

By-Law No. 2022-0026

OF

The Corporation of the County of Frontenac

being a by-law to govern the proceedings of the Council and its Committees, the Conduct of Members and the Calling of Meetings and to Repeal By-Law Number 2013-0020, Council Procedural By-Law, as Amended, in its Entirety

Short Title: "Procedural By-Law"

Whereas The Ontario Municipal Act, 2001, authorizes the Council of every municipality to pass By-laws for governing the proceedings of its Council, the conduct of its Members and the calling of meetings;

And Whereas, Section 238 (2) further indicates that every municipality and local board shall pass a Procedure By-law for governing the calling, place and proceedings of meetings; now therefore be it

And Whereas the Council of the Corporation of the County of Frontenac deems it expedient to repeal and replace By-Law Number 2013-0020, Council Procedural By-Law, as amended, which was passed on May 15, 2013;

Now Therefore Be It Resolved That the Council for The Corporation of the County of Frontenac hereby enacts as follows:

Section 1: Short Title

1.1 This Chapter may be referred to as "*The Procedural By-Law*".

Section 2: Interpretation/Definitions

Use of Pronouns

2.1 Throughout this by-law, the words "he" and "his" shall, where appropriate, be deemed to read "she" and "her".

Headings

2.2 Headings are inserted in this by-law for ease of reference only and are not to be used as interpretation aids.

Definitions

2.3 In this By-Law:

"Abstain" means to refrain from voting. Members who abstain for reasons other than a declared conflict of interest shall be deemed to vote in opposition of the question or matter.

"Act" means the Municipal Act, 2001, S.O. 2001, c. 25, as amended or re-enacted from time to time.

“Ad Hoc” Committee means a committee appointed by Council from time to time, to act on a temporary or singular issue and shall be discontinued by Council when their recommendations upon the specified initiative or matter have been provided, and dealt with by Members of Council and further recommendations are no longer required.

“Addendum” means a listing of the items to be added to or withdrawn from a published agenda.

“Advisory Committee” means a committee established by Council to act in an advisory capacity to Council on operational and strategic issues during the full term of Council.

“Agenda” means the Order of the Day.

“Alternate Member” means a member appointed by the Township(s) to act in place of a person who is the member of the Township council and County Council, when the person is unable to attend a meeting of County council for any reason.

“Briefings” A verbal update to County Council or Committees of County Council by County Staff or consultants to the County or someone with expertise who has been invited by County Council or Committee.

“CAO” means the Chief Administrative Officer of The Corporation.

“Chair” means the person presiding at a meeting.

“Clerk” means the Clerk of the County of Frontenac as required in the Municipal Act, 2001, and as appointed by By-Law.

“Closed Meeting” means a meeting or a part of a meeting of Council or a Committee, which is not open to the public in accordance with the Municipal Act, 2001 and any amendments thereto.

“Closed Meeting Investigator” means the body authorized by Council to investigate requests for a closed meeting investigation.

“Committee” means any standing committee, sub-committee, advisory committee, ad hoc committee or task force established by County Council.

“Committee Chair” means the person presiding at a committee meeting.

“Committee of the Whole” means a meeting of all Members of Council sitting as Committee of the Whole at which the rules in this by-law with respect to the number of times a member may speak to an issue do not apply, with the exception to Delegations.

“Committee Vice-Chair” means the Vice-Chair of a Committee, who shall act in the Chair’s absence.

“Council” means the Council of the Corporation.

“Corporation” means the Corporation of the County of Frontenac.

“Delegate” means the presenter for the delegation in attendance at a Council or Committee meeting.

“Delegation” means an address to Council or Committee made at the request of a person wishing to speak.

“Deputy Warden” means the position appointed to fulfill the responsibilities of the Warden in his absence.

“Ex Officio” means the Warden 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.

“Holiday” means: New Year’s Day, Family Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Civic Holiday, Labour Day, Thanksgiving, Christmas Day, Boxing Day.

“Integrity Commissioner” means the body authorized by Council to review complaints made with respect to the Code of Conduct for Members of County Council and Committees. (Amended by By-law 2015-0044 passed October 21, 2015).

“In Writing” means handwritten, typewritten or electronically displayed.

“Majority Vote” means an affirmative vote of more than one half of the Members present and voting.

“Meeting” means a quorum of the Members of Council or Committee that are present and discuss issues in a way that materially advances the business or decision making of Council or Committee.

“Member” means a Councillor of the Corporation and for Committees as defined in 1(h), shall mean a person appointed to the Committee.

“Minutes” means a record, without note or comment, of all resolutions, decisions and other proceedings of Council and Committee Meetings.

“Motion to Call the Question” means a motion to close debate and bring Council to a vote on a pending question.

“Motion to Postpone” means a motion by which action on a pending question can be put off, within limits, to a definite day, meeting, or hour, or until after a certain event.

“Motion to Receive” means a motion to acknowledge the particular item, report or recommendation under consideration and to have it placed in the records of Council with no additional action being taken.

“Motion to Refer” means a motion to dispose of a question under consideration, with or without any proposed amendment, in order to seek consideration by, and, if deemed desirable, one or more reports from any designated committee, body or official.

“Motion to Table” means a motion to postpone without setting a definite date as to when the matter will be considered again.

“Ombudsman” means the Ombudsman appointed under the Ombudsman Act.

“Pecuniary Interest” means a direct or indirect pecuniary interest of a Member of Council within the meaning of the Municipal Conflict of Interest Act, R.S.O. 1990, c.M.50, as amended.

“Point of Order” means a question by a Member with a view to calling attention to any issue relating to the Procedure By-law or the conduct of Council’s business or in order to assist the Member in understanding Council’s procedures, making an appropriate motion, or understanding the effect of a motion.

“Point of Privilege” or **“Personal Privilege”** means a question by a Member who believes that another Member has spoken disrespectfully towards that Member or another Member or who considers that his integrity or that of a Member or County official has been impugned or questioned by the Member.

“Present” means physically or through virtual format in attendance at the meeting.

“Presentation” means an address to Council or Committee at the request of Council, a committee or staff.

“Quorum” as it relates to Council and its Committees means a majority of the members.

“Recorded Vote” means a written record to be included in the minutes of the meeting of the name and vote of every Member voting on any matter or question.

“Resolution” means the decision of Council or its Committees on any motion.

“Standing Committee” means a Committee of Members of Council appointed by Council to consider matters regarding the Committees mandate.

“Time Sensitive Items” means those items on the agenda or addendum where action must be taken prior to the next regularly scheduled meeting of County Council.

“Two-thirds majority vote” means an affirmative vote of at least two-thirds of the Members present.

“Warden” means the Head of Council of The Corporation.

Section 3: Application

General

3.1 The rules of procedure set out in this by-law shall govern all proceedings of Council and its Committees.

Suspension of Rules of Procedure

3.2 Subject to Subsection 3.2 c) any part or parts of this by-law may be suspended, by resolution clearly indicating the purpose and intent of the suspension, if agreed upon by two-thirds majority vote of the Members present, provided the motion is in order.

3.3 The suspension shall only apply to the rule and/or procedure which is stated within the Motion to Suspend, clearly indicating the purpose and intent of the suspension and only during the Meeting in which such Motion to Suspend was introduced.

3.4 Notwithstanding Subsection 3.2 of this By-Law, the following rules and procedures may not be suspended:

- (a) Quorum necessary for Meetings;
- (b) the special Meeting rule set out in Subsection 9.11 of this By-Law;
- (c) the Motion to Reconsider rules set out in Subsection 18.30 and 18.31 of this By-law; and,
- (d) any rules or procedures that are set out by legislation.

Purpose and Intent

3.5 The purpose of this By-law is to seek to achieve consensus in an orderly and principled manner and the rules of this By-law are based on the principle that:

- a) The majority of members have the right to decide;
- b) The minority of members have the right to be heard;
- c) All members have the right to information to help make decisions, unless otherwise prevented by law;
- d) Members have the right to an efficient meeting;
- e) All members have the right to be treated with respect and courtesy; and,
- f) All members have equal rights, privileges and obligations.

Statutory Requirements

3.6 Notwithstanding anything in this by-law, where Council or a Committee convenes for the purpose of holding a meeting as required by any statute, the provisions of the statute and the *Statutory Powers Procedure Act*, as applicable, shall govern the proceedings.

Parliamentary Authority

- 3.7 The governing legislation, the Procedural By-law, or any standing or special rules of order adopted by the County of Frontenac shall govern the procedures of the Council and committees. Where inconsistencies exist, the latest edition of "Robert's Rules of Order" shall be the parliamentary authority, which governs the proceedings.

Section 4: Membership on Council

Certificate of Election

- 4.1 No person shall take a seat on Council until the Clerk has received the certificate of election from the Clerk of the lower tier municipality as established by Section 232 of the *Municipal Act, 2001* and amendments thereto

Declaration of Office

- 4.2 In accordance with the provisions of Section 232 of the *Municipal Act, 2001 and amendments thereto*, no person shall take a seat on Council until the person takes the Declaration of Office in the form established by the Minister for that purpose.
- 4.3 The Declaration will be administered by:
- a) The Clerk at each December inaugural meeting
 - b) A Justice of the Peace at the Inaugural meeting of the new Council, unless unavailable

Appointment of Alternate Member

- 4.4 Pursuant to Section 267 of the *Municipal Act, 2001* and amendments thereto, if a Member of County Council is unable to act as a Member of County Council for a period exceeding one month, the local municipal council may appoint one of its Members as an Alternate Member of County Council to act in place of the Member until the Member is able to resume acting as a Member of County Council.
- 4.5 Pursuant to Section 268 of the *Municipal Act, 2001* and amendments thereto, the council of a local municipality may appoint one of its members as an alternate member of County council, to act in place of a person who is a member of County Council, when the person is unable to attend a meeting of County Council for any reason
- 4.6 Subsection (2) does not authorize:
- (a) the appointment of more than one alternate member during the term of council;
 - (b) the appointment of an alternate member to act in place of an alternate member appointed under subsection 267 (1) or (2); or
 - (c) the appointment of an alternate head of council of the County of Frontenac.

- 4.7 Despite clause 4.6 (a), if the seat of the member who has been appointed as an alternate member under subsection 4.6 becomes vacant, the council of a local municipality may appoint another of its members as an alternate member for the remainder of the council term.

