Summary:

The provincial government is now projecting a \$24.7 billion deficit for 2009-10. This is a significant increase over previous government estimates including one issued just last month at \$18.5 billion. This highlights the significant economic challenges Ontario currently faces. In future years, deficits of \$24.7 billion in 2010-11 and \$19.4 billion in 2011-12 are projected.

The Minister announced that the government would be conducting, "a rigorous strategic spending review" focusing on government programs and services. The spending review will be conducted in the coming months with a detailed plan announced as part of the 2010 Budget. The review will include all provincial agencies, boards, and commissions. In addition, the government will work with broader public sector partners to improve efficiency and effectiveness. The priorities of the government will remain the sustainability of job creation, health care and education.

This economic outlook underscores the importance of the outcomes achieved for municipalities during the Provincial-Municipal Fiscal and Service Delivery Review announced last year. Ontario Drug Benefits were fully uploaded by the province in 2008. Administration costs for the Ontario Disability Support Program (ODSP) were fully uploaded this year and in 2010, 90% of ODSP benefits will be provincially funded and the Ontario Works benefit upload (3%) will commence. In addition, the Ontario Municipal Partnership Fund (OMPF) social programs component will continue to respond to changing social assistance costs throughout this period. These uploads will benefit municipalities and local property taxpayers for years to come.

This information is available in the Policy Issues section of the AMO website at www.amo.on.ca.



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ALERT

MEMBER COMMUNICATION

ALERT N°: 09/071

To the attention of the Clerk and Council
October 22, 2009

FOR MORE INFORMATION CONTACT:
Darcy Higgins, Policy Advisor
(416) 971-9856 ext 315

Bill 168, Violence & Harassment in the Workplace

Issue:

Bill 168, the Occupational Health & Safety Amendment Act (Violence & Harassment in the Workplace), was debated and passed second reading on October 20 by the Legislative Assembly of Ontario. It has been deferred to the Standing Committee on Social Policy.

Background:

The Bill will require all employers in Ontario with five employees or more to develop policies regarding workplace violence and harassment in order to reduce their occurrence.

The Bill's intention is to clarify the *Occupational Health and Safety Act* and to add more certainty to it, by mandating that employers take every reasonable precaution to protect a worker from health and safety issues in the workplace, including violence. The Ministry of Labour will provide employers with templates, guidelines and checklists that will assist them in understanding obligations and expectations with regards to policies and programs.

The Bill provides for the right of an employee to refuse work on the basis of workplace violence. It does however, limit this ability in the case of police, fire, corrections, ambulance, homes for the aged and health sectors, if there are inherent risks to the job, or, for example, if leaving a situation could put someone else in danger. The transit sector is not included in this limitation.

Action:

AMO will monitor the progress of the Bill and notify members when it is brought to the Standing Committee on Social Policy, for those municipalities interested in submitting comment. AMO will make a formal submission to the Committee as well.

This information is available in the Policy Issues section of the AMO website at www.amo.on.ca.





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ALERT

MEMBER COMMUNICATION

ALERT N°: 09-070

To the attention of the Clerk and Council
October 22, 2009

FOR MORE INFORMATION CONTACT:
Milena Avramovic, AMO Senior Policy Advisor
(416) 971-9856 ext 342

Waste Diversion Act Review

Issue:

The Minister of the Environment gives an update on the Waste Diversion Act Review during the kick-off of Waste Reduction Week.

Background:

At the Recycling Council of Ontario's kick-off of Waste Reduction Week, Minister Gerretsen revealed what municipalities can expect in the provinces soon to be released diversion strategy - "Report on the Waste Diversion Act Review". Some of the key aspects of the strategy are highlighted below:

- The waste diversion strategy will be based on 100% Extended Producer Responsibility (EPR) and will identify the materials, targets and timelines to meet the targets.
- Individual producers will be responsible for diverting the waste and provided the flexibility in how they meet this responsibility. There will be requirements for regular reporting and accountability measures such as penalties for those who fail to meet their requirements.
- The framework will also recognize broader range processes and technologies, existing, new and emerging, on material recovery that can be reused or recycled.
- The government will clarify roles and responsibilities of all participants and will be looking to the governance structure and mandate of Waste Diversion Ontario (WDO) as a model for robust and accountable governance.
- The Minister also addressed the review of the Blue Box and the need to plan for the transition to full EPR, including municipal investments, consumer accessibility and service standards.

AMO will advise members of the release of the "Report on the Waste Diversion Act Review" as soon as it is available, and will provide information on the consultation sessions which the Ministry is planning to conduct. You can access the [speech here](#).

Action:

FYI

This information is available in the Policy Issues section of the AMO website at www.amo.on.ca.





People First of Lanark County
15 Bates Drive, Carleton Place, Ontario, Canada K7C 4J8
Phone: 613-257-7730 ♦ E-mail: koryearle@hotmail.com

Dear: Council

As you are aware, People First of Lanark County is a local self-advocacy group for people with intellectual disabilities. All local and regional chapters are independent organizations. We are writing to request emergency funding of any amount for Office Rent, Our rent every month is 350 dollars; our local chapter is not funded by any kind of Government and or Other Organizations.

Please consider our petition for this urgent funding so that our organization can continue to advocate for People with intellectual disabilities.

Carleton Place Council has been a great support, they have covered our rent for 2009, and however we are asking all council in the county to help with our rent for 2010.

We are in a defecate of over 5000 dollars; this is because we have done a lot of advocating in the county on behave of people with disabilities.

I would also like to mention that I am the New President of People First of Ontario

We hope that you are able to help us, if you have any questions, please feel free to contact the office and speak with someone.

Sincerely,

Kory Earle President of People First of Lanark County

Self-Advocacy ♦ Self-Determination ♦ Self-Empowerment

REPORTS

**THE CORPORATION OF THE
TOWNSHIP OF LANARK HIGHLANDS**

COMMITTEE OF THE WHOLE

November 24, 2009

Report #PWWM-26-2009
of the Township Engineer

SEWER AND WATER PROJECT UPDATE

STAFF RECOMMENDATION(S)

THAT, the questions and response summary appended to and forming a part of this report be attached to materials submitted to appropriate regulatory authorities, and be forwarded to Mrs. Theresa Scott and the Lanark ERA, and be placed on the Township's website;

AND THAT, the summary of events provided by the Township Engineer concerning an unsolicited proposed alternative drinking and source water contamination solution submitted by Mr. Jamie Saunders be received for information with copies to be forwarded to the County Council and the media for the purpose of correcting misinformation currently in circulation with respect to Mayor Bob Fletcher's role in the matter;

AND THAT, the comments provided by the Medical Officer of Health and supported by the Board of the Leeds Grenville and Lanark District Health Unit regarding the alternative water contamination solution proposed by Mr. Scott Reid, MP and Mr. Randy Hiller, MPP be noted and received for information;

AND THAT, Mr. David Riis' letter of pending resignation from the position of Township Engineer be received with regret and a vote of sincere thanks for his fine and valuable services to the Township as its sewer and water project manager.

AND THAT, the CAO bring forward a report and recommendation to address the matter of replacing Mr. Riis's services

AND THAT, the process for finalizing the Addendum to the Environmental Study Report as set out by the Township Engineer be approved and implemented

A. Delegation Questions - Sewer & Water ESR Addendum

Background

At the Committee of the Whole on November 10, 2009 Mrs. Theresa Scott made a presentation on behalf of a number of villagers and put forward a series of questions about the proposed ESR Addendum. Staff indicated that answers to those questions would be brought to the Committee of the Whole on November 24, 2009.

Discussion

A summary of the questions and their answers is attached to and forms a part of this report. Answers were developed by the Township Engineer with input from Huber Environmental and Northern Watertek Corporation.

B. Unsolicited Proposed Alternative Drinking and Source Water Contamination Solution - Mr. J. Saunders - Mississippi Rideau Valley Septic Systems

Background

At the County Council Meeting of 13 November the Township Engineer was made aware of the fact that our MP and MPP had initiated a poll or referendum by ballot offering residents of Lanark Highlands a choice between expensive municipal water and sewer system and a less expensive private system upgrade.

It's understood that the private system upgrade option was based on an unsolicited proposal received by the Township Engineer from Mississippi-Rideau Septic System Office, in June, 2009.

