



**Municipality of Huron East**  
**Municipal Elections Compliance Audit Committee**  
**Agenda**  
**Wednesday, April 12, 2023 at 10:00 a.m.**  
**Council Chambers**  
**2<sup>nd</sup> Floor, 72 Main Street South, Seaford, ON**

1. **Call to Order & Introductions of Members**
2. **Election of Chair and Vice Chair**
3. **Disclosure of Pecuniary Interest**
4. **Terms of Reference and Procedural Document**
  - 4.1 [MECAC Terms of Reference](#) (For Information) Page 2
  - 4.2 [Huron East Procedural By-law](#) (For Information) Page 5
5. **Applications**
  - 5.1 [Application](#) for a Compliance Audit of the Campaign Finances of Candidate Nancy Craig for Mayor for the 2022 Municipal Election Page 40
    - [Financial Statement for Candidate Nancy Craig](#)
6. **Delegations**
7. **Closed Deliberations (if required)**
8. **Issuance of Committee Decision**
9. **Other Business**
10. **Adjournment**

**Terms of Reference  
Municipality of Huron East  
Election Compliance Audit Committee**

**1. Name**

The name of the Committee is the “Municipality of Huron East Compliance Audit Committee”.

**2. Mission**

The Municipality of Huron East Compliance Audit Committee has full delegation of the authority in the *Municipal Elections Act, 1996* (MEA) to address applications requesting an audit of a candidate’s election campaign finances.

**3. Mandate**

The responsibilities and functions of the Committee are set out in Section 88 of the MEA and are required and not limited to perform the following:

- (a) consider a compliance audit application received by an elector or clerk and decide whether it should be granted or rejected;
- (b) if the application is granted, appoint an auditor;
- (c) receive the auditor’s report;
- (d) consider the auditor’s report and decide whether legal proceedings should be commenced within 30 days of receiving the auditors report; and
- (e) recover the costs of conducting the compliance audit from the applicant if there were no apparent contraventions and if there appears to be no reasonable grounds for having made the application.

**4. Membership Composition**

The Committee will be composed of three (3) members and one (1) alternate member, with membership drawn from the following stakeholder groups:

- (a) accounting and audit – accountants or auditors with experience in preparing or auditing the financial statements of municipal candidates;
- (b) academic – college or university professors with expertise in political science or local government administration;
- (c) legal;
- (d) professionals who in the course of their duties are required to adhere to codes or standards of their profession which may be enforced by disciplinary tribunals; and
- (e) other individuals with knowledge of the campaign financing rules of the Municipal Elections Act, 1996.

Note: Candidates, Members of Council and Municipal staff are not eligible to be appointed to the Committee as stipulated in Section 88.37(2) of the MEA.

**5. Membership Selection**

All applicants will be required to submit a letter outlining their qualifications and experience. The selection committee consisting of a sub-committee from the Huron County Municipal Clerks and Treasurers Association will select a short list of candidates for Council appointment. If a vacancy of more than two (2) occurs during the term of appointment the Huron County Compliance Audit Ad Hoc Committee will proceed with the process to fill these vacancies.

The selection process will be based upon clearly understood and equitable criteria. Members will be selected on the basis of the following:

- (a) demonstrated knowledge and understanding of municipal election campaign financing rules;
- (b) proven analytical and decision-making skills;
- (c) experience working on a committee, task force or similar setting;
- (d) availability and willingness to attend meetings;
- (e) would be willing to provide a Letter of Independence to confirm there would be no conflict with the undertaking;
- (f) excellent oral and written communication skills;
- (g) other skills as deemed necessary.

## **6. Term of Membership**

The Committee must be established by October 1, 2022 and Committee members will be appointed to serve the same term of office of the Council or local board that takes office following the Municipal Election on October 24, 2022.

## **7. Chair**

The Committee members will select a Chair from amongst its members at its first meeting and the Chair may rotate on an annual basis or as deemed necessary by the Committee members.