Alternate Members of County Council

- 4.8 An Alternate Member shall not take his seat on County Council until the Clerk of the County has received a certified copy of the appointment by-law passed by the lower tier municipality naming the alternate.
- 4.9 An alternate appointed under Section 267 of the *Municipal Act* shall be limited to representing the municipality at a meeting of County Council with the exception of the annual Inaugural Meeting, and Council Liaison meetings, should the alternate be appointed to represent a second member Councillor but not at a meeting of an advisory or special committee, board or agency to which the member of Council has been appointed.
- 4.10 An alternate appointed under Section 268 of the *Municipal Act* shall be limited to representing the municipality at a meeting of County Council with the exception of the annual Inaugural Meeting, and not at a meeting of an advisory or special committee, board or agency to which the member of Council has been appointed.
- 4.11 If appointed under Section 268 of the *Municipal Act*, it is the responsibility of the Member of Council upon whose behalf an alternate will be serving to ensure that a copy of the meeting agenda is provided to the alternate in advance of the meeting.
- 4.12 The reimbursement of appropriate costs incurred by an alternate while serving in this capacity shall be paid by the County; however any remuneration will be the responsibility of the constituent municipality. An alternate shall not be eligible to attend a convention or seminar on behalf of the County.
- 4.13 An alternate attending a meeting of County Council as an observer only, shall leave the meeting room when the meeting is closed to the public.

Section 5: Election of Warden and Deputy Warden

Term of Office

- 5.1 The term of office of the Warden and Deputy Warden shall be 1 year unless re-elected to remain in Office by Council

Election of Warden and Deputy Warden

- 5.2 The election of the Warden and Deputy Warden shall be held each year at the November County Council meeting

Eligibility to hold office of Warden and Deputy Warden

- 5.3 All members of County Council are eligible to hold the office of Warden and Deputy Warden.

5.4 The Warden and Deputy Warden cannot be from the same municipality.

Presiding Officer

5.5 The election of the Warden shall be conducted by the Clerk.

Nominations

5.6 Nominations shall be received until Council by Motion closes the nominations

5.7 Once nominations have been closed, the Clerk shall determine the willingness of each candidate nominated to stand for election

5.8 Each mover and seconder of those candidates who stand for election shall be entitled to speak once in support of their candidate for a maximum of five minutes

5.9 Each candidate who stands for election may make a presentation to Council, not to exceed five minutes in duration

Voting

5.10 The election of the Warden shall be by secret ballot under the authority and the direction of the Clerk

5.11 Pursuant to Section 233 of the *Municipal Act, 2001 and amendments thereto*, for the purposes of election of Warden, each Member of County Council shall have one vote

5.12 If no candidate for Warden receives a majority of the votes cast, the candidate receiving the fewest votes shall be eliminated from the next secret ballot. In the case of a tie for the fewest votes, there will be a second vote of the candidates that tied to determine which candidate will be eliminated from the ballot

5.13 In the case of an equality of votes for Warden, the successful candidate shall be determined by the Clerk placing the names of the candidates on equal size pieces of paper in a receptacle and one name shall be drawn by a person named by the Clerk. The successful candidate shall be the one whose name was drawn

5.14 All ballots shall be destroyed by shredding them following the election of Warden and Deputy Warden

Acclamation of Warden

5.15 Where only one person is nominated for Warden and nominations have been closed by resolution, the Clerk shall declare that person elected to the office in question, by acclamation

Election of Deputy Warden

5.16 The same process shall be followed for the election of the Deputy Warden as for the Warden

Section 6: Roles and Responsibilities

Role of Council

- 6.1 It is the role of Council to:
- a) Represent the public and to consider the well-being and interest of the municipality;
 - b) Develop and evaluate the policies and programs of the municipality;
 - c) Determine which services the municipality provides;
 - d) Ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council
 - e) Ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
 - f) Maintain the financial integrity of the municipality; and
 - g) Carry out the duties of council under the Ontario Municipal Act or any other act.

6.2 **Individual Authority – not provided**

No individual Council Member may direct any Member of staff to perform such duties that have not been authorized by resolution of the Council.

6.3 **Established Policies – Members – respect**

Members of Council shall respect and adhere to the Policies set by the Council and under no circumstances take it upon themselves individually to circumvent established policies.

6.4 **Council – liaison with CAO**

Council Members will liaise with the Chief Administrative Officer on any given matter concerning the municipality.

6.5 **Information – by Staff – Members of Council**

Council Members may request clarification and information from Members of staff, at a meeting on routine matters, who have been assigned the responsibility of providing standard operating procedures.

Preparation of Members to Council Meetings

- 6.6 Members of Council shall come prepared to every meeting where their participation is required, by having read all the material supplied, including agendas and staff reports, to facilitate discussion and the determination of action at the meeting. Whenever possible, the Members(s) shall make inquiries to Management regarding materials supplied in advance of the meeting

Reports - Requests

- 6.7 All requests for substantive reports shall be by Council resolution, which shall identify the appropriate Department or Manager and objectives of the report.

Interference – directed to administration

6.8 No Members(s) shall have the authority to direct or interfere with the performance of any work by Administration of the municipality. All inquiries shall be directed through the office of the Chief Administrator

Role of Warden

6.9 It is the role of the Head of Council to:

- a) Act as Chief Executive Officer (CEO) of the municipality;
- b) Preside over Council Meetings so that its business can be carried out efficiently and effectively;
- c) Provide leadership to the Council
- d) Provide information and recommendations to the Council with respect to the role of council as described in section 5.1 (d) and (e) above; (without limiting section (5.2(c))
- e) Represent the municipality at official functions;
- f) Carry out the duties of the head of council under this or any other Act.
- g) Uphold and promote the purposes of the municipality
- h) Promote public involvement in the municipality's activities
- i) Act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and
- j) Participate in and foster activities that enhance the economic social and environmental well-being of the municipality

Role of Deputy Warden

6.10 In addition to the responsibilities of performing the duties of the Head of Council in the absence of the Warden:

- a) Act as Chair of the Committee of the Whole.
- b) Be prepared to assume the duties of the Warden.
- c) Meet regularly with the Warden to be briefed on political matters such as the work of the Eastern Ontario Wardens Caucus.
- d) Support and attend meetings of a political nature at the request of the Warden.
- e) Be generally familiar with executive requirements of the County.

6.11 The duties of the Deputy Warden do not include *ex officio* responsibilities on Committees.

6.12 Other than noted above, appointment to the position of Deputy Warden does not confer any additional powers or duties upon the incumbent in the general execution of duties defined as a County Councillor.

Chief Administrative Officer

6.13 It is the role of the Chief Administrative Officer to:

- a) Exercise general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality and the staff placed under his/her supervision; and
- b) Perform such other duties as assigned by the municipality.

Clerk

- 6.14 It is the role of the Clerk to:
- a) Record, without note or comment, all resolutions, decisions and other proceedings of the Council;
 - b) Record the name and vote of every Member voting on any matter or question, if required by any Member present at a vote;
 - c) Keep the originals or copies of all By-laws and of all minutes of the proceedings of the Council'
 - d) Perform the other duties required under the *Ontario Municipal Act*, the *Municipal Elections Act*, and any other Act and
 - e) Perform such duties as are assigned by the municipality

Delegation – by Clerk

- 6.15 The Clerk may delegate in writing to any person, other than a Member of Council, any of the Clerk's powers and duties under this and any other Act.
- 6.16 Despite the delegation, the Clerk may continue to exercise the delegated powers and duties.

Municipal Administration – Officers – Employees

- 6.17 It is the role of municipal administration to:
- a) Implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions;
 - b) Undertake research and provide advice to Council on the policies and programs of the municipality; and
 - c) Carry out other duties required under this or any Act and other duties assigned by the municipality

Section 7: Conduct During Meetings

Role of the Warden

- 7.1 It shall be the duty of the Warden:
- a) To preserve order and decorum and decide all questions of order, subject to an appeal to the Council
 - b) To receive and submit, in the proper manner, all motions presented to the Members of the Council
 - c) To put to vote all questions which are properly brought before Council or necessarily arise in the course of proceedings, and announce the results
 - d) To rule on all procedural matters, without debate or comment
 - e) To decline to put to a vote motions which do not comply with the rules of procedure, or which are not within the jurisdiction of Council
 - f) To restrain the Members, within the rules of order, when engaged in debate
 - g) To call by name any Member persisting in breach of the rules of order of the Council and may order the Member to vacate the Council Chamber
 - h) To adjourn or suspend the Meeting if the Warden considers it necessary because of grave disorder

- i) To authenticate, by signature, all by-laws, resolutions and minutes of the Council;
 - j) To represent and support the Council, declaring its will and implicitly obeying its decisions in all things
- 7.2 The Warden may expel or exclude from any Meeting any person or Member whom the Warden feels has exhibited improper conduct during a Meeting of Council

Warden to Participate in Discussion

- 7.3 The Warden (or Chair) may ask or answer questions and comment in a general way without ceding the chair.
- 7.4 If the Warden (or Chair) wishes to speak on a motion or take a definite position and try to persuade Council to support that position, then the Warden (or Chair) must call on the Deputy Warden (or Vice-Chair of a Committee) to take over the chairing of the Meeting until the Warden has finished speaking.
- 7.5 If the Warden (or Chair) wishes to make a motion, then the Warden (or Chair) must call on the Deputy Warden (or Vice-Chair) to chair the Meeting until the motion has been resolved.

Voting

- 7.6 The Warden may vote on any matter at his discretion with the exception of a recorded vote at which time voting is required

Conduct of Members

- 7.7 No Member shall:
- a) Speak disrespectfully of any Member of Federal or Provincial parliaments, the Council, any constituent municipality, any member or any official or employee of the County;
 - b) Use offensive words or unparliamentary language;
 - c) Speak in a manner that is discriminatory in nature on the basis of the individual's race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability;
 - d) Engage in private conversation while in the Council Meeting or use electronic devices (including but not limited to cellular phones) in a manner which interrupts the proceeding of the Council;
 - e) Leave his seat or make any noise or disturbance while a vote is being taken and until the result of the vote is announced;
 - f) Speak on any subject other than the subject under debate;
 - g) Where a matter has been discussed in a closed Meeting, and where the matter remains confidential, disclose the content of the matter or the substance of deliberations of the closed Meeting;
 - h) Criticize any decision of the Council except for the purpose of moving that the question be reconsidered; or

- i) Disobey the rules of the Council or a decision of the Chair or of the Council on questions of order or practice or upon the interpretation of the rules of the Council. In case a Member persists in any such disobedience, after having been called to order by the Warden, the Warden shall not recognize that Member, except for the purpose of receiving an apology from the Member tendered at the Meeting or any subsequent Meeting

Dress Code – Council Meetings – Public Meetings

- 7.8 All Members of Council are expected wear proper business attire (ties optional) during regularly scheduled, special and In-Camera meetings, although exceptions may be made during extenuating circumstances.