The private system upgrade option is not supported by the Environmental Study Report (ESR) completed in April, 2008. Nor would it be supported by the Leeds, Grenville, Lanark County Health Unit or the Medical Officer of Health – whose office has consistently advised that the only way to fully resolve the drinking water/ground water contamination problem in the village was a municipal water and sewer system.

Discussion

In April, 2003 at the end of Phase 2 of the ESR the Township insisted that Stantec carry a 'Private Well Upgrade' option into Phase 3 as a fall-back should insufficient funding be available for the full municipal system which the ESR had selected as the preferred option.

The 'Private Well Upgrade' option would have installed a municipal sewage system to remove all sewage from the village, brought all wells up to code, monitored the aquifer and installed in-house filtration systems as required on an interim basis until the aquifer cleansed itself.

In the Phase 3 report, Stantec and Golder would not endorse this option and listed twelve arguments supporting their position including the statement:

“Golder has noted that there is a chance of the aquifer to cleanse itself, however there is also a chance it may never cleanse itself. Improperly constructed private wells and abandoned wells may also contribute to continued contamination of the aquifer by allowing rapid transport of surface water runoff to the groundwater table due to the overall fractured rock conditions.”

The unsolicited proposal from Mississippi-Rideau Valley Septic System Office had its origins in an interview meeting with Mr. Roddy Bolivar who was writing an article on our experience with regard to water and sewer. Mr. Bolivar was accompanied by Mr. Jamie Saunders who worked for Mississippi- Rideau Valley Septic at the time and lived in Lanark.

CAO’s Comments

Further to the Township Engineer’s statements above, on Page 5 of the materials currently in circulation by Mr. Scott and Mr. Hillier - as information accompanying ‘ballots’ intended for use in their opinion poll - it’s stated that Mayor Fletcher was “approached” on June 22, 2009 with the proposal they’re now espousing and did not share the information with the Council.

Those statements are not factual.

1. As the Township Engineer has noted, the unsolicited proposal originated in a late May, 2009 interview with an engineering society newsletter author, Mr. Roddy Bolivar, who was accompanied and assisted by Mr. Jamie Saunders.

The CAO participated in that interview with the Township Engineer during which Mr. Saunders expressed his interest in the Township’s water contamination issue.

2. Mr. Saunders’ thereafter took it upon himself to submit a proposal to the Township Engineer via email dated June 18th.
3. On June 22nd, the Township Engineer sent an email to all members of the council’s Technical Advisory Committee (*Mayor Fletcher, Councillor Peter McLaren, the Public Works Superintendent and the CAO*) informing them about Mr. Saunders’ unsolicited submission.
4. In that email, Mr. Riis suggested that if a need to scale back the sewer and water project should arise (ie: to service the Village core only due to a lack of funding), then Mr. Saunders’ proposal could be considered for application to the remainder of the Village properties that wouldn’t get water and sewer servicing. The TAC members accepted the Engineer’s message and conclusions as information with no further action expected or required of them.

5. There the matter rested for four months, until mid-October, when it was learned that Mr. Saunders' proposal had found its way to Mr. Reid's office and that Mr. Saunders had been contacted by Mr. Reid and invited to meet with him.
6. In preparation for that meeting, Mr. Saunders contacted the Township Engineer and requested any background information that could be made available to him in preparation for his upcoming talk with Mr. Reid.

The Township Engineer pointed out to Mr. Saunders that his proposal conflicted with the ESR and its findings and recommendations; and with the communal solution decided upon by the Council.

7. On October 28, 2009 – two days after the Sewer and Water Public meeting - the CAO learning that Mr. Saunders was providing information to Mr. Reid about his proposal.

The CAO emailed Mr. Saunders and requested to be provided with a copy of his information provided to Mr. Reid so that . . .

“the Mayor and members of our council will be equally informed and in a position to address any development that might arise in respect of it.”

8. Next day – October 29th - Mr. Saunders responded to that request by emailing a summary of his proposal submission intended for Mr. Reid, directly to all members. Of our Council.
9. First clear mention of Mr. Reid's and Mr. Hillier's serious consideration of it came with Mr. Reid's address to the County Council on November 13th.

Neither Mayor Fletcher, nor anyone else at the Township offices has ever received an invitation from Mr. Reid or Mr. Hillier to discuss the merits of the proposal.

10. Similarly, since receiving Mr. Saunders' proposal outline by email on October 29th, the matter hasn't been raised by any member of council.

As noted below, Mr. Saunders' proposal is not supported by the Medical Officer of Health or by the Leeds, Grenville and District Health Unit who have consistently advised that the only way to fully resolve the drinking water/ground water contamination problem in the village is with a municipal water and sewer system.

C. Comments by Medical Officer of Health – Proposed Alternative Drinking and Source Water Contamination Solution

Background

On November 17, 2009, Dr. Ann Carter, Medical Officer of Health issued a release to the media concerning the drinking and source water contamination solution proposed by Mr. Scott Reid, MP and Mr. Randy Hiller, MPP. The release reads as follows;

“The water and sewer problems in Lanark Village are a communal problem and require a communal solution.

I do not support the installation of individual water treatment systems for many reasons, including the environmental problems they can cause, the jurisdictional problems with their installation and maintenance and the ongoing maintenance problems they engender.

Upgrading of individual septic systems and wells has been tried in Lanark Village and has failed to solve the problem in the past and it will not solve it now.

In addition, this approach fails to allow for any growth or economic development in the village.”

Dr. Carter’s comments have been endorsed by the Leeds, Grenville and Lanark District Health Unit Board of Directors.

D. Retirement of the Township Engineer

Background

By letter dated November 16, 2009, the Township Engineer has advised that, commencing on December 1, 2009 and concluding on March 1, 2010, his services will only be available on a one-day-per-week basis. The cutback is due to his wish to pursue his grandfather/retirement functions.

After March 1, 2009, Mr. Riis will make himself available by phone when ‘project memory’ is required.

The CAO, with input from Mr. Riis and the Public Works Superintendent, is preparing a report and recommendation to address the replacement of Mr. Riis’s services.

That report is intended for presentation at the Committee of the Whole meeting scheduled for December 3, 2009.

E. ESR Addendum Finalization

Background

On February 17, 2009 the Council authorized an approval process (attached) for Northern Watertek's (NWC) proposal for a sewage/septage treatment plant for the village.

We are now at the stage where the proposed ESR Addendum will be finalized and presented to Council for approval.

Discussion

Questions or concerns received in writing about the proposed Addendum will be answered in writing and appended in an Appendix to the Addendum.

The Addendum will then be finalized and presented to Council for approval (November 24, 2009).

Following Council approval, the Addendum, will be sent to regulating authorities and stakeholders for comment, and will then be posted for 30 days.

If there are no challenges to the addendum and it receives final MOE approval, a contract with NWC for the design and construction and commissioning of the treatment plant will be drafted and brought for the council's approval at such time as required upper government level funding support is obtained.

The fixed price (provided last January by NWC) was \$3.24 million. This could increase with inflation if there is a lengthy delay in the approval of funding.

David Riis
Township Engineer

Tom Derreck
CAO

**APPROVAL PROCESS FOR
NORTHERN WATERTEK'S WASTE WATER TREATMENT PROPOSAL**

Approved by Council 17 Feb 09

1. NWT submits proposal for waste water treatment plant on North St. site.
2. TAC reviews proposal and makes recommendation to Council
3. Township approves proposal in principle subject to acceptance of proposal and ESR Addendum by MOE and to public consultations and authorizes pre-submission consultations with MOE.
4. Township/NWT enter into consultations with MOE (District, Region and Approvals Branches).
5. MOE accepts proposal – let's assume this happens following some iterations of the proposal. If MOE does not accept, the proposal is dead.
6. NWT submits proposed Addendum to ESR.
7. TAC reviews proposed Addendum and makes recommendation to Council.
8. Council authorizes a public meeting to present proposed Addendum to ESR to the public.
9. Public consultations (News release, Public Meeting).
10. Council approves Addendum to ESR amended as necessary following public consultations.
11. Township "posts" Addendum to ESR for 30 days.
12. Funding approvals received from province/feds.
13. Council approves awarding contract to NWT.
14. Contract awarded.