## **8. Procedures**

Meetings of the Committee shall be governed by Robert's Rules of Order Procedural By-Law and Legislation.

## **9. Administration**

Any responsibilities not clearly identified within the Terms of Reference shall be in accordance with Section 88 of the MEA.

## **10. Meetings**

An initial training session will be organized for the Committee, with this expense to be shared jointly by all lower tier Huron County Municipalities.

The Committee will meet as needed with meetings to be scheduled when a compliance audit application is received in accordance with Section 88.33(3) of the MEA. The Committee may also schedule meetings as necessary to organize and plan its work, as it deems necessary.

The Secretary will ensure that agendas, minutes and decisions are properly communicated using the Municipality's website or other means necessary.

The records emanating from meetings of the Municipality of Huron East Compliance Audit Committee shall be retained and preserved by the municipality requesting the services of the Committee in accordance with that municipality's Record Retention By-law.

## **11. Closed Meetings**

The Committee, may, upon affirmative vote of the majority of its members present at a meeting, determine to hold any meeting or part of a meeting as a closed session in order to discuss sensitive issues in accordance with Section 239 of the *Municipal Act, 2001*.

## **12. Staffing and Remuneration**

Where a Municipality has received application for audit, staff from the Municipal Clerk's Office will provide administrative support to the Committee and the Clerk, or designate, shall act as Secretary. Where the Clerk of a Municipality has submitted the application, an alternate Clerk from another municipality in the County shall act as Secretary. The appointment of the auditor will be the responsibility of the Municipality that has received the application for audit.

Committee members will receive remuneration on a per diem basis in the amount of \$200 for attendance at a meeting plus mileage expenses (at the Municipality's rate). Administration costs for such items as printing and mailing will be absorbed within the Municipal Clerks' operating budget and common costs of the Committee

### **13. Meeting Attendance**

Meetings will be convened with the attendance of three (3) committee members and may be held virtually as per the individual Municipality's Procedural By-Law. In the event of the absence of a member, the appointed alternate member will assume the duties of the committee member.

### **14. Conflict of Interest**

To avoid a conflict of interest, any auditor or accountant appointed to the Committee must agree in writing to not undertake the audits or preparation of the financial statements of any candidates seeking election to Council. Failure to adhere to this requirement will result in the individual being removed from the committee. Persons who have participated as candidates in municipal elections, or who have held roles on the campaigns for any such candidates which involved the giving of financial advice, will not be eligible for participation on the committee.

Members shall abide by the rules outlined within the *Municipal Conflict of Interest Act* and shall disclose the pecuniary interest to the Secretary and absent himself or herself from meetings for the duration of the discussion and voting (if any) with respect to that matter.

### **15. Errors/Omissions**

The accidental omission to give notice of any meeting of the Committee to its members or the non-receipt of any notice by any member, or any error in any notice that does not affect its substance, does not invalidate any resolution passed or any proceedings taken at the meeting. Any member of the Committee may at any time waive notice of any meeting.

**Municipality of  
Huron East  
Procedural By-law  
028-2023**

**April 4, 2023**



**Procedural By-law No. XX-2023**

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## The Municipality of Huron East

### By-law No. XX-2023

Being a By-law to Establish a Policy to Govern The Proceedings of Council & Committees of The Municipality of Huron East

**Whereas** Section 238(2) of the Municipal Act, S.O. 2001, c. 25 as amended, requires every municipality to pass a Procedural By-law for governing the calling, place and proceedings of meetings;

**And Whereas** Section 238(2.1) of the Municipal Act, S.O. 2001, c. 25 as amended, requires that the Procedural By-law shall provide for public notice of meetings;

**And Whereas** the Council of The Municipality of Huron East deems it expedient to enact a new By-law to govern the calling, place and proceedings of the Council and to provide for public notice of meetings in accordance with the Act.

**Now Therefore** the Council of the Municipality of Huron East **Hereby Enacts As