Dress Code – Committee of the Whole

- 7.9 During any Saturday or Budget meeting, Members of the Council may, if they so choose, wear a “Business casual” attire, which shall mean clothing that is less formal than the regular Business Attire.

Head Dressing

- 7.10 During the conduct of any meeting of the Council, wearing of any hats, other than for religious purposes, are strictly forbidden by any Members of the Council, Administration or Members of the General Public.

Section 8: Code of Ethic – Confidentiality

Executive (In-Camera) subjects – public interest

- 8.1 Upon completion of any “In-Camera” council meetings, the decisions of the Council with respect to any of the enumerated items listed in Section 4.10; and direction to municipal Administration in accordance therewith, shall then be reported publicly by Council, to the extent that the public interest permits.

Council Response – In-Camera enquiries

- 8.2 The response of Council Members to enquiries about any matter dealt with during an “In-Camera” closed meeting, prior to it being reported publicly, shall be “This matter is still under advisement” “no comment”, or words to that effect.

Violation of regulation

- 8.3 Any violation of process to this regulation will result in exclusion of the offending Council Members, requiring a two-thirds vote, from future closed meetings of Council and that Members shall no longer be provided with correspondence, materials or information proposed to be dealt with by Members of Council at a closed meeting.

Exclusion – closed meetings

- 8.4 The determination of whether or not a violation of process to the closed meeting provisions of this By-law and the length of the exclusion from closed meetings, if so determined, shall be made by Council at a closed meeting and the issues shall be considered by Council prior to the affected Members being excluded

from any closed meeting by a two-thirds vote. The results of Council's deliberation shall be reported out publicly.

Separate Resolution – per Member

8.5 If the purported violation of the process to the closed meeting provisions of this By-law by more than one Member is to be considered, a separate resolution of Council with respect to each affected Members is to be considered.

Member not permitted to vote

8.6 Notwithstanding Section 7.10.2 sub-section (c), the Member affected shall not be permitted to vote on a motion respecting his purported violation of the closed meeting provision of the Procedural By-law, his exclusion from closed meetings, or the length of any such exclusion and may be asked to excuse themselves from the vote, at the discretion of Council.

Release of Information

8.7 The release of any information about matters dealt with by Council at a closed meeting shall be by the Warden or her/his delegate only upon direction of the majority of Council

No public release – documents

8.8 Agendas or any items thereon for consideration by Council at a meeting closed to the public shall not be released to the public.

Obligation – confidentiality

8.9 It is the obligation of each Member of Council to keep information confidential and this obligation continues even after the Member ceases to be an elected Member of Council

Section 9: Types of Meetings of Council

Inaugural Meeting

9.1 The Inaugural Meeting of the new Council shall be held on the last Wednesday of November at 9:30 a.m.

9.2 The election of Warden and Deputy Warden shall be the first Agenda items of the inaugural Meeting of Council, and the Clerk shall act as Chair until the Warden and Deputy Warden are elected

9.3 The order of business of the Inaugural Meeting shall include:

- a) Declaration of Office to Councillors
- b) Election of Warden
- c) Election of Deputy Warden
- e) Declaration of Office to Warden and Deputy Warden
- f) Dressing of Chain of Office
- g) Warden's Inaugural Address

- h) Appointments to External Boards and Committees
- i) Passage of By-laws
- j) Other ceremonial procedures deemed relevant

Regular Meetings of Council

- 9.4 Regular meetings of County Council shall take place on the third Wednesday of the month at 9:30 a.m. at the County Administrative Offices unless otherwise directed by a resolution of Council.
- 9.5 Should a closed session be required, Council will begin at 9:00 a.m. and resolve into Closed Meeting and will reconvene as regular Council at 9:30 a.m.
- 9.6 Notwithstanding the provisions of Section 6.3 of this By-law, there shall be no regular meeting of Council in the month of August

Committee of the Whole

- 9.7 Council may meet as Committee of the Whole to consider any matter it decides. Council may meet as Committee of the Whole during a regular Meeting of Council if included on the agenda. Council may meet as Committee of the Whole during a regular Meeting when it is not included on the agenda by way of motion and a 2/3 vote of the members who are present and voting. Council may also hold a separate Meeting to meet as Committee of the Whole should the need arise.

Special Meetings of Council

- 9.8 The Warden may, at any time summon a Special Meeting of Council by instructing the Clerk to issue a Notice of Special Meeting with at least forty-eight (48) hours notice to the members.
- 9.9 Subject to section 6.8, in the case of an emergency or extraordinary circumstances, the Warden may call a Special Meeting without notice.
- 9.10 The Clerk shall, upon receipt of a written petition of the majority of the Members, call a Special Meeting for the purpose and time mentioned in the petition. The Clerk shall provide all Members of at least forty-eight (48) hours notice of the Special Meeting.
- 9.11 The only business to be dealt with at a Special Meeting is that which is identified in the Notice of the Meeting

Committee of Management of Fairmount Home

- 9.12 County Council is the Committee of Management of Fairmount Home
- 9.13 Council that when making decisions regarding Fairmount Home, specifically when it affects the Homes ability to be in compliance, they are meeting as the Committee of Management of Fairmount Home and recognize the responsibility/liability that they face in terms of their decisions.

Joint Meetings of Council

- 9.14 County Council may host a joint Meeting of the constituent lower tier Municipal Councils and County Council for a topic(s) that is common to all municipalities within the County. These Meetings shall be considered Special Meetings of County Council and procedural rules as outlined in this by-law shall apply

Electronic Participation

- 9.15 While in-person participation shall remain the primary method of participation, there is an expectation that members of Council make every effort to attend meetings in person. Councillors are permitted to participate in a meeting remotely via electronic means, in the event:

- i) the County of Frontenac is in a declared emergency as defined by the Emergency Management and Civil Protection Act, R.S.O. 1990.
- ii) Due to a significant weather event.
- iii) a member is ill, injured or on parental leave.
- iv) a member has been duly appointed to an external advisory board/committee and is attending a meeting or event hosted by that board/committee, should they be performing this role within Canada.

- 9.16 Electronic participation will not be allowed at the following meetings:

- 1) Inaugural Session of Council
- 2) at subsequent first meetings of the year (November)
- 3) at a meeting where the yearly budget is being considered unless the municipality or part thereof is under a Declared Emergency
- 4) where a vote of the majority of Council requires it.

- 9.17 Members may participate electronically in meetings up to two (2) times per year. A member of Council may request permission from the Warden to participate electronically in additional meetings as a result of extenuating circumstances.

- 9.18 A Member must give to the Clerk a notice of at least 48 hours of their intent to participate electronically in a meeting, unless extraordinary circumstances apply, to which a member will advise the Clerk as soon as possible, recognizing that due to constraints on staff, the member may be admitted late to the meeting

Technology for Electronic Participation

- 9.19 The technology used shall enable electronic participation of Members in decision-making and ensure the meeting can be open to the public, for example, but not limited to, telephone, video or audio conferencing

Loss of Connection during Electronic Participation

- 9.20 If connection for a member is lost or fails during the meeting and quorum maintained, any attempt to be reconnected will be at the call of the Chair. The

Clerk will make noted in the minutes that the participant left the meeting at the time the connection was lost.

Procedures for Electronic Meetings

- 9.21 At the discretion of the Clerk, Meetings where Electronic Means are provided may not be physically opened for the public to attend. If the meeting is not physically opened to the public, the Clerk shall ensure that members of the public have a reasonable opportunity to hear all proceedings of the Meeting through Electronic Means, except for those parts of the Meeting that are closed to the public.
- 9.22 The Warden (or Chair) may, with the consent of the Meeting, enact such rules as may be necessary to provide for the conduct of voting in a meeting held in whole or part through Electronic Means, including the adoption of motions on unanimous consent, which rules shall supersede the rules on voting set out in section 19 of this By-law
- 9.23 Despite Section 18.11, all motions will be read during meetings held under Section 6.19

Section 10: Closed Meetings of Council

- 10.1 All regular and special Meetings of Council shall be open to the public, except that a Meeting or part of a Meeting may be closed to the public if the subject matter being considered relates to:
- a) The security of the property of the municipality or local board;
 - b) Personal matters about an identifiable individual, including municipal or local board employees;
 - c) A proposed or pending acquisition or disposition of land by the municipality or local board;
 - d) Labour relations or employee negotiations;
 - e) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - f) Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - g) A matter in respect of which a council, board, committee or other body may hold a closed Meeting under another Act;
 - h) The Meeting is held for the purpose of educating or training the members and 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.
 - i) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;

- j) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- k) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
- l) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

Other criteria

- 10.2 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 or a municipally-controlled corporation by the Ombudsman appointed under the Ombudsman Act, an Ombudsman referred to in subsection 223.13 (1) of the Municipal Act, or the investigator referred to in subsection 239.2 (1) of the Municipal Act.

Time of Closed Session

- 10.3 All Closed Session Meetings shall be held by the Committee of the Whole immediately preceding the Regular Meeting, starting at 9:00 a.m.
- 10.4 In the event that the Closed Session Agenda items are not completed in the allotted time prior to the Regular Meeting, the Closed Session may be recessed and resumed following completion of the Regular Meeting business items and prior to the passing of by-laws, or during a certain time in the agenda by resolution of Council

Written Resolution for Closed Meetings

- 10.5 A written resolution outlining the general nature of the subject matter is required before going into a closed Meeting and in the case of a closed Meeting held under 7.1(h), the resolution shall state the general nature of the subject matter to be discussed

Introducing New Business at a Closed Meeting

- 10.6 If a member of Council wishes to introduce new business at a closed Meeting, it must be introduced in open session and then confirmed at the adoption of the agenda. When the Council resolves into a closed session, the Council member advise on the nature of the new business and the County Council, by majority vote, will determining if the matter will be dealt with in the closed session. No debate on the issue will take place until the motion to deal with the new business has been decided in the majority.