Township of Lanark Highlands
SUMMARY
For the Ten Months Ending October 31, 2009

	2009	2009 ACTUAL	VARIANCE	VARIANCE	
	Budget	YTD	\$	%	
		October	Bud-Actual	Budget Used	
Total Revenues:					
Corporate	\$ 21,800	\$ 4,913	\$ (16,887)	23%	Tax Certificates / Faxes / Marriage Cert. / Information Tech
Building & Protection	\$ 486,595	\$ 363,612	\$ (122,983)	75%	Fire Permits & Aggrements / Bldg Permits / Spec. Fire Levy / Dog Licences / Fines
Planning & Development	\$ 32,900	\$ 42,704	\$ 9,804	130%	Pre-Consultation / Minor Var. / Zoning Amend. & Compl. / Application Fees
Community Services	\$ 333,580	\$ 214,077	\$ (119,503)	64%	Active Seniors / Bequest / Art of Being Green / Subsidies / Reserve funds
Lanark & District Community C	\$ 154,195	\$ 77,355	\$ (76,840)	50%	Ice Rental / Municipal Grants / Booth, Hall, Sign Rentals / Reserve funds
Public Works	\$ 972,305	\$ 712,036	\$ (260,269)	73%	County Agree. / Gas Tax / Permits / Reseve funds
Environmental Services	\$ 309,200	\$ 268,432	\$ (40,768)	87%	Tipping Fees / Recycling / Spec. Waste Levy / Village Levy /Stewardship Ont.
Taxation	\$ 3,630,878	\$ 3,645,378	\$ 14,500	100%	
Payments in Lieu	\$ 45,000	\$ 55,315	\$ 10,315	123%	MNR / LCBO / Post Office / Hydro/ Waste Sites
OMPF / Unconditional Grants	\$ 1,517,400	\$ 1,517,400	\$ -	100%	
Interest & Penalties on Taxes	\$ 120,000	\$ 112,616	\$ (7,384)	94%	
Other Revenue	\$ 143,000	\$ 11,405	\$ (131,595)	8%	Interest Income / Aggregate Producers Grant
Total Revenues	\$ 7,766,853	\$ 7,025,243	\$ (741,610)	90%	

Township of Lanark Highlands
SUMMARY
For the Ten Months Ending October 31, 2009

	2009 Budget	2009 ACTUAL YTD October	VARIANCE \$ Bud-Actual	VARIANCE % Budget Used	
Total Expenditures:					
Corporate	\$ 1,126,288	\$ 918,316	\$ 207,972	82%	Council / Elections / CAO /Clerk / Finance / I.T. / Overhead
Building & Protection	\$ 1,293,059	\$ 945,500	\$ 347,559	73%	Fire Chief / Fire Stations / Emerg Meas. / CBO / Animal Control / Policing
Planning & Development	\$ 144,639	\$ 99,417	\$ 45,222	69%	Planning / Environmental Advisory
Community Services	\$ 630,280	\$ 539,348	\$ 90,932	86%	Recreation & Culture / Economic Development
Lanark & District Community Cr	\$ 193,963	\$ 114,385	\$ 79,578	59%	
Public Works	\$ 3,350,029	\$ 2,549,823	\$ 800,206	76%	
Environmental Services	\$ 771,215	\$ 1,031,886	\$ (260,671)	134%	Waste Collection / Waste Sires / Hazardous Waste / Water & Sewer Sewer
Conservation Authority Levy	\$ 16,620	\$ 21,578	\$ (4,958)	130%	
Deficit (Surplus)	\$ 240,760	\$ 240,760	\$ -	100%	
Total Expenditures	\$ 7,766,853	\$ 6,461,013	\$ 1,305,840	83%	
Surplus / (Deficit)	\$ -	\$ 564,230			
		\$ 552,010			Funds owing from Water & Sewer Investment
Total Year to Date Surplus		\$ 1,116,240			

A review of the detailed revenues and expenditures accounts to the end of October 2009 would indicate that the Township is still in a position to meet budget expectations. There were not any significant variations that would be of concern at this time.

**THE CORPORATION OF THE
TOWNSHIP OF LANARK HIGHLANDS**

COMMITTEE OF THE WHOLE

November 24, 2009

Report #FIN-10-2009
of the Treasurer

PROPANE VENDOR

STAFF RECOMMENDATION(S)

“THAT, The Township of Lanark Highlands enter into a three year contract with Superior Propane for the provision of propane fuel at all Lanark Highlands sites requiring propane.

AND THAT, This recommendation be brought to Council on November 10, 2009 to enable Superior Propane to complete the change over before severely cold weather arrives.

BACKGROUND

A number of weeks ago the Sales Manager for Superior Propane had approached the Arena Manager to provide an unsolicited proposal to become the propane supplier for the Township of Lanark Highlands. Since 2002, propane has been provided throughout the Township by Levac Propane.

He indicated that through their ‘VIP Program’ the Township would be able to save a significant amount of money.

When the Township left Superior Propane in 2002, it ended a relationship that was not totally amicable. At the time, Superior had been charging the Township twice the rate that Levac was able to charge.

The Treasurer did undertake to investigate the Superior Propane money saving proposal further.

DISCUSSION

The Treasurer contacted Superior Propane to request a copy of the proposal that would show the savings to the Township, a copy of the contract the Township would be expected to sign and confirmation that there would be no cost to the Township to switch fuel tanks to Superior from Levac.

The Treasurer contacted Levac Propane to give them an opportunity review their pricing in view of what Superior was offering and to inquire if the Township did change providers what costs would be charged for tank removal etc.

FINANCIAL IMPLICATIONS

A copy to the Cost Saving Worksheet as provided by Superior Propane is attached with 2008/09 propane volumes for Lanark Highlands entered to provide the estimated savings.

The worksheet savings are based on Superior charging \$.05 over the ' rack ' price for Year 1 and \$.12 over rack for Years 2 & 3. Rack price is the price all suppliers pay to acquire their propane supply.

There would not be a charge by Superior Propane to switch tanks and pump out the fuel from Levac's tanks into Superior's

The contract Township would be expected to sign is for five years. The Treasurer requested that Superior change the term to 3 years as no pricing has been provided for years 4 & 5. The Treasurer also requested that Superior agree to a clause allowing the Township to cancel the contract if Superior's service is determined not to be up to standard. Superior agreed to both conditions.

Based on provided volumes the Township could expect to save \$ 25,542 on propane over the next three years.

Levac Propane sent a pricing proposal to the Township that provides propane for \$.12 over the rack price for a one year period with further review after that time.

Levac Propane indicated the charge to remove their tanks if required would be about \$ 1,500.

Total savings would be about \$ 24,000 if the Township switched suppliers from Levac Propane to Superior Propane.

CONCLUSION

Based on the \$ 24,000 cost savings that the Township can expect to achieve over the next three years, it is recommended that the Township of Lanark Highlands sign a three year contract with Superior Propane to provide propane to all sites that require propane within the Township of Lanark Highlands.

