



County Council – Public Meeting
April 17, 2013 – 1:00 p.m.
The Frontenac Room, 2069 Battersea Road, Glenburnie, ON

**AGENDA
PUBLIC MEETING
HELD PURSUANT TO THE MUNICIPAL ACT**

The purpose of this public meeting is to provide general information regarding County Councils intent to pass a by-law that would change the term of office of Warden and Deputy Warden

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1. **CALL TO ORDER**
2. **DISCLOSURES OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF**
3. **REPORTS FROM THE CHIEF ADMINISTRATIVE OFFICER**
2013-073
Change in Term of Warden and Deputy Warden
4. **PUBLIC QUESTION PERIOD**
5. **BY-LAWS – GENERAL BY-LAWS AND CONFIRMATORY BY-LAW**
By-Law No. 2013-0013 to Confirm Proceedings of Public Special Meeting
6. **ADJOURNMENT**

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Report 2013-073

ADMINISTRATIVE REPORT

To: Warden and Council Members of the County of Frontenac

From: Elizabeth Savill
CAO

Prepared by: Jannette Amini
Deputy Clerk

Date prepared: March 20, 2013

Date of meeting: April 17, 2013

Re: **Administrative Services – Change in Term of Warden and Deputy Warden**

Recommendation

BE IT RESOLVED THAT Report 2013-073, *Administrative Services – Change in Term of Warden and Deputy Warden* be received as information;

AND FURTHER THAT a By-law to amend Procedural By-law 2010-0028 to change the Term of Warden and Deputy Warden from a 4 year term to a 1 year term be prepared by staff for consideration at the May 15, 2013 County Council meeting.

Background

At its regular meeting of December 19, 2012, County Council passed a resolution directing the CAO/Clerk to bring forward a by-law for consideration that would see the term of the Warden change from a four year term to one year only, effective immediately after the next general municipal election. The purpose of this public meeting is to provide information for purposes of conducting a public meeting under the *Municipal Act* respecting Notice provisions with respect to the change in composition of upper-tier Council.

Comment

The following is a public hearing report to Frontenac County Council for an amendment to the County Procedural By-law. Section 5.1 of County of Frontenac By-law No. 2010-0028, being a By-law to Govern the Proceedings of the Council and its Committees, the Conduct of Members and the Calling of Meetings states that the Term of Warden and Deputy Warden shall be 4 years. The proposed by-law amendment will see the term of the Warden and Deputy Warden

Administrative Report
Administrative Services – Change in Term of Warden and Deputy Warden
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change from a four year term to a one year term effective immediately after the next general municipal election.

Section 218 (4) of the *Municipal Act, 2001* states that an upper-tier municipality may change the term of office of an appointed head of council so long as the new term does not extend beyond the term of council. Further to this, Section 219 (1) of the Act mandates that prior to passing a by-law under Section 218, a municipality must hold at least one public meeting to consider the matter.

The contents of this report are provided for information purposes for the Public Meeting. Following the Public Meeting, staff will prepare a by-law regarding the proposed changes to the County Procedural By-law for County Council's consideration at its meeting in May.

Notice Provisions

Pursuant to the requirements of the *Municipal Act*, a notice of the statutory Public Meeting was provided by a "Notice of Public Meeting" being posted to the County of Frontenac website in accordance with Schedule "A" to By-law No. 2007-0040, Public Notice Minimum Requirements. A "Notice of Public Meeting" was also sent by regular mail to the Frontenac Townships of South, Central, North and Frontenac Islands requesting that it be posted to the Townships' respective websites.

At the time of the writing of this report, no inquiries or correspondence had been received. Any responses received will be addressed and included in the May 15th County Council Agenda for consideration by County Council. This report was made available to the public prior to the meeting.

Sustainability Implications

Good governance is critical to the sustainability of a community. A Procedure By-law that provides the necessary framework to guide members of council fairly and courteously through meetings of council and committees aids good decision-making.

Financial Implications

There are no cost implications directly associated with this report.

Organizations, Departments and Individuals Consulted and/or Affected

Township of North Frontenac
Township of Central Frontenac
Township of South Frontenac
Township of Frontenac Islands

BY-LAW NO. 2013-0013

OF

THE CORPORATION OF THE COUNTY OF FRONTENAC

being a by-law to confirm all actions and proceedings of County Council Public and Special Meeting for Procedure By-Law on April 17, 2013

WHEREAS Section 8 of the *Municipal Act, S.O. 2001, c.25* and amendments thereto provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the *Municipal Act* or any other *Act*; and;

WHEREAS Subsection 2 of Section 11 of the *Municipal Act, S.O. 2001, c.25* and amendments thereto provides that a lower-tier municipality and an upper-tier municipality may pass by-laws respecting matters within the spheres of jurisdiction described in the Table to Subsection 2 subject to certain provisions, and;

WHEREAS Section 5 of the *Municipal Act, S.O. 2001, c. 25* and amendments thereto provides that a municipal power, including a municipality's capacity, rights, powers and privileges under Section 8 shall be exercised by its council and by by-law unless the municipality is specifically authorized to do otherwise; and;

WHEREAS the Council of the County of Frontenac deems it expedient to confirm its actions and proceedings;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE COUNTY OF FRONTENAC hereby enacts as follows:

1. THAT all actions and proceedings of the Council of the County of Frontenac Public and Special Meeting for Procedure By-Law taken at its regular meeting held on April 17, 2013 be confirmed as actions for which the municipality has the capacity, rights, powers and privileges of a natural person.
2. THAT all actions and proceedings of the Council of the County of Frontenac Public and Special Meeting for Procedure By-Law taken at its regular meeting held on April 17, 2013 be confirmed as being matters within the spheres of jurisdiction described in Subsection 2 of Section 11 of the *Municipal Act, S.O. 2001, c.25* and amendments thereto.
3. THAT all actions and proceedings of the Council of the Corporation of the County of Frontenac Public and Special Meeting for Procedure By-Law taken at its regular meeting held on April 17, 2013 except those taken by by-law and those required by by-law to be done by resolution are hereby sanctioned, ratified and confirmed as though set out within and forming part of this by-law.
4. THAT this by-law shall come into force and take effect as of the final passing thereof.

By-law No. 2013-0013 – To confirm all actions and proceedings of County Council Public and Special Meeting for Procedure By-Law on April 17, 2013

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Read a First and Second Time this 17th day of April, 2013.

Read a Third Time and Finally Passed, Signed and Sealed this 17th day of April, 2013.

THE CORPORATION OF THE COUNTY OF FRONTENAC

Janet Gutowski, Warden

K. Elizabeth Savill, Clerk

By-law No. 2013-0013 – To confirm all actions and proceedings of County Council Public and Special Meeting for Procedure By-Law on April 17, 2013

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