Closed Meeting Documentation to Remain Confidential

- 10.7 All information, documentation and/or deliberations received, reviewed or taken in a closed Meeting, including agendas and minutes shall, remain confidential and shall not be released to the public

Closed Meeting Investigator Reports

- 10.8 Where Council is in receipt of a report from the Ombudsman reporting his or her opinion that a Meeting or part of a Meeting appears to have been closed to the public contrary to the provisions of Section 239 of the Act or the provisions of this By-Law, Council shall pass a Resolution confirming how it intends to address the report

Section 11: Notice of Meetings

Notice to Members

- 11.1 Notice of regular Meetings, including agendas, minutes, and supporting documents shall be provided via electronic mail by the Friday preceding the date of the Council Meeting. Alternative formats shall be made available upon request of the member. Notice may be provided by telephone or personal contact in case of an emergency

Notice to Public

- 11.2 Notice of regular Meetings shall be given by posting agendas and supporting documentation on the County's web site. In the event an agenda is amended, it shall be reposted as an amended agenda.
- To meet accessibility needs, alternative formats shall be made available upon request.

Section 12: Quorum

- 12.1 Quorum as it relates to Council shall consist of a majority of the members. (Quorum for Frontenac County Council is 5 members) provided that such number is not less than two

12.2 If a quorum is not present at a scheduled Meeting thirty (30) 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

Protocols for Beginning Session

12.3 At the hour appointed, when a Quorum is present, the Warden shall take the Chair and call Council to order. The Clerk shall record in the minutes attendance of Members of County Council, County Staff, Members of Township Councils, Township Staff and Media. If a Member of Council arrives late or leaves before final adjournment, the Clerk shall note the time of arrival or departure in the minutes

Loss of Quorum

12.4 If Quorum is lost during a Meeting, the Chair shall call a recess for a period of fifteen (15) minutes, or until a Quorum is present, whichever is sooner.

12.5 If there is no Quorum after fifteen (15) minutes, the Meeting shall stand adjourned and a special meeting be called as soon as possible to conclude the unfinished business. A confirmatory by-law for actions taken by Council up until the point when quorum was lost will be included on the agenda for the special meeting

Loss of Quorum due to Pecuniary Interest

12.6 Notwithstanding Section 9.3, 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

Absence of Warden

12.7 In the case of the Warden not attending within fifteen (15) minutes after the hour fixed for holding the meeting of the Council, and provided that a quorum is present, the Deputy Warden shall take the Chair and call the Members to Order; and he/she shall preside until the arrival of the Warden

Absence of Warden and Deputy Warden

12.8 In the absence of the Warden and Deputy Warden, and if a quorum is present, the Clerk shall call the Members to order. A Chairperson shall be chosen from the Members present who shall preside over the meeting until the arrival of the Warden or Deputy Warden

Section 13: Agenda and Addendum

General

13.1 The Clerk, in consultation with the Warden, shall have prepared and delivered to the Members a minimum of five days prior to the Meeting of Council an electronic agenda, including staff reports, by-laws and background information,

for their review and consideration in accordance with Section 3.4 of this By-Law.

Agenda Order

- 13.2 The business of Council shall be taken in the order in which it stands upon the agenda as follows:
- a) Call to Order
 - b) Roll Call
 - c) Closed Meeting
 - d) Approval of Addendum
 - e) Disclosure of Pecuniary Interest and General Nature Thereof
 - f) Adoption of Minutes
 - g) Deputations and/or Presentations
 - h) Proclamations
 - i) Move into Committee of the Whole
 - j) Briefings
 - k) Unfinished Business
 - l) Move into Committee of Management of Fairmount Home
 - m) Revert Back to Committee of the Whole
 - n) Consent Reports from the Chief Administrative Officer
 - o) Recommend Reports from the Chief Administrative Officer
 - p) Information Reports from the Chief Administrative Officer
 - q) Reports from Advisory Committees of County Council
 - r) Return to Council
 - s) Adoption of the Report of the Committee of the Whole
 - t) Motions, Notice of Which has Been Given
 - u) Giving Notice of Motion
 - v) Communications
 - w) Other Business
 - x) By-laws – General By-laws and Confirmatory By-law
 - y) Adjournment
- 13.3 Approval of the Addendum, if required, directly follows Closed Meeting, with a 2/3 vote of the members present and voting.

Agenda Items due to Clerk

- 13.4 The Clerk, in consultation with the Warden, shall have prepared and delivered to the Members a minimum of five days prior to the Meeting of Council an electronic agenda, including staff reports, by-laws and background information, for their review and consideration in accordance with Section 3.4 of this By-Law.

Deadline to submit materials to the Addendum

- 13.5 The deadline for receipt of added materials to be included on an Addendum shall be 9:00 a.m. one (1) business day prior to the scheduled Meeting, subject to the discretion of the Warden.

Unfinished Business

- 13.5 When any business matter from an agenda is left unresolved at the time of adjournment, either for want of a quorum or otherwise, such business shall be taken up in succession at the next Meeting of the Council as unfinished business, or at a Special Meeting of Council as summoned by the Warden pursuant to Section 6.8

Briefings

- 13.6 Briefings are allowed at the beginning of the Meeting or when the issue arises on the agenda. If a briefing is expected to be in excess of 10 minutes, the agenda will note the length of time the briefing is expected to last

Section 14: Council Minutes

Minutes Content

- 14.1 The Clerk shall prepare and cause the minutes to be taken of each meeting of Council and which shall include:
- a) The place, date and time of the meeting;
 - b) The name of the presiding officer or officers and the record of the attendance of the Members.
 - c) Members who enter after the commencement of a meeting or leave prior to adjournment, the time shall be so noted in the minutes.
 - d) To record, without note or comment, all resolutions, decisions and other proceedings of the Council.
 - e) To record all publicly declared conflict of interests made by Members and identify that the Member has recused itself from discussion or vote on the declared matter, when the subject matter is brought up for debate.
 - f) If required by any Members present at a vote, to record the name and vote of every Member voting on any matter or question

Adoption of Minutes

- 14.2 Minutes of all open Meetings of Council shall be adopted at the next regular Meeting of Council and the Warden and Clerk shall then sign such minutes. Minutes of all closed Meetings of Council shall be adopted at the next closed Meeting of Council and the Warden and Clerk shall then sign such minutes. Members of County Council may ask questions of clarification of the minutes.

Section 15: Disclosure of Pecuniary Interest

Method of Disclosure

- 15.1 Where a Member, either on his own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a Meeting at which the matter is the subject of consideration, the Member shall, in accordance with the *Municipal Conflict of Interest Act*:
- a) Prior to any consideration of the matter at the Meeting, disclose the Member's interest and the general nature thereof; and
 - b) Not take part in the discussion of, or vote on any question in respect of the matter, and
 - c) Not attempt in any way whether before, during or after the Meeting to influence the voting on the matter, and
 - d) Shall file a written statement of the interest and its general nature with the Clerk

Closed Meetings

- 15.2 Where a Meeting is not open to the public, in addition to complying with the requirements of the *Municipal Conflict of Interest Act*, the Member shall forthwith leave the Meeting or the part of the Meeting during which the matter is under consideration

Absence – Disclosure at Next Meeting

- 15.3 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

Record and Registry of Disclosure

- 15.4 The Clerk shall record in reasonable detail the particulars of any disclosure of pecuniary interest made by a Member, and this record shall appear in the Minutes of that Meeting
- 15.5 The Clerk shall establish and maintain a registry in which shall be kept,
- a) a copy of each statement filed under section 16.1; and
 - b) a copy of each declaration recorded under section 16.1
- 15.6 The registry shall be available for public inspection upon 48 hours written notice to the Clerk's Office

Section 16: Delegations and/or Presentations

Request for Delegation

- 16.1 Any person desiring to present information orally on matters of fact or to make a request of Council shall give notice and disclose the subject matter to the Clerk not less than ten days preceding the Council Meeting at which such person desires to be heard
- 16.2 In order to be scheduled as a delegation before Council, a person shall submit to the Clerk written and/or electronic documentation concerning the presentation not less than seven days preceding the Council Meeting
- 16.3 The Clerk, in consultation with the Warden, shall have the authority to deem a delegation inappropriate or outside the scope of Council authority and deny the item a place on the agenda
- 16.4 Except as required by law, any person appearing before Council or a Committee who has previously appeared before Council or the same Committee on the same subject matter shall be limited to providing only new information in their second and subsequent appearances
- 16.5 Under extenuating circumstances, exceptions to the ten days' notice required in 16.1 may be approved by the Clerk.
- 16.6 Each delegate shall be limited to not more than a total of ten (10) minutes. Extensions to these limits will be at the discretion of the Warden
- 16.7 A maximum of two (2) delegations may address Council per Meeting, excluding the County's External Boards and funded agencies.
- 16.8 The number of speakers for one delegation shall be limited to two, unless authorized by Council resolution.

Conduct at Meeting

- 16.9 All delegates shall address the Warden, shall state their name and whom they represent
- 16.10 No delegate shall:
- a) Speak disrespectfully of any person;
 - b) Use offensive language;
 - c) Speak on any subject other than the subject for which he has received approval to address Council;
 - d) Disobey the rules of procedure or a decision of the Warden or Council.
- 16.11 The Warden may curtail any deputation, any questions of a deputant or debate during a deputation for disorder or any other breach of this by-law, and, if the Warden rules that the deputation is concluded, the person or persons appearing shall withdraw
- 16.12 Members of the public who constitute the audience at a Meeting, shall not:

- a) Address Council or Committee without permission;
- b) Bring signage, placards or banners into such Meetings and refrain from any activity or behavior that would affect the Council deliberations.

Specific

Recognition of Member

- 17.1 To address Council, a Member shall request to speak, be recognized by the Warden and direct all comments through the Warden.

Order of Speakers

- 17.2 When two or more Members indicate their desire to speak at the same time, the Warden shall designate the order of speakers.