Prepared and Submitted By:

Approved for Submission By:

**Robert Bunker,
Treasurer**

**Tom Derreck,
Chief Administrative Officer**



2010 COUNCIL/COMMITTEE CALENDAR

- Statutory Holiday**
- Conferences**
- Committee of the Whole & Council (2:30 & 7:00 p.m.)**
- Community Services & Building, Planning, Protective Services**
- Corporate Services & Public Works, Waste Management**
- Environmental Advisory Committee (1:30 p.m.)**
- Police Services Board (9:00 a.m.)**
- Nomination Day & Election Day**

- Feb. 21 - 24 ROMA/OGRA (Toronto)
- Apr. 29 - May 1 OAPSB (Point Edward)
- May 28 - 31 FCM (Toronto, ON)
- Aug. 15 - 18 AMO (Windsor)
- Sept. 15 - 17 OEMC (Kingston)
- Oct. TBD CRST (TBD)

JANUARY

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

FEBRUARY

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

MARCH

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

APRIL

S	M	T	W	T	F	S
				1	2	3
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11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

MAY

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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

JUNE

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		1	2	3	4	5
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27	28	29	30			

JULY

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25	26	27	28	29	30	31

AUGUST

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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

SEPTEMBER

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

* July Summer Break

* Nomination Day - September 24

OCTOBER

S	M	T	W	T	F	S
					1	2
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10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

NOVEMBER

S	M	T	W	T	F	S
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7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

* Election Day - November 8

* Last Mtg. of Old Council - November 16

DECEMBER

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

* Inaugural Meeting - December 7

* Office Closed December 20 - 31

8.0 ORDER OF BUSINESS AND GENERAL RULES

8.1 Format of Agenda

8.1.1 Council Agenda

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

- (i) Call to Order
- (ii) Moment of Silent Meditation
- (iii) Roll Call
- (iv) Disclosure of Pecuniary Interest and General Nature Thereof
- (v) Approval of Council Minutes
- (vi) Approval of Agenda
- (vii) Delegations & Presentations
- (viii) Communications
- (ix) Reports
- (x) By-Laws and Motions
- (xi) In-Camera Items
- (xii) New/Other Business
- (xiii) Notice of Meetings
- (xiii) Confirm Council Proceedings
- (xiv) Deferred Items
- (xv) Adjournment
- (xvi) Signing of "O Canada"

8.1.2 Committee of the Whole Agendas

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

- (i) Call to Order
- (ii) Disclosure of Pecuniary Interest and General Nature Thereof
- (iii) Approval of Minutes
- (iv) Approvals of Agenda
- (v) Delegations & Presentations
- (vi) Communications
- (vii) Reports
- (viii) In-Camera Items
- (ix) New/Other Business
- (x) Deferred Items
- (xi) Adjournment

“Special” and “Emergency” Meeting Agendas

8.1.2.2 The Clerk shall have prepared for the use of the Members at special and emergency meetings, an agenda as follows:

- (i) Call to Order
- (ii) Disclosure of Pecuniary Interest and General Nature Thereof
- (iii) “Business”
- (iv) Adjournment

8.1.3 Steering and Sub-Committee Meeting Agendas

8.1.3.1 The Clerk shall have prepared for the use of the Members at Steering and Sub-Committee meetings, an agenda as follows:

- (i) Call to Order
- (ii) Disclosure of Pecuniary Interest and General Nature Thereof
- (iii) Approval of Minutes
- (iv) "Business"
- (v) New/Other Business
- (vi) Next Meeting
- (vii) Deferred Items
- (viii) Adjournment

8.2 General

8.2.1 The business of each meeting shall be taken up in the order in which it stands on the agenda unless, by a majority vote, the Members decide otherwise.

8.2.2 The Clerk shall determine the appropriate meeting at which items of business shall be considered in accordance with this By-Law.

8.2.3 Where further information or reports are necessary for Council or the Committees of the Whole to review an item of business, the Clerk or CAO may postpone the placement of an item on the Agenda.

8.2.4 Where employees of the Corporation have been directed by Council to carry out a specific action and it is determined subsequently that the action cannot be carried out in accordance with Council's directions, Council will be notified as soon as possible of these findings and further direction shall be requested of Council.

8.2.5 The Chief Administrative Officer shall attend Council, Committee of the Whole and Committee meetings (both open and closed session) with the right, as given by the Chair, to speak but not to vote.

8.2.6 Department Heads will attend Council and Committee of the Whole Committee meetings unless otherwise notified by the Chief Administrative Officer.

8.3 Declaration of Pecuniary Interest

8.3.1 A Member shall declare a direct or indirect pecuniary interest in accordance with the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, as amended.

8.3.2 A Member shall declare a direct or indirect pecuniary interest by using the prescribed form in Schedule "C".

8.3.3 If the declared pecuniary interest under Section 8.3.1 above is with respect to an item on a closed session agenda, in addition to complying with the requirements of Section 8.3.1 above, the Member shall forthwith leave the closed session, or that part of the closed session during which the matter is under consideration. The Chair in their Rise and Report shall state the declaration of pecuniary interest disclosed during the closed session.

8.3.4 Where the interest of a Member has not been disclosed as required by Section 8.3.1 above, by reason of the Member's absence from the meeting, the Member shall disclose the interest at the first subsequent meeting thereafter.

8.3.5 A Council Member shall not ask another Member of Township Council, Township Staff, or Township Solicitors whether that member should declare a pecuniary interest.

8.3.6 Notwithstanding section 8.3.5 a Member of Township Council, Township Staff, or the Township Solicitor shall not offer an opinion to any Member of Council with regards to a potential conflict of interest.

8.3.7 A Member that requires a legal opinion regarding a pecuniary interest shall obtain independent legal counsel at their own expense.

8.4 Delegations and Presentations

8.4.1 Delegations

8.4.1.1 Persons who wish to appear as delegations must submit a written request outlining the purpose of their delegation to appear before a Committee, at least ten (10) days in advance of the meeting.

8.4.1.2 Delegations shall be assigned to a Committee of the Whole Committee agenda and only assigned to a Council agenda if time sensitive.

8.4.1.3 Delegations with time sensitive issues or in regards to items on the agenda that have not submitted a request within the specified time may be heard by the Committee by a two-thirds vote.

Sample:

“THAT, the delegation regarding _____ be added as an addition to the agenda.”

or

“THAT, the delegation regarding _____ be added to the next Committee agenda.”

8.4.1.4 A staff report will be provided at a subsequent meeting for all delegations described in subsection 8.4.1.3, unless otherwise directed by Council or Committee.

8.4.1.5 Delegations are to be limited to ten (10) minutes followed by a question period for Committee or Council Members.

8.4.1.6 The number of Delegations per agenda shall be limited to three (3).

8.4.1.7 The role of delegations is to provide information and not enter into debate with Council or Committee Members, or Staff.

8.4.1.8 Verbal reports will be accepted however, written and electronic reports are preferred and shall be retained by the Clerk as an official record.

8.4.1.9 Delegations may only speak at a meeting with respect to matters listed on the agenda for that particular meeting.

8.4.1.10 Delegations who have previously appeared on the same subject matter, shall be limited to providing new information only, in their subsequent appearances.

- 8.4.1.11** Delegations consisting of more than one person shall be limited to two speakers, being limited to no more than five minutes each. The second speaker shall not repeat information provided by the previous speaker from that delegation and will be confined by the Chair to presenting new and/or additional information.
- 8.4.1.12** Questions directed to Staff by any delegate shall be received through the Chair.
- 8.4.1.13** Delegations requesting to appear at a meeting may be declined if they have failed to follow established by-laws, policy, procedure or protocol or as prescribed in an applicable governing statute or regulation.
- 8.4.1.14** Delegations requesting to appear at a meeting may be declined if the matter can be resolved by Staff.

8.4.2 Presentations

- 8.4.2.1** Presentations shall be assigned to a Committee of the Whole agenda and only assigned to a Council agenda if time sensitive.
- 8.4.2.2** A staff report will be provided only if directed by Council or Committee.
- 8.4.2.3** Presentations are to be limited to ten (10) minutes, unless otherwise directed by Council or Committee, followed by a question period for Committee or Council Members.
- 8.4.2.4** The role of the presenter is to provide information and not enter into debate with Council or Committee Members or staff.
- 8.4.2.5** Verbal reports will be accepted, however, written and electronic reports are preferred and shall be retained by the Clerk as an official record.
- 8.4.2.6** Presentations that have previously appeared on the same subject matter shall be limited to providing new information only in their subsequent appearances.
- 8.4.2.7** Presentations consisting of more than one person shall be limited to two speakers, being limited to no more than five minutes each, unless otherwise directed by Council or Committee. The second speaker shall not repeat information provided by the previous speaker from that presentation and will

be confined by the Chair to presenting new and/or additional information.

8.4.2.8 Questions directed to staff by any presenter shall be received through the Chair.

8.5 Communications

8.5.1 Communications that are addressed to Council or that relate to Township matters shall be circulated to the appropriate Committee of the Whole.

8.5.2 Communications that may be of interest to Members of Council but do not fall under the communications listed in Subsection 8.5.1 will be circulated by way of the Councillor Communication Package.

8.5.3 The Councillor Communication Package shall be circulated in a timely manner and will be listed on the next Committee of the Whole Agenda for information. At that time any Member of Council may bring forward any communication item in the Package for discussion and/or action.