Interruptions

- 17.3 When a Member is speaking, no other Member shall interrupt the Member speaking, except to raise a point of order, privilege or personal privilege
- 17.4 Any Member may require a motion or question under discussion to be read at any time during the debate, but not so as to interrupt the Member speaking.

Five Minutes

- 17.5 No Member shall speak for longer than five minutes on a question without Council's permission.

Speak Once

- 17.6 No Member shall speak more than twice to the same question without Council's permission, except the presenter on the motion may respond to questions

Questions

- 17.7 A Member may ask a question only for the purpose of obtaining information relating to the matter under discussion and the question shall be stated succinctly and asked only of the Warden, the previous speaker or County staff

Points of Order and Privilege

- 17.8 When a Member rises on a point of order, point of privilege or point of personal privilege, the Member shall ask leave of the Warden to raise the point. After leave is granted, the Member shall state the point to the Warden and then remain silent until the Warden has ruled upon the point
- 17.9 Subject to being overruled by Council on a vote which shall be taken immediately and without debate, the Warden shall rule on the point
- 17.10 Any Member may challenge the ruling of the Warden immediately following the ruling
- 17.11 The Warden's ruling is final unless it is challenged.

17.12 If challenged, the Deputy Warden will take the Chair.

17.13 Council's decision is final if the Warden is challenged

Section 18: Motions

Jurisdiction

18.1 A motion or notice of motion in respect of a matter which is not within the jurisdiction of Council shall not be in order and shall not be considered by Council

Putting a motion on the agenda

18.2 Motions introducing new matters must be in the hands of the Clerk by Noon on the Friday prior to the regular County Council or Committee Meeting for inclusion on the agenda.

18.3 Every motion must be in writing and have a mover and seconder before being submitted to the Clerk for inclusion on the agenda.

18.4 All motions will be placed in the order in which they are received.

18.5 Motions for which notice has not been previously given shall only be considered if agreed upon by a two-thirds majority vote of the Members present.

18.6 After a motion has been proposed and seconded, and placed in the hands of the Warden, it shall be considered to be in the possession of Council but may be withdrawn with the consent of the mover and the support of a majority of Council.

Motions Introduced Orally

18.7 The following may be introduced orally without written notice and without leave of Council:

- a) A point of order, privilege or personal privilege
- b) Presentation of petitions
- c) A motion to waive or suspend the rules of procedure
- d) A motion to recess
- e) A motion to adjourn
- f) A motion to call the question
- g) A motion to separate the question
- h) A motion that Council resolve itself into a closed Meeting
- i) A motion to receive an item
- j) A motion to table an item
- k) A motion to lift from the table
- l) A motion to refer
- m) A motion to defer

- n) A motion to amend, and
- o) A motion to adopt a recommendation

Motions to be in Writing

18.8 Except as provided in Section 18.7, all motions and notices of motion shall be in writing.

Motions to be Seconded

18.9 A motion shall be moved and seconded before being open for discussion and consideration. Motions under Sections 19.5 (a) and (b) do not require a seconder.

Mover May Vote in Opposition

18.10 A member may move a motion in order to initiate discussion and debate and that Member may vote in opposition to the motion. A seconder of a motion may also vote in opposition to the motion.

Motion Considered to be read

18.11 Motions contained in the published agenda will only be read if requested by a member of Council or under the following conditions:

- a) A member requests a recorded vote on the motion
- b) Where an amendment to a main motion is made, both the amendment, and the motion as amended

18.12 Any member of Council may request that a motion be summarized by its author.

18.13 Motions not contained in the published agenda shall be read.

Motion Extend

18.14 A motion carried by a two-third vote of the members present and voting will extend the meeting past 1:00 p.m.

18.15 At 12:45 p.m. the Warden will ask if Council wishes to proceed beyond 1:00 p.m. A motion put forward must stipulate the purpose of the extension (i.e. to complete the agenda in its entirety, or a certain portion of the agenda, or that the extension is for a specific period of time).

18.16 If a two-thirds vote is not achieved to extend the meeting, Council will consider the time sensitive items, and at 12:55 p.m. Council will move directly to by-laws.

Motion to Recess

18.17 A motion to recess is debatable; however debate is restricted to the length of time of the recess only.

18.18 A motion to recess is amendable; however any amendment shall refer to the length of time of the recess only.

Motion to Adjourn

- 18.19 A motion to adjourn the Council Meeting is not debatable and shall always be in order except:
- a) when another Member is in possession of the floor;
 - b) when a vote has been called;
 - c) when the Members are voting, or
 - d) when a Member has indicated to the Warden his desire to speak on the matter before Council.
- 18.20 A motion to adjourn shall take precedence over any other motion.

Motion to Call the Question

- 18.21 A motion to call the question is not debatable and shall be put immediately.
- 18.22 A member who moved a motion to call the question shall not be allowed to speak to the question again if the motion is decided in the negative.

Motion to Table (postpone indefinitely)

- 18.23 A motion to table:
- a) is not amendable;
 - b) shall apply to the motion and any amendments under debate when the motion to table is made;
 - c) is debatable; however debate may go into only the reasons why the motion should or should not be dealt with at this time;
- 18.24 If the motion to table carries, in the absence of any direction from Council, the matter may not be discussed until a Member through a Notice of Motion, brings it forward to a subsequent Meeting.

Motion to Refer

- 18.25 A motion to refer, until it is decided, shall precede all amendments of the main question
- 18.26 A motion to refer:
- a) is amendable;
 - b) is debatable;
 - c) shall include the name of the Committee or official to whom the motion or amendment is to be referred; and
 - d) shall include the terms upon which it is to be referred and time or period, if any, on or within which the matter is to be returned

Motion to Postpone

- 18.27 A motion to defer:
- a) is debatable;
 - b) is amendable;

- c) shall include the time to or period within which, consideration of the matter is to be deferred; and
- d) shall include an explanation to demonstrate the purpose of the motion to defer.

Motion to Amend

- 18.28 A motion to amend:
- a) is debatable
 - b) only one motion to amend a motion shall be on the floor at any one time
 - c) shall receive disposition of Council before a previous amendment to the question
 - d) shall not be amended more than once before voting
 - e) shall be relevant to the question to be received
 - f) shall not be received proposing a direct negative to the question
 - g) may propose a separate and distinct disposition of a question
 - h) shall be put in the reverse order to that in which it is moved.

Motion to Receive

- 18.29 A motion to receive, moved after the main motion, is debatable and shall be treated as an amendment to the main motion

Motion for Reconsideration

- 18.30 A motion to reconsider a matter within one year following the decision of the Council shall be in order to permit correction of hasty, ill-advised or erroneous action or to take into account added information or a changed situation that has developed since the taking of the vote. A motion to reconsider is not in order if the provisions of the original motion have been partly carried out or involve a contract were the party to the contract has been notified on the outcome.

- 18.31 A motion to Reconsider
- a) A motion to reconsider is debatable;
 - b) No discussion of the main question shall be allowed until the motion for reconsideration is carried by a two-thirds majority vote of the members present;
 - c) Once the question is reopened, it is reopened in its entirety unless the reopening motion specifies otherwise;
 - d) If the question is reopened, all previous decisions of the Council remain in force unless the Council decides otherwise;
 - e) No motion to reconsider may, itself, be the subject of a motion to reconsider

Notices of Motion

- 18.32 A notice of motion shall be given in accordance with the Agenda of Council and shall be in writing and shall include the name of the mover and seconder.
- 18.33 The Clerk shall place notices of Motion on the Agenda in the order in which they are received

Giving Notices of Motion

- 18.34 The Clerk will read any notices of motion at the designated point on the Agenda; however they will form part of the Agenda for the subsequent Meeting of Council
- 18.35 Any Member giving a Notice of Motion shall disclose the subject matter of the motion.
- 18.36 Any notice of motion, the subject matter of which falls within the mandate of a Committee, shall be referred directly to that Committee by the Council unless the Council determines that it should not be first considered by the Committee, for reasons of emergency, health, safety or legal deadline.

Section 19: Voting

Order of Votes

- 19.1 Motions relating to an item under consideration shall be voted on in the following order:
- a) A motion to waive or suspend the rules of procedure
 - b) A motion to adjourn
 - c) A motion to recess
 - d) A motion to receive an item
 - e) A motion to call the question
 - f) A motion to defer
 - g) A motion to refer
 - h) A motion to amend, in reverse order of its being placed
 - i) A motion to table an item
 - j) The main motion.

Members Shall Vote

- 19.2 Every Member present at a Meeting of Council where a question is put shall vote on the question, unless prohibited by statute, in which case the Clerk shall so record

Number of Votes

- 19.3 Subject to the exception under Section 5.11 above, every Member present at a Meeting of Council where a question is put shall have 1 vote except for the Mayor of South Frontenac who shall have 2 votes.
- 19.4 If the Mayor of South Frontenac is absent at a Meeting, the other Councillor representing South Frontenac shall only have 1 vote.
- 19.5 If the Mayor of South Frontenac is absent at a Meeting and requests the alternate for South Frontenac attend on his/her behalf, the alternate member shall only have 1 vote

Warden to State the Question

- 19.6 Immediately preceding the taking of a vote, the Warden shall state, if requested, the question in the precise form in which it will be recorded in the minutes

Method of Voting

- 19.7 A Member shall vote by raising a hand or otherwise indicating the Member's vote, except where a recorded vote is requested.
- 19.8 During virtual meetings, the Warden may have the discretion to call a vote by asking all those opposed to the motion

Actions During Vote

- 19.9 When the Warden calls for the vote on a question,
- a) Each Member shall occupy his seat and shall remain in place until the result of the vote has been declared by the Warden, and
 - b) During this time no Member shall walk across the room or make any other motion or speak to the question or any other Member or make any noise or disturbance.

Split Votes

- 19.10 Upon the request of any Member, and when the Warden is satisfied that a matter under consideration contains distinct proposals, the vote upon each proposal shall be taken separately

No Vote Deemed Negative

- 19.11 If any Member present does not vote at a Meeting of the Council where a question is put and a recorded vote taken, he shall be deemed to vote in the negative except where the Member is prohibited from voting by statute
- 19.12 The Warden may vote on any question and shall vote in the case of recorded votes

Majority Vote

- 19.13 All decisions of Council shall require a majority vote except as otherwise set out in this By-Law

Equality of Votes

- 19.14 Any motion that receives a tie vote shall be deemed to have been decided in the negative.

Two-Thirds Vote

- 19.15 The following decisions of Council require a two-thirds majority vote:
- a) A motion to consider a report or by-law that does not relate to a matter listed on the Agenda;

- b) A motion to consider a matter previously postponed indefinitely or to a time or eventuality that has not been reached or occurred under Section 20.4 of this By-Law;
- c) A motion to reconsider a question decided within the previous year under Section 20.10 of this By-Law;
- d) A motion to suspend the provisions of the By-Law under Section 2.1 of this By-Law;
- e) A motion to call the question under Section 20.3 of this By-law.

Recorded Vote

- 19.16 A request for a recorded vote by a Member present at the Meeting shall be made prior to the commencement of the vote being taken or immediately thereafter.
- 19.17 Should a Recorded Vote be requested by a Member, the Clerk shall poll the Members as follows:
- a) voting shall begin with the Member who requested the Recorded Vote and shall continue alphabetically until the vote is completed;
 - b) each Member present, except a Member who is disqualified from voting in accordance with Subsection 23.2, shall announce their vote openly;
 - c) the Clerk shall announce the result of the Recorded Vote; and
 - d) the names of those Members who voted for and those who voted against the Motion shall be entered in the minutes

Request for Further Vote

- 19.18 If a Member doubts the results of a vote as announced by the Clerk, the Member may call for the vote to be taken again and the Warden shall request that the Members shall vote again

Section 20: Other Business

Items to be Considered for Other Business with Prior Notice

- 20.1 Miscellaneous Business/Motions that do not warrant a staff report may be placed on the agenda under Other Business provided that the business is posted on the agenda with supporting documentation.

Items to be Considered for Other Business without Prior Notice

- 20.2 **Statement by Members** – When a Councillor(s) wishes to inform Council of a matter that does not require action or consideration by Council, such information may be announced under Other Business.
- 20.3 **Matters of Urgency** – When a Councillor(s) wishes to inform Council of a matter that must be considered immediately, due to extreme time constraints, Council shall determine if the matter is admissible and requires immediate action by Council, by a two-thirds majority vote. Only matters of urgency, ruled admissible by Council, shall be considered by Council without prior notice.

Section 21: By-laws

Introduction

21.1 All by-laws shall be introduced by motion specifying the title thereof

Three Readings

21.2 Every by-law shall have three readings prior to being passed

By-Laws Taken as Read

21.3 By-laws shall be taken as read for the first, second and third readings unless otherwise decided by a majority vote of Council.

Separate Vote

21.4 By request of any Member, any by-law(s) may be discussed or voted on individually.

Pass at One Meeting

21.5 A by-law may be passed through all its stages and be finally passed at one Meeting.

Confirmatory By-law

21.6 The proceedings of every Meeting of Council shall be confirmed by by-law at each Meeting in order that every decision of Council in that year and every resolution thereof shall be of 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.

Amendments

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

Authorization

21.8 Every By-law passed by the Council shall be numbered and dated, and shall be sealed with the Seal of the Municipal Corporation and signed by the Warden and Clerk and shall be kept by the Clerk in the Clerk's office or any other place appointed for that purpose.

Section 22: Committees

Council's Role

22.1 Council shall determine the appropriate number of Committees, their membership, mandates and reporting practices.

Advisory Committees of County Council – Schedule B

22.2 The composition and terms of reference for Advisory Committees are in accordance with Schedule B, attached hereto and forming a part of this By-Law as follows:

External Boards and Committees – Schedule C

22.3 The Committees to which County Council makes appointments, but are not Committees of County Council, is included in Schedule C. These Committees are bound by the rules established by their governing body and do not abide by the County's Procedural By-law.

Appointment/Nominees to Other Boards

22.4 Appointments and nominees to other boards, such as the KFL&A Public Health Board and the Kingston Frontenac Public Library Board, shall be appointed directly by Council.

Eligible Appointees

22.5 Every member of a Committee must be either a member of Council or a person eligible to be elected as a member of the Council, in accordance with the *Municipal Elections Act*, unless approved by a majority resolution of Council.

Term of Appointment

22.6 The Term of Appointment for Members of Committees shall be in accordance with the Terms of Reference of the Committees set out in Schedule B to this By-law.

22.7 Committee members will continue to serve on a committee past the expiration of their term until they are replaced. All Council membership on all Committees end on November 14 of a municipal election year.

Absenteeism

22.8 If a member of a Committee is absent for three (3) consecutive meetings without cause acceptable to the Committee, the absences will be brought to the attention of the Clerk.

22.9 The Clerk will contact the absent committee member to discuss the reasons for absenteeism and to determine whether the member wishes to provide a letter of resignation.

22.10 Upon confirmation that the member will no longer be serving on the Committee, the Clerk will notify Council of the vacancy and the need for a replacement. If a member indicates the desire to continue to serve on the Committee, the member will be advised that attendance is required, or the member will be removed from the Committee.

Election of Chairs and Vice-Chairs

22.11 Chair and Vice-Chair of each Committee shall be elected on an annual basis by the Committee from its Members:

- a) Each candidate for Chair and Vice-Chair who stands for election may make a presentation to the Committee;
- b) The Committee shall elect a Vice-Chair to chair the proceeding in the absence of the Committee Chair;
- c) The Warden shall not be eligible to be the Chair or Vice-Chair of a committee;
- d) The Chair and Vice-Chair of committees may hold their respective positions for a maximum of four consecutive years if re-elected to do so;
- e) Each Chair and/or Vice-Chair shall preside at every Meeting of their Committee, may vote on every question submitted for consideration and may require that resolutions be in writing.

22.12 Section 22.11 c) does not apply when the composition of the Committee with respect to Council appointments is the Mayors of each Township

Removal of Chair or Vice-Chair

22.13 The Chair or Vice-Chair can only be removed by a vote of the majority of Members of the Committee or by resolution of Council.

Warden's Membership on Committees

22.14 The Warden shall be an ex officio Member of all Committees and Task Forces and shall be counted for Quorum purposes and entitled to vote at such meetings.

Clerk shall be Secretary

22.15 The Clerk or designate shall be the Secretary of all Committees of Council and shall be present at all Meetings. The Clerk shall record the proceedings of all Committees of Council in the form of minutes.

22.16 The minutes shall reflect that the Minutes are not verbatim.

22.17 Despite Section 22.15, the Clerk may delegate to any employee duties related to the preparation of the Agendas, giving of notice of the Meetings, recording of the minutes and general administrative support to the Committees.

Committee Meeting Dates & Locations

22.18 Committees shall establish regular Meetings dates, times and locations at the beginning of each year. Meetings will be held in the County of Frontenac Administration Building. Alternative locations shall only be considered where staff capacity and resources are deemed sufficient

Public Notice

22.19 Notice of Meetings including agendas, minutes and supporting documentation to the Members shall be via electronic mail, regular mail, courier or facsimile. Notice may also be provided by telephone or personal contact in case of an emergency

22.20 Notice of Meetings shall be given by posting agendas and supporting documentation on the County's website. Notice of Meetings shall be posted as soon as practical after being established by Committees. Agendas and supporting documentation shall be posted three days prior to the Meeting and in the event an agenda is amended it shall be reposted as an amended agenda.

General Role of Committees

22.21 The role of Committees shall generally be to:

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

Responsibility to Act on Recommendations

22.22 No action shall be taken on Committee recommendations until approved by Council unless the responsibility has been delegated to the Committee by Council.

Recommendations Lost or Deferred at Committee Meetings

22.23 Report Recommendations rejected by any Committee must be reported to Council with a "negative recommendation", allowing Council the opportunity to discuss the item.

22.24 Motions that result in a tied vote at a Committee must be reported to Council with no recommendation to allow Council the opportunity to discuss and make a decision.

22.25 Report Recommendations receiving no mover or no seconder by any Committee must be reported to Council with no recommendation to allow Council the opportunity to discuss the item

Committee Procedures

22.26 The rules governing the procedure of the Council and the conduct of Members of Council at Council shall be observed as far as they are applicable, and, subject to the specific rules for Committees set out in this section including:

- a) the number of times of speaking on any question shall not be limited;
- b) a majority vote shall be required to decide any matter before the Committee;
- c) recorded votes shall not be weighted and members shall be called to vote by last name in alphabetic order;

Members' Rights

22.27 Members who are not Members of a specific Committee may attend Meetings of that Committee and may, with consent of the Chair of that

Committee, take part in the discussion, but shall not be counted in the quorum or entitled to make motions or to vote at these Meetings.

Public Participation at Committee Meetings

22.28 At Committee meetings that are open to the public, following the introduction of an agenda item and once a motion has been introduced, members of the committee may speak to the motion first. Following the members' discussion, the Chair may invite members of the public to share their comments, views, suggestions and opinions but may not participate in the debate. Prior to calling the question the Chair has discretion to give the public another opportunity to speak.

Absence of Chair and Vice Chair

22.29 In the event of the Chair of a Committee not attending the Committee at which he is to preside within fifteen (15) minutes after the time appointed for the commencement of the Meeting, the Committee Vice Chair shall call the Meeting to order and preside until the arrival of the Committee Chair. Should the Committee Vice-Chair not be in attendance at the Meeting, then, those Members in attendance shall appoint one of the Members to act in place of the Committee Chair for that Meeting. Such Member shall then call the Members to order and shall preside until the arrival of the Committee Chair or the Committee Vice-Chair.

Meeting Limitation

22.30 No Committee Meeting shall be held while Council is in session

Agendas

22.31 The Clerk shall prepare for distribution Committee agendas.

22.32 In accordance with requirements for public notice, transparency and disclosure, new substantive items should not be introduced on the Agenda under Other Business.

Deputations

22.33 Any person desiring to present information to a Committee may do so subject to the following:

- a) The request shall be in writing and the information to be presented shall be on matters of fact or to make a request of the Committee;
- b) Requests shall be made not less than ten days preceding the Committee Meeting at which such person desires to be heard;
- c) Exceptions to the ten days' notice requirement required in (b) above may be approved by the Committee Chair;
- d) Any person who is scheduled to appear as a deputation before a Committee is requested to submit written documentation for the Committee's consideration to the Clerk's Department not less than five (5) days preceding the Committee Meeting;

- e) The rules relating to time limits, behavior, curtailment of time and conduct shall be as set out in Section 16.