8.5.4 Communications that are not legible or that contain any defamatory allegations, or impertinent or improper matter, will not be circulated to Council. Every communication shall be signed by at least one person giving their name and mailing address.

8.5.5 Communications delivered by electronic mail shall contain the electronic mail address of the sender as well as a name and mailing address, and have attached to it only those documents which are in a printable format.

8.5.6 Correspondence delivered by facsimile transmission shall contain the facsimile number as well as the name and mailing address of the sender.

8.6 Reports

8.6.1 Committee Reports to Council

8.6.1.1 Every Committee of the Whole Committee shall report to Council.

8.6.1.2 The Committee Chair will offer a report for approval which shall contain an "A" section for information, and a "B" section requiring action by Council.

8.6.1.3 The "A" section of reports will be read only when the Chair of the Committee is directed by Council, by unanimous consent, to do so.

- 8.6.1.4 Recommended motions for information only, may be included in Section “A” of the Report.
- 8.6.1.5 The “B” section of reports will be read at the podium by the Chair of the Committee in its entirety unless otherwise requested or directed by Council, by majority consent, not to do so.
- 8.6.1.6 Prior to the adoption of a Committee report, any Member may request that an item be separated for consideration, or to be voted on separately.
- 8.6.1.7 When a request to separate an item from the report is accepted by the Chair, a motion to consider the separated item as recommended by the Committee will be the next order of business prior to the adoption of the remaining report.

8.6.2 Staff Reports to Committee of the Whole

- 8.6.2.1 The standard staff report format has been adopted as set out in Schedule “D”.
- 8.6.2.2 Staff shall not read the report at the meeting, unless requested to do so by the Chair, but only speak to the recommendations.
- 8.6.2.3 Reports are due to the Chief Administrative Officer for approval by 9:00 a.m. on the Monday, the week prior to the meeting.
- 8.6.2.4 If the report deadlines are not met, the report will be placed on the subsequent agenda.

8.6.3 Confidential Reports

- 8.6.3.1 Staff reports that are “confidential” will be copied onto brown paper and marked “**CONFIDENTIAL**” in the upper right hand corner. (See Sub-Section 7.11 Closed Session).
- 8.6.3.2 The Clerk shall ensure that any material relating to any matter, for which a meeting may resolve into “closed session” under the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, is circulated as confidential material pending Council’s approval of release to the public.

8.7 New/Other Business

8.7.1 New Business shall not be considered unless it is of an emergency, time sensitive, congratulatory or condolence nature.

8.7.2 Other Business shall not be considered unless it is of an urgent nature or time sensitive and should otherwise be referred to the next meeting of the Committee or the appropriate Committee.

8.7.3 New/Other Business may be heard by a Two-Thirds Vote.

8.7.4 The request to hear New/Other Business will not be debatable.

8.8 Deferred Items

8.8.1 Items on an agenda which have not been dealt with shall be repeated on each subsequent agenda until resolved or removed from the agenda by resolution and shall be listed under Deferred Items.

9.0 COMMENCEMENT AND ADJOURNMENT OF MEETINGS

9.1 Quorum

9.1.1 If no quorum is present thirty (30) minutes after the time appointed for a Meeting of Council or Committee, the Clerk shall record the names of the Members present and the meeting shall stand adjourned until the date of the next meeting; regular, special or emergency.

9.1.2 When quorum is lost as a result of declarations of pecuniary interest by one or more Members, the remaining Members shall be deemed to constitute quorum, provided the number is not fewer than two.

9.1.3 The Chair shall call the meeting to order as soon after the hour fixed for the holding of the meeting that a quorum is present.

9.1.4 If the chair is not available at the time appointed for a Meeting of Council, the Deputy Mayor will conduct the meeting until the arrival of the Mayor.

9.1.5 If the Chair is not available at the time appointed for a Meeting of Committee, the Committee shall appoint an Acting Chair to conduct the meeting until the arrival of the Committee Chair.

9.1.6 Council members shall notify the Clerk when intending to be absent from a Council, Special, Emergency, Committee of the Whole, Steering Committee or Sub-Committee Meeting for the purpose of ensuring a quorum.

9.1.7 When a quorum is lost, no further action shall be taken. However, if a quorum is regained within 10 minutes the meeting shall proceed.

9.2 Recess

9.2.1 At a Council meeting, a motion to recess shall be brought forward and shall set a time (ex. recess for 5 minutes) or state “until called to order by the Chair”.

9.2.2 At a Committee meeting, the Committee shall recess by majority consent and shall set a time (ex. recess for 5 minutes) or state “until called to order by the Chair”.

9.3 Adjournment

9.3.1 All meetings shall adjourn no later than 9:00 p.m., unless a motion to proceed beyond 9:00 p.m. is approved.

9.3.2 Notwithstanding Subsection 9.3.1 above, no meetings shall proceed beyond the hour of 10:00 p.m.

10.0 MOTIONS

10.1 Motion Process

10.1.1 Where members of the public are to be heard on a matter, no motion shall be received until they have been heard, and no further public participation shall be allowed at that meeting after the motion has been duly moved and seconded.

10.1.2 For Council and Committee of the Whole meetings, a motion shall be formally seconded before the Chair can put the question or a motion can be recorded in the minutes.

10.1.3 For Steering and Sub-Committee meetings, a motion shall only need to be formally moved before the Chair can put the question or a motion can be recorded in the minutes.

10.1.4 A Motion for a Council meeting shall be reduced to writing and shall contain the signatures of the mover and seconder.

- 10.1.5** A Motion for a Committee meeting shall not need to be reduced to writing.
- 10.1.6** Every Member present is entitled to vote on every motion, unless the Member has declared a pecuniary interest.
- 10.1.7** Every Member present, except the Chair, shall be deemed to vote against the motion if they decline or abstain from voting, unless disqualified from voting by reason of a declared pecuniary interest.
- 10.1.8** The Chair may vote on all motions but need not declare their intention to vote.
- 10.1.9** After a motion has been duly moved, seconded, and read, it shall immediately be open to debate. The mover shall have the opportunity to make the introductory and closing remarks thereon.
- 10.1.10** No Member shall speak more than twice until every Member has had an opportunity to speak towards the motion.
- 10.1.11** Any Member may request that any motion under debate be repeated by the Clerk or Chair for the benefit of clarification but not so far as to interrupt a Member while speaking.
- 10.1.12** A motion on which the voting results in a tie shall be considered lost.
- 10.1.13** When the motion under consideration contains distinct recommendations, a Member may request that the vote be taken separately on each proposal. (See the motion to “Divide” in the Motion Table)
- 10.1.14** The Chair shall call the vote immediately after all Members desiring to speak to the motion have spoken.
- 10.1.15** Upon the Chair calling for a vote, no further speakers shall be permitted.
- 10.1.16** The manner of determining the vote on a motion shall be by show of hands.
- 10.1.17** No vote shall be taken at any meeting by any method of secret voting, except where permitted or required by law.
- 10.1.18** The Chair shall announce the result of every vote.

10.1.19 If a Member disagrees with the announcement of the result of any vote, the Member may object immediately to the announcement and require that the vote be retaken.

10.2 Ranking Motions

10.2.1 The following list ranks motions in descending order, such that each takes precedence and shall be decided before others ranking below it in the list:

- a. adjourn;
- b. extend curfew;
- c. recess;
- d. withdraw;
- e. close debate (call the question);
- f. defer (postpone/table);
- g. refer (commit);
- h. amend main motion;
- i. “friendly” amendment to main motion;
- j. amend amendment;
- k. defer indefinitely (postpone/table indefinitely);
- l. divide;
- m. main motion.

Note: Refer to the Motion Table in Schedule “E”.

10.3 Reconsideration of a Motion

10.3.1 General Provisions

10.3.1.1 Reconsideration of a motion shall only be permitted at Council meetings.

10.3.1.2 A motion to reconsider a previous decision of Council shall only be introduced by a Member who voted with the majority on the original motion or who was not in attendance when the vote was called.

10.3.1.3 A motion to reconsider may be seconded by any Member.

10.3.1.4 No original motion shall be reconsidered more than once, during a two year period.

10.3.1.5 When a motion to reconsider is defeated, another motion to reconsider cannot be put forward for a one year period.

10.3.1.6 A motion to reconsider shall not be in order if Council is made aware the question or by-law has been implemented, resulting in legally binding commitments as of the date the motion to reconsider is moved.

10.3.2 Notice of Intention

10.3.2.1 A notice of the intention to reconsider a motion shall be placed on the next Council agenda. At the meeting a motion to reconsider will be brought forward.

10.3.3 Motion to Reconsider

10.3.3.1 When a motion for reconsideration is introduced, no discussion of the original motion shall be allowed unless the motion for reconsideration is approved by at least two-thirds of the Council Members present.

10.3.3.2 A motion to reconsider shall not be amended, but may be debated.

10.3.3.3 Debate on a motion for reconsideration shall be confined to reasons for or against reconsideration or to such matters as new information which has come forward, an error in documentation presented or incorrect statements made during the original debate.

10.3.3.4 A motion to reconsider shall include the date of when the original motion is to be reconsidered. The original motion may be reconsidered as the next order of business.

10.3.3.5 Should a motion to reconsider be defeated, the original motion shall not be debated or voted upon until eligible under this By-Law.

10.3.4 Original Motion

10.3.4.1 The original motion being considered shall be stated in the exact manner in which it was first presented and voted on.

10.3.4.2 The debate on the original motion being considered as a result of an affirmative motion of reconsideration shall proceed as though it had never previously been voted on.

10.4 Recorded Votes

- 10.4.1** Recorded votes shall only be permitted at Council meetings.
- 10.4.2** A recorded vote shall be taken when called for by any Member or when required by law.
- 10.4.3** A Member may call for a recorded vote immediately prior or immediately subsequent to the taking of the vote.
- 10.4.4** All Members, including the Mayor, shall be required to vote when a recorded vote is called for, except when absent or disqualified by a declared pecuniary interest.
- 10.4.5** When a recorded vote is permitted and required, the Chair will pose the question and the Clerk will call upon each Member in Ward order for their vote in favour or in opposition, with the Mayor voting last, at which time the Clerk shall record the Members vote. The Clerk will also record the number of Members absent and/or abstained.
- 10.4.6** On a recorded vote, failure to vote by a Member who is present at the meeting at the time of the vote and who is qualified to vote shall be deemed a negative vote.
- 10.4.7** When a recorded vote is taken, the names of those who voted for and those who voted against the motion and those absent shall be entered in the Council minutes.
- 10.4.8** The Clerk shall tabulate and announce the results of the vote.

10.5 Point of Privilege

- 10.5.1** A Member may raise a point of privilege directing attention to a matter that affects the rights of the Member or Members.
- 10.5.2** A point of privilege shall take precedence over any other matter except during verification of a vote.
- 10.5.3** A Member shall state the point of privilege to the Chair at the time of occurrence.
- 10.5.4** A Member shall not be permitted to enter into any argument or introduce any motion not related to the point of privilege.
- 10.5.5** The Chair shall decide upon the point of privilege and advise the Members of the decision.

10.5.6 Unless a Member immediately appeals the Chair's decision, the decision of the Chair shall be final.

10.5.7 If the decision of the Chair is appealed, the question "Shall the ruling of the Chair be upheld?" a vote shall be called without debate, and its results shall be final. A Recorded Vote shall not be permitted.

10.5.8 When the matter has been determined to be a point of privilege, the Member shall be afforded an opportunity to propose a motion in relation to that point of privilege.

10.5.9 When the integrity of the CAO or other employee of the Corporation has been questioned, the CAO shall be permitted to make a statement to the Members.

10.6 Point of Order

10.6.1 A Member may raise a point of order to a perceived violation of the rules of procedure, except during verification of a vote.

10.6.2 A Member shall state the point of order to the Chair at the time of the occurrence and shall quote the appropriate section of this By-Law.

10.6.3 The Chair shall decide upon the point of order and advise the Members of the decision.

10.6.4 Unless a Member immediately appeals the Chair's decision, the decision of the Chair shall be final.

10.6.5 If the decision of the Chair is appealed, the question "Shall the ruling of the Chair be upheld?" a vote shall be called without debate, and its results shall be final. A Recorded Vote shall not be permitted.

SCHEDULE "C"

Declaration of Direct or Indirect Pecuniary Interest Form



The Corporation of
THE TOWNSHIP OF LANARK HIGHLANDS

**PECUNIARY INTEREST
FORM**

Date: _____

Name of Member: _____

Committee:

- | | | |
|---|---|---|
| <input type="checkbox"/> Township Council | <input type="checkbox"/> Corporate Services | <input type="checkbox"/> Community Services |
| <input type="checkbox"/> Committee of the Whole | <input type="checkbox"/> Building, Planning & Protective Services | |
| <input type="checkbox"/> Public Works | <input type="checkbox"/> Other _____ | |

Agenda Item: _____

Disclosure of Pecuniary Interest and General Nature Thereof:

(not applicable when disclosing a Closed Session Pecuniary Interest in open session)

Signature of Member

SCHEDULE "D"
Staff Report Format

**THE CORPORATION OF THE
TOWNSHIP OF LANARK HIGHLANDS**

COMMITTEE NAME

DATE

Report #
of the Authors Title

TITLE OF REPORT

STAFF RECOMMENDATION(S)

It is recommended:

“THAT,

BACKGROUND

DISCUSSION

OPTIONS CONSIDERED

FINANCIAL IMPLICATIONS

CONCLUSIONS

ATTACHMENTS

Prepared and Submitted By:

Approved for Submission By:

**Name,
Title**

**Name,
Chief Administrative Officer**

SCHEDULE "E" - Motions

Motion Ranking	Moved & Seconded	Debatable	Disposition Priority	If Affirmative	If Negative	Amendable	Conditions
Adjourn	YES	NO	<ul style="list-style-type: none"> shall be resolved prior to any other motion being moved 	<ul style="list-style-type: none"> Council shall immediately rise and no further proceedings shall take place all unfinished business on the agenda shall be included on the agenda of the next meeting 	<ul style="list-style-type: none"> the meeting shall resume at the point immediately prior to the point at which the motion to adjourn was moved a subsequent motion to adjourn at the same meeting may not be introduced prior to further business being conducted 	NO	<ul style="list-style-type: none"> shall not include qualifications or additional statements shall always be in order except when a Member is speaking or the Members are voting
Extend Curfew	YES	NO	<ul style="list-style-type: none"> shall be resolved prior to any other motion being moved 	<ul style="list-style-type: none"> no meetings shall proceed beyond the hour of 9:00 p.m. 	<ul style="list-style-type: none"> the Chair shall immediately declare the meeting adjourned 	NO	<ul style="list-style-type: none"> shall always be in order except when a Member is speaking or the Members are voting shall require a two-thirds vote of the Members present
Recess	YES EXCEPT AT COMMITTEE	NO	<ul style="list-style-type: none"> shall be resolved prior to any other motion being moved 	<ul style="list-style-type: none"> the meeting shall recess 	<ul style="list-style-type: none"> the meeting shall not recess 	TIME ONLY	<ul style="list-style-type: none"> shall be in order if no question is pending
Withdraw	YES Mover & Seconder of the main motion	NO	<ul style="list-style-type: none"> shall receive disposition prior to any other motion being presented 	<ul style="list-style-type: none"> the motion is withdrawn 	<ul style="list-style-type: none"> vote on the main motion 	NO	<ul style="list-style-type: none"> majority vote shall be in order if decision has not been made