Declarations of Pecuniary Interest

- 22.34 Members of Committees shall adhere to Section 15 with respect to declarations of pecuniary interest in Committees.

Quorum

- 22.35 A quorum as it relates to Committees of Council shall consist of a majority of the members.

Right to Expel

- 22.36 The Chair has the right to expel or exclude any person from any Meeting for improper conduct.

Reconsideration

- 22.37 No Committee shall reconsider any question decided by the Council within a year after the Council decision, nor consider any other matter which could involve a decision inconsistent with a Council decision.

Section 23: Repeal / Enactment

By-laws Previous

- 23.1 By-law 2013-0020 and all adhering amendments are hereby repealed.

Effective Date

- 23.2 This By-law shall come into effect on the November 15, 2022

Conflict with Statute

- 23.3 If there is any conflict between this By-law or any portion thereof and any statute, the provisions of the statute shall prevail.

Read a First and Second Time this 20th day of July, 2022.

Read a Third Time, Signed, Sealed and Finally Passed this 20th day of July, 2022.

The Corporation of the County of Frontenac

| | |
|------------------------------|--------------------------------|
| <hr/> Denis Doyle, Warden | <hr/> Jannette Amini, Clerk |
|------------------------------|--------------------------------|

Schedule B-1 Advisory Committee to County Council

Committee Name: Joint Accessibility Advisory Committee

Establishment of the Committee

- (i) That a Committee to be known as the County of Frontenac Joint Accessibility Advisory Committee be hereby established.
- (ii) That the Committee shall be comprised of not more than 7 members as follows:
 - 2 Members of County Council
 - 4 Members of the Community who are persons with disabilities (one representative from each Township)
 - 1 Member from the Community at largewho shall hold office from the date of their appointment, at the pleasure of Council, up to the end of the term of Council.
- (iii) That Committee shall adhere to the County's Procedural By-law No. 2013-0020 and any amendments thereto, specifically *Section 25 – Committees* to govern all proceedings of the Accessibility Advisory Committee Meetings.
- (iv) The Committee shall hold a minimum of four (4) and a maximum of six (6) Meetings per year.

Mandate of the Committee

To assist the County and Township Councils in the County of Frontenac in enabling persons with disabilities to have equal access to all opportunities within the County.

Duties of the Committee

The committee shall:

- (a) advise the councils about the legislative requirements and implementation of the accessibility standards and the preparation of accessibility reports and such other matters for which the council may seek its advice;
- (b) review in a timely manner the site plans and drawings described in section 41 of the *Planning Act* that the committee selects in terms of how they address the accessibility needs of persons with disabilities;
- (c) perform all other functions as specified by legislation.
- (d) in consultation with Council and Municipal Staff, review new and existing municipal by-laws and policies as applicable;
- (e) work with Council and the community at large to identify and address the needs of persons with disabilities within the community;
- (f) provide recommendations to Councils on the promotion of public awareness and understanding of the needs of persons with disabilities.

Schedule B-1 Advisory Committees Continued

Responsibilities of Council

Council shall:

- (a) establish the Accessibility Advisory Committee and appoint its members;
- (b) seek advice from the Committee regarding accessibility plans and reports required to be submitted to the province;
- (c) seek advice from the Committee on the accessibility for persons with disabilities to a building, structure or premises, or part of a building, structure or premises,
 - (i) that the council purchases, constructs or significantly renovates;
 - (ii) for which the council enters into a new lease; or
 - (iii) that a person provides as municipal capital facilities under an agreement entered into with the council in accordance with the *Municipal Act, 2001*; and
- (d) when the committee selects site plans and drawings described in section 41 of the *Planning Act* to review, supply them to the Committee in a timely manner for the purpose of the review; and
- (e) have regard to the accessibility for persons with disabilities in deciding to purchase goods and services through the procurement process for the use of it by itself, by the Townships, its' employees or the public.

General

- (a) That Administrative Support shall be provided by the Clerk or Designate.
- (b) That the records of the Accessibility Advisory Committee shall be retained and preserved in accordance with the provisions of the County Records Retention by-law.

Composition of The Committee

The Council of the County of Frontenac hereby appoints the following individuals to the County of Frontenac Joint Accessibility Advisory Committee:

Two (2) Members of County Council:

- Nicki Gowdy
- Bill Saunders

Four (4) Representatives from the Community who are Persons with Disabilities – One (1) from each of the Four (4) Townships:

- Township of North Frontenac – Ed Shlievert
- Township of Central Frontenac – Kurt Halliday
- Township of South Frontenac – Neil Allen
- Township of Frontenac Islands – Janet MacDonald

One (1) Representative from Community at Large:

- Pat Joslin

Schedule B-2 – Advisory Committee to County Council

Committee Name: Planning and Economic Development Advisory Committee

Establishment of the Committee

- (i) The County of Frontenac Planning and Economic Development Advisory Committee shall be comprised of (8) members appointed by County Council as follows:
 - (4) members of County Council, one from each member municipality; and
 - (4) community representatives from each Township.
- (ii) The members of the County of Frontenac Planning and Economic Development Advisory Committee shall hold office from the date of their appointment, at the pleasure of Council, up to the end of the term of Council and who shall be named in Schedule “A” to this By-law;
- (iii) The County of Frontenac Planning and Economic Development Advisory Committee shall adhere to the County’s Procedural By-law No. **[insert number of new Procedural By-law]** and any amendments thereto, specifically *Section 22 – Committees* for the conduct of all Meetings.

Terms of Reference/Mandate

The Planning and Economic Development Advisory Committee is responsible for overseeing all regional development, planning, and the Planning Act implications of economic development within the County of Frontenac in accordance with the County’s Official Plan document.

The Planning and Economic Development Advisory Committee shall also be directed by the Economic Development Charter and County Strategic Plan, as well as the Trails Master Plan.

The Planning and Economic Development Advisory Committee shall:

1. Be responsible directly to Council for those items emanating from the Planning & Economic Development Department.
2. Subsequent to the approval of the budget, consider budget proposals and business plans for the Planning & Economic Development Department pertaining to items within the Committee mandate.
3. Receive reports from staff on items within the Committee’s mandate.
4. Receive public delegations on matters affecting general land use planning and economic development in the County of Frontenac and hold public meetings, as required by the Planning Act, with respect to plans of subdivision and condominium. All such public meetings would be held in the Township where a development proposal was located.
5. Review and recommend to Council revisions to the Planning and Economic Development Committee’s Terms of Reference/Mandate, as required.
6. Monitor provincial and federal legislation that has an impact on planning matters.

Specific Responsibilities

The Planning and Economic Development Advisory Committee shall:

1. Provide direction to staff for the implementation of the planning and development goals and policies as outlined in the County's Official Plan document.
2. Make recommendations to Council with respect to County Official Plan matters.
3. Review and make recommendations to Council concerning other planning matters of the County, including regional studies affecting planning and/or economic development, special studies, sustainability issues, and planning policy matters.
4. Review and consider reports on the following matters that fall within the mandate of the Committee:
 1. Subdivision and condominium applications;
 2. Extensions of draft plan approvals;
 3. County and Township Official Plan amendments; and
 4. County and Township Official Plan updates.
5. Make recommendations to Council on matters relating to Community Improvement Plans (CIPs) as a means to support and promote community development in the rural areas.
6. Receive advice from, and work with economic development stakeholders such as Community Development Advisory Committee, Community Futures Development Corporation, Land 'O Lakes Tourism, Kingston Economic Development Corporation (KEDCO), and Township Economic Development Committees.

Composition of the Committee

The Council of the County of Frontenac hereby appoints the following individuals to the County of Frontenac Planning and Economic Development Advisory Committee:

Council Liaison to Planning and Economic Development

Four (4) Representatives from the Community:

- North Frontenac – Fred Fowler
- Central Frontenac – Fran Smith
- South Frontenac – Ron Vandewal
- Frontenac Islands – Judy Greenwood-Speers

Four (4) members of County Council, those being the Mayors of each Township (or their designate):

- North Frontenac – Mike Hage
- Central Frontenac – Jim McIntosh
- South Frontenac – Phil Leonard
- Frontenac Islands – Leona Fleischmann

Schedule B-3 – Advisory Committee to County Council

Committee Name: Administrative Building Design Task Force

Establishment of the Committee

- (i) The County of Frontenac Administrative Building Design Task Force shall be comprised of four (4) members of County Council appointed by County Council
- (ii) The members of the County of Frontenac Administrative Building Design Task Force shall hold office from the date of their appointment, at the pleasure of Council, up to the end of the term of Council and who shall be named in this Schedule;
- (iii) The Administrative Building Design Task Force shall meet as required.
- (iv) The County of Frontenac Administrative Building Design Task Force shall adhere to the County's Procedural By-law No. 2013-0020 and any amendments thereto, specifically *Section 26 – Committees* for the conduct of all Meetings.

Terms of Reference

(i) Goal/Mission

The mission of the County of Frontenac stated in its Mission Statement is *the effective, efficient and sustainable delivery of service to its citizens*. Within the context of the Values and Principles detailed, the Administrative Building Design Task Force will be guided by the Mission Statement:

(ii) Mandate

- a) To carry out a space review and analysis of the County of Frontenac Administrative Building
- b) To review and consider options for the Administrative Building and make recommendations to Council
- c) If necessary, to review any proposals and recommend to Council a design team for any refurbishing of the Administrative Building
- d) If necessary, to work with the architect to bring back design options/costing for Council consideration
- e) If necessary, to periodically receive updates and provide input on the final details of the refurbishing/construction phase of the Administrative Building

Composition of the Committee

The Council of the County of Frontenac hereby appoints the following members of Council to the County of Frontenac Administrative Building Design Task Force:

Four (4) Members of County Council:

- Fred Fowler
- Ray Leonard
- Gerry Lichty
- Fran Smith

Schedule B-4 – Advisory Committee to County Council

Committee Name: Administration Committee

Establishment of the Panel

The County of Frontenac Administration Committee shall be comprised of four (4) members as follows:

- The Warden
 - The Deputy Warden
 - Two members of Council from the remaining two member municipalities
- (i) The members of the Administration Committee shall hold office from the date of their appointment, at the pleasure of Council, and appointed annually;
- (ii) The Administration Committee shall be considered a Committee of Council and bound by the meeting requirements of the County's Procedural By-law No. [insert new by-law No.] and any amendments thereto, and the *Municipal Act*.

Terms of Reference/Mandate:

The Administration Committee is responsible for carrying out the annual Performance Appraisal of the County of Frontenac's Chief Administrative Officer by the following procedure, as set out in By-law 2017-0028 being a By-Law to Adopt a Chief Administrative Officer Performance Appraisal Policy:

1. For the purpose of determining the timing of the Performance Appraisal for the CAO, the date of hire (or promotion) to the position will be utilized.
2. All communications, correspondence and forms completed during the performance appraisal process are considered confidential in order to ensure the protection of privacy of the incumbent.
3. Unless superseded by an employment contract or an engagement letter, the process outlined in this policy (including a 360° review) will also be utilized to evaluate the performance of the CAO at the conclusion of a six month probation period.
 - a. Prior to hiring (or promotion) to the position of CAO the nature of this policy will be disclosed to the potential candidate.
4. The annual PA process will proceed as follows:
 - a. In the month of the anniversary date, the CAO will provide to the review panel the following:
 - i. A list of accomplishments on a professional and personal development level. The accomplishments will be tied to the goals and objectives outline in the previous PA, or in the event of a probationary review, the goals and objectives outline in the letter of engagement.

- ii. A completed PA form completed in draft for consideration by the panel.
 - iii. A draft outline of objectives for the upcoming year.
 - iv. Any other information deemed necessary for the evaluation of the CAO's performance (e.g., reports, research, commendations)
 - v. To avoid any real or perceived conflict of interest, pecuniary interest or personal gain for the CAO, their family or associates, an annual disclosure memo be presented to the Panel on any external activities that he/she is currently engaged in.
- b. At least once per Council term, the Review Panel will work with the Manager of Human Resources to conduct a 360° review including Directors, Managers and front line staff. At the discretion of Council, the 360° review may include key outside stakeholders.
- i. The 360° will be coordinated by the Manager of Human Resources in a confidential manner and provided to the Review Panel in an aggregate format that protects the confidentiality of the respondents.
- c. The Review Panel shall review their findings and provide a final draft Performance Review and objectives for the upcoming year to the CAO for review and comment.
- d. The CAO can:
- i. Sign the Performance Review, acknowledging the feedback
 - ii. Acknowledge but not sign the PA and provide comment to the Review Panel
 - iii. Request a subsequent meeting with the Review Panel to provide clarification.
- e. Should a stalemate over the contents of the PA occur between the Review Panel and the CAO, the parties may agree to non-binding mediation by an objective third party.
- f. Upon completion of the Performance Review the Chair/Warden shall provide a summary report to all of Council in closed session.
5. Should a step increase be available and approved, the effective date shall be the anniversary date for the incumbent.

The Administration Committee is also responsible for carrying out a broader range of oversight, including:

- Service Delivery Review
- Strategic Policies and Priorities
- Organizational Structure
- Compensation Review

- Receive and make recommendations to Council on nominations to Advisory Committees of Council

Composition of the Committee

The Council of the County of Frontenac hereby appoints the following individuals to the County of Frontenac Administration Committee:

Four (4) members of County Council, with representation from each Township:

- Warden Ron Vandewal
- Deputy Warden Fran Smith
- Township Councillor Judy Green-Wood Speers
- Township Councillor Gerry Lichty

Schedule B-5 – Advisory Committee to the Planning Advisory Committee

Committee Name: Communal Service Governance/Operations Model Review Committee

Establishment of the Committee

- (iii) The Communal Service Governance/Operations Model Review Committee shall be comprised of 8 members appointed by County Council as follows:
- Four (4) member of the public; and
 - Four (4) members of County Council, those being the Mayors of each Township.

Although not voting members of the Committee, an invitation will be extended to staff from the Ministry of Municipal Affairs and the Ministry of Environment Conservation and Parks to assist the sub-committee with respect to issues of governance and environmental approvals.

- (iv) The members of the Communal Service Governance/Operations Model Review Committee shall hold office from the date of their appointment, at the pleasure of Council, up to such time that a governance / operations model to manage communal service development across the region has been approved by Council but not longer than the term of Council and who shall be named in this Schedule;
- (v) The Communal Service Governance/Operations Model Review Committee shall meet as required.
- (vi) The Communal Service Governance/Operations Model Review Committee shall adhere to the County's Procedural By-law No. 2013-0020 and any amendments thereto, specifically *Section 26 – Committees* for the conduct of all Meetings.

Terms of Reference

- (iii) Goal/Mission

The mission of the County of Frontenac stated in its Mission Statement is the effective, efficient and sustainable delivery of service to its citizens. Within the context of the Values and Principles detailed, the Communal Service Governance/Operations Model Review Committee will be guided by the Mission Statement:

- (iv) Mandate

- f) To review and advise the Planning Advisory Committee on the best approach to creating a communal service operation, with different options and approaches considered.
- g) Review best practice models currently in place in Ontario (e.g., Lakeland Power, Township of Oro-Medonte), including:
- a. governance model

- i. Board composition
 - ii. What is their reporting relationship to Council/community?
- b. Scope of services for this operation
- c. How does the financial model work (community investment/re-investment, dividends, community grants)?
 - i. Risk mitigation strategies
 - ii. Community Investment Policy
- d. Analysis of operations of utilities – recommendations for next steps.
- h) Review financial model that was completed by WSP consultants in the 2019 Communal Services Study.
- i) Determine what the best way would be to establish this operation, such as through the creation of Municipal Service Corporation (MSC) permitted under the Municipal Act.
- j) Does the MSC need to be under the jurisdiction of the regional government for it to operate across the County? Are there other ways of setting this up without the upper tier involvement? Is the MSC stronger (and have lower financial risk) if the County is a partner?
- k) Investigate any ‘seed funding’ required at the outset, i.e., a reserve fund to support the first few communal developments in the short term?

Composition of the Committee

The Council of the County of Frontenac hereby appoints the following individuals to the County of Frontenac Communal Service Governance/Operations Review Committee:

Four (4) Representatives from the Community:

- Gwen Glover
- Michael Keene
- Jim McIntosh
- Wayne Robinson

Four (4) members of County Council, those being the Mayors of each Township (or their designate):

- North Frontenac – Councillor Higgins
- Central Frontenac – Councillor Smith
- South Frontenac – Councillor Vandewal
- Frontenac Islands – Councillor Doyle

Schedule B-6 – Advisory Committee to County Council

Committee Name: Procedural By-law Review Committee

Establishment of the Committee

- (vii) The County of Frontenac Procedural By-law Review Committee shall be comprised of four (4) members of Council, appointed by County Council
- (viii) The members of the County of Frontenac Procedural By-law Review Committee shall hold office from the date of their appointment, at the pleasure of Council, up to the end of the term of Council;
- (ix) The County of Frontenac Procedural By-law Review Committee shall adhere to the County's Procedural By-law No. 2013-0020 and any amendments thereto, specifically Section 26 – Committees for the conduct of all Meetings.

Mandate/Terms of Reference:

The mandate of the Procedure By-law Review Committee ("Committee") is to conduct a comprehensive review of the County of Frontenac Procedure By-law.

Roles and Responsibilities of Members:

The Committee will be undertaking a review and making recommendations on the County of Frontenac Procedure By-law. Members who cannot attend a meeting must inform the Clerk's Office and may designate an alternate Councillor to attend the meeting.

Reporting Structure:

The Committee will report to County Council through the Reports from Advisory Committee section of the Council agenda.

Frequency of Meetings:

The meeting frequency for the Committee will be determined by the Committee at its first meeting.

Staff Resources:

The Committee will be supported by staff from the Clerk's Office and the Chief Administrative Officer.

Composition of the Committee

The Council of the County of Frontenac hereby appoints the following individuals to the County of Frontenac Procedural By-law Review Committee:

- Councillor Bill MacDonald
- Councillor Gerry Martin
- Councillor Bruce Higgs
- Councillor Alan Revill

Schedule C – External Boards and Committees with County Council Appointees

1. The **Kingston Frontenac Public Library Board** – one member of Council and two members of the community, appointed for the term of County Council. Provides for the information, education and leisure needs of the citizens of the City of Kingston and the Townships of Frontenac through its 5 urban and 12 rural branches; establishes policies and appoints the Chief Librarian/CEO, who administers the library under the guidance of established board policies.
2. The **Kingston, Frontenac, Lennox & Addington Public Health, Board of Health** – one member of County Council, appointed for the term of County Council. This body provides advice and makes recommendations to KFLA Public Health on the programs and services to be offered, sets the annual budget and oversees expenditures.
3. The **Rural/Urban Liaison Advisory Committee (RULAC)** – The Warden, Deputy Warden and the County Councillor appointed to the City of Kingston Housing and Homelessness Advisory Committee for the term of Council, three members of Kingston City Council, the Mayor and two members of Council. The Rural/Urban Liaison Advisory Committee was established by the order of the Minister of Municipal Affairs under Section 25.2(4) of the Municipal Act. The Committee shall meet at the request of the County of Frontenac or the City of Kingston should the need arise for RULAC to fulfill its primary responsibilities as set out in the Amalgamation Order and the Local Services Realignment Agreement with respect to recommending solutions to matters of common concern and/or dispute resolution (effective December 1, 2014).
4. The **Housing and Homelessness Advisory Committee (formerly the Affordable Housing Development Committee)** – one member of County Council, appointed for the term of Council. This is an Advisory Committee of the City of Kingston who acts as the Local Service Realignment body for the County of Frontenac. This Committee works to ensure that there is a comprehensive understanding of housing, affordable housing and homelessness issues, initiatives and developments, with a mandate to provide advice to Kingston City Council on housing, publicly assisted affordable housing and homelessness policies, provide advice regarding the implementation of the Municipal Housing Strategy, Homelessness Plan and other municipal housing strategies, policies and directives, provide information and input on housing matters as related to poverty reduction through the appointment of one member of the Housing and Homelessness Advisory Committee to the Poverty Reduction Group, for a term of two years and two members of Housing and Homelessness Advisory Committee to the Poverty Reduction Housing Sub Working Group for a term of two years and to maintain close linkages with other City of Kingston Committees and working groups to ensure co-ordination of housing, affordable housing and homelessness initiatives.