Motion Ranking	Moved & Seconded	Debatable	Disposition Priority	If Affirmative	If Negative	Amendable	Conditions
Close Debate (Call the Question)	YES	NO	<ul style="list-style-type: none"> shall apply to the motion or amendment under debate 	<ul style="list-style-type: none"> Council shall immediately vote on the question without further debate or comment 	<ul style="list-style-type: none"> debate shall continue 	NO	<ul style="list-style-type: none"> shall not be permitted in any committee shall require a two-thirds vote of the Members present
Defer (Postpone/ Table)	YES	YES DATE AND TIME ONLY	<ul style="list-style-type: none"> shall be resolved prior to the main motion shall be resolved prior to the preceding motion 	<ul style="list-style-type: none"> no further debate until motion returns to the agenda 	<ul style="list-style-type: none"> vote on the main motion 	YES DATE AND TIME ONLY	<ul style="list-style-type: none"> shall not include qualifications or additional statements shall preclude amendment, but not debate, to the preceding motion until the motion to defer to a certain date and/or time is resolved
Refer (Commit)	YES	YES	<ul style="list-style-type: none"> shall preclude any amendment or debate to any previous motion unless resolved in the negative 	<ul style="list-style-type: none"> there shall be no further debate 	<ul style="list-style-type: none"> vote on the main motion 	YES	<ul style="list-style-type: none"> shall state the committee, employee or solicitor of the Corporation to which the matter shall be referred
Amend Main Motion (Primary Amendment)	YES	YES	<ul style="list-style-type: none"> shall receive disposition prior to the main motion 	<ul style="list-style-type: none"> Council shall vote on the main motion as amended 	<ul style="list-style-type: none"> vote on the main motion or secondary amendment may be proposed 	YES	<ul style="list-style-type: none"> shall not propose a negative to the main motion shall not propose two distinct proposals of amendment to the main motion shall not change the intent of the main motion shall have only one motion to amend the main motion at one time

Motion Ranking	Moved & Seconded	Debatable	Disposition Priority	If Affirmative	If Negative	Amendable	Conditions
“Friendly” Amendment	YES	YES	<ul style="list-style-type: none"> shall receive disposition prior to the main motion 	<ul style="list-style-type: none"> Council shall vote on the main motion as amended 	<ul style="list-style-type: none"> vote on the main motion or secondary “friendly” amendment may be proposed 	NO	<ul style="list-style-type: none"> shall not propose a direct negative to the main motion shall not propose two distinct proposals of amendment to the main motion shall not change the intent of the main motion shall have only one motion to amend the main motion at one time voted on formally unless adopted by unanimous consent
Amend Amendment (Secondary Amendment)	YES	YES	<ul style="list-style-type: none"> shall receive disposition prior to the primary amending motion 	<ul style="list-style-type: none"> Council shall vote on the primary amending motion as amended 	<ul style="list-style-type: none"> vote on the primary amending motion propose a secondary amendment 	NO	<ul style="list-style-type: none"> shall not propose a direct negative to the primary amending motion shall not propose two distinct proposals of amendment to the primary amending motion shall not change the intent of the primary amending motion shall have only one motion to amend the primary amending motion at one time an amendment of the third degree is not permitted

Motion Ranking	Moved & Seconded	Debatable	Disposition Priority	If Affirmative	If Negative	Amendable	Conditions
Defer Indefinitely (Postpone/ Table Indefinitely)	YES	YES	<ul style="list-style-type: none"> • shall be resolved prior to the main motion • shall be resolved prior to any preceding motion 	<ul style="list-style-type: none"> • the preceding motion and any amendments thereto shall be removed from Council's consideration indefinitely • the motion to defer indefinitely may be reconsidered 	<ul style="list-style-type: none"> • disposition of the main motion • cannot put forward another motion to defer indefinitely regarding the main motion 	NO	<ul style="list-style-type: none"> • shall not include qualifications or additional statements • shall preclude amendment, but not debate, to the preceding motion until the motion to defer indefinitely is resolved
Divide	YES	YES	<ul style="list-style-type: none"> • shall receive disposition prior to the main motion 	<ul style="list-style-type: none"> • the debate and vote shall be on separate and distinct proposals from the main motion 	<ul style="list-style-type: none"> • disposition of the main motion in its entirety 	YES	<ul style="list-style-type: none"> • shall only be in order when the main motion to be divided contains two or more separate and distinct proposals • divide when pecuniary interest declared
Main	YES	YES	N/A	<ul style="list-style-type: none"> • the motion is carried 	<ul style="list-style-type: none"> • the motion is defeated 	YES	<ul style="list-style-type: none"> • majority vote unless otherwise provided

5.0 ROLE OF THE CHAIR

3.1 Chair's shall:

- 3.1.1** preside over Council or Committee Meetings;
- 3.1.2** provide order and decorum
- 3.1.3** be the political liaison with other members of Council and Committee Members;
- 3.1.4** review and understand the Agenda with the Clerk;
- 3.1.5** provide the Committee direction when required regarding meeting conduct and procedures;
- 3.1.6** represent Council initiatives and decisions to the public, where appropriate;
- 3.1.7** consult with the Chief Administrative Officer on matters of operational concerns and complaints;
- 3.1.8** not have the authority to direct Department Heads or staff;
- 3.1.9** work with the CAO and Department Heads:
 - a) to become aware of and understand departmental issues and initiatives
 - b) with respect to departmental issues/initiatives
 - c) as a sounding board/share ideas
- 3.1.10** work with the Mayor to take the lead role, where possible, on provincial delegations, in particular at AMO and OGRA/ROMA.

6.0 RULES OF CONDUCT FOR MEMBERS AND ATTENDEES

4.1 Chair at Meetings

4.1.1 It shall be the duty of the Chair of a meeting to:

- a) open the meeting by calling the meeting to order;
- b) ensure that a quorum is established and is maintained throughout the course of the meeting;
- c) announce the business in the order in which it is to be considered;
- d) direct discussion in such a manner that all questions and comments shall be presented through the Chair;
- e) receive and submit, in the proper manner, all motions presented by the Members;
- f) put to vote all motions which are moved, and seconded when necessary, or all motions that arise in the course of the proceedings, and to announce the result of each vote;
- g) decline to put to vote motions that infringe upon the rules under this By-Law or the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended;
- h) ensure the Members and Attendees, conform to the rules of order under this By-Law;
- i) maintain an appearance of impartiality on all matters;
- j) undertake all matters required to ensure the meeting proceeds in an orderly and efficient manner;
- k) authenticate by signature, when necessary, all applicable by-laws and resolutions;
- l) adjourn the meeting when the business is concluded, or at the designated time.

4.1.2 The Chair may vote on all motions but need not declare their intention to vote.

4.1.3 Every Member present, except the Chair, shall be deemed to vote against the motion if they decline or abstain from voting, unless the Member is disqualified from voting by reason of a declared pecuniary or other interest.

4.1.4 In the absence of the Chair or when the Chair steps down, the Committee shall appoint an Acting Chair.

4.1.5 The Chair may answer questions and comment in a general way, but if the Chair wishes to participate in debate, make a motion, speak to a motion under consideration or leave the chair for any other reason, they shall first delegate the duties of the Chair to a Member of the Committee in accordance with the provisions of this By-Law, until they resume the position of the Chair.

4.1.6 The Chair shall not resume the position of the Chair until the issue on the floor is resolved, at which time the Acting Chair shall relinquish the position of the Chair.

4.2 Questions

4.2.2 All Members and Staff shall address their questions and comments through the Chair.

4.3 Speaking at Meetings

4.3.2 When two or more Members wish to speak, the Chair shall name the Member who is to speak first.

4.3.3 When a Member is recognized by the Chair, the Member shall confine his/her remarks to the motion under consideration.

4.3.4 When a motion is under debate, a Member may ask a question through the Chair of another Member, CAO, Department Head or other employee of the Corporation.

4.3.5 Any Member may require the motion under debate to be read at any time during the debate, but in doing so shall not interrupt a Member while speaking.

4.4 Materials

All materials shall be distributed through the Clerk.

4.5 Rules of Order

4.5.2 A Member or Attendee shall not:

- a) disturb a meeting by any disruptive or distracting conduct, including private conversations among Members or Attendees at a meeting;
- b) use profane or offensive words or insulting expressions;
- c) disobey the rules of procedure;
- d) rise from their seat or make any noise or disturbance while a vote is being taken;
- e) speak until they have been recognized by the Chair;
- f) display signs, place cards, applaud, heckle or engage in telephone or other conversation or any behaviour which may be considered disruptive.

- 4.5.3** An Attendee shall not participate in a meeting, unless listed on the Agenda as a Delegation or Presentation and shall be subject to the rules and procedures of this By-Law.
- 4.5.4** A Member shall not interrupt a Member who is speaking, except to raise a Point of Order or a Point of Privilege.
- 4.5.5** A Member shall not permanently leave the meeting without advising the Chair or the Clerk.
- 4.5.6** In the event that a Member or Attendee persists in a breach of Subsection 4.5.1 above, after having been called to order by the Chair, the Chair shall without debate call the question "Shall the Member or Attendee be ordered to leave their seat for the duration of the meeting?", and this question shall not be debatable.
- 4.5.7** If Council or a Committee decides the question set out in Subsection 4.5.4 above in the affirmative by a majority vote of the Members present, the Chair shall order the Member or Attendee to leave their seat for the duration of the meeting.
- 4.5.8** If the Member or Attendee apologizes, the Chair, with the approval of Council or the Committee, may permit them to resume their seat.
- 4.5.9** If a Member or Attendee does not leave their seat after being ordered to do so by the Chair in accordance with Subsection 4.5.4 above, and if the Member or Attendee does not apologize in accordance with Subsection 4.5.6 above, then the Chair shall for a second time without debate call the question "Shall the Member or Attendee be ordered to leave their seat for the duration of the meeting?", and this question shall not be debatable.
- 4.5.10** If Council decides the question set out in Subsection 4.5.7 above in the affirmative by a majority vote of the Members present, the Chair shall direct the Clerk to seek the appropriate assistance from the Lanark County Ontario Provincial Police (OPP).
- 4.5.11** All cell phones and electronic devices not required for conducting a meeting shall be either turned off or otherwise set so as not to emit any audible sound during a meeting.
- 4.5.12** During a Council or Committee meeting, Councillor laptops shall be used exclusively for Township business.
- 4.5.13** Recording devices shall not be permitted.

1.0 DEFINITIONS

For the purpose of this By-Law:

“**Act**” – shall mean the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

“**Agenda**” – shall mean the written Order of Business.

“**Attendee**” – shall mean a person who is present at a meeting.

“**Local Board**” – shall mean a municipal service board, transportation commission, board of health, planning board or any other board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities (joint boards), excluding a school board, a conservation authority, public library board and police services board.

“**By-Law**” – the legislative intent behind the requirement: that powers of council be exercised by by-law is to ensure due deliberation by councils of all important policy matters through the more formal procedure prescribed for the enactment of a by-law: *Ottawa (City) v. Letourneau* (2005), 2005 CarswellOnt 224 (S.C.J.).

“**Chief Administrative Officer**” – shall mean the Chief Administrative Officer (CAO) or designate duly appointed by the Council of the Corporation of the Township of Lanark Highlands as prescribed in Section 229 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

“**Clerk**” – shall mean the person or designate duly appointed by the Council of the Corporation of the Township of Lanark Highlands as prescribed in Section 228 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

“**Close Debate (Call the Question)**” – shall mean a motion requiring that debate be closed and the vote on the motion be taken immediately.

“**Closed Session (In-Camera)**” – shall mean a meeting or part of a meeting closed to the public as prescribed in Section 239 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

“**Committee**” – shall mean any Committee of the Whole, Steering or Sub-Committee, unless otherwise stated, established by Council.

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

“**Acting Chair**” – shall mean the Member of a Committee who is temporarily appointed or delegated to serve in the Chair’s place. In the case of a Council meeting, it shall mean the Deputy Mayor.

“Committee of the Whole Meeting (COW)” – means a standing committee meeting of Council in which the entire Council becomes a committee for the purpose of conducting business for specific service areas.

“Committee Recommendation” – shall mean a resolution passed by a Committee of the Whole during a meeting which is subject to approval by Council at the next regularly scheduled Council meeting, generally held two weeks later.

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

“Community Events” – shall be deemed any event that requests the presence of the Mayor. These may include but are not limited to opening ceremonies, fund raisers/charity events, community celebrations and local fairs.

“Confidential Item” – shall include the following:

- (a) any matter marked “confidential”;
- (b) any matter or item of a confidential nature which has not been lawfully published, disclosed or provided to the public by the Township, or introduced, received or made available to the public at a public meeting or information session/centre;
- (c) a record of any matter in respect of which a meeting or part of a meeting may or shall be closed to the public pursuant to the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended or under this By-law;
- (d) any matter which could form the subject matter of an exemption from disclosure or a prohibition against disclosure, pursuant to the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56;
- (e) any matter which the Township is prohibited from disclosing pursuant to any contract, legislation or other lawful authority.

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

“Council” – shall mean the Municipal Council of the Corporation of the Township of Lanark Highlands in accordance with the Township of Lanark Highlands Council Composition By-Law in effect (By-Law No. 2000-116).

“Council Meeting(s)” - include Regular, Special and Emergency Meetings of the Council of the Corporation of the Township of Lanark Highlands.

“Councillor” – shall mean a person elected or lawfully appointed to the Council of the Township of Lanark Highlands.

“County” – shall mean an upper tier municipality that was a County on the day before the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, came into force.

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

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

“Department Head” – shall mean the person or designate in charge of a Township department and/or service area.

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

“Ex-Officio” – shall mean the Mayor who by virtue of office shall be a member of all Committees and shall have the same rights and privileges as other members of the respective Committee, who is entitled to vote but does not form part of the quorum.

“Lame Duck Council” – shall mean that Council has certain limitations in the year of an election.

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

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

“Mayor” - shall mean the Member of Council elected by general vote as the Mayor and by virtue of their office acts as Head of Council, Ex-Officio and Presiding Officer.

“Deputy Mayor” - shall mean the Member of Council duly elected as the Deputy Mayor by the Council of the Corporation of the Township of Lanark Highlands.

“Meeting Schedule” – shall be deemed the Council/Committee Calendar containing the dates of Council and Committee of the Whole meeting dates, including other reserved dates confirmed each year by resolution of Council.

“Member” – shall mean a Member of Council, Committee of the Whole, Steering Committee or Sub-Committee as the case may be.

“Lay Member” – shall mean a person other than a Councillor that has been appointed by Council to serve on a Board and Commission, Steering Committee or Sub-Committee.

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

“Motion” – shall mean a recommendation to resolve and effect a decision.

“Main Motion” – shall mean a motion whose introduction brings business before the Committee.

“Forthwith Motion” – shall mean a motion that is referred to the Council Meeting immediately following the Committee of the Whole Meeting at which the motion was adopted.

“Notice” – shall mean an announcement by the Clerk (By-Law No. 2007-820).

“Order of Business” – shall mean the sequence of business under consideration at a meeting.

“Pecuniary Interest” – shall mean a direct or indirect pecuniary (monetary) interest within the meaning of the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, as amended.

“Point of Order” - shall mean any alleged breach of the rules or irregularity in the proceedings of a meeting.

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

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

“Presiding Officer” - shall mean the Mayor.

“Proceedings” – shall mean a sequence of events at a meeting.

“Public Information Session/Centre” – shall be deemed a meeting held for the purpose of presenting proposals and issues, educating and informing and/or receiving input.

“Public Meeting (Statutory)” – shall be deemed a meeting held for the purpose required under an Act or Regulation.

"Quorum" - shall mean the number of Members required to be present in the meeting room, in order that business may be conducted.

"Recess" – shall mean a break from a meeting.

"Recorded Vote" – shall mean documenting in the minutes of a Council Meeting the name of each Member and the Members' vote on a matter or question, in favour, opposed or absent.

"Resolution" – shall mean the decision duly passed by Council on any motion or Committee Recommendation.

"Scrutineer" – shall mean a person not on Council or not a member of Staff who examines votes at an election.

"Special Meeting" – shall be deemed a Township Council or Committee of the Whole Meeting which is in addition to the published Meeting Schedule approved annually by Council.

"Standing Committee" – shall be deemed a Committee of Council constituted to perform a continuing function and which has a continuous existence. For the purpose of this by-law the Committees of the Whole are deemed to be Standing Committees.

"Steering Committee" – includes any steering or ad hoc committee established by Council and approved through a resolution of Council which goes out of existence as soon as they have completed a specified task.

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

"Summer Recess" - shall be deemed to be the month of July each year where no Committee of the Whole or Council meetings are held unless a Special Meeting is called by the Mayor or Chair.

"Two-Thirds Vote" – shall mean a vote where at least two-thirds of the members present, and eligible to vote, vote in the same manner and shall not apply to a recorded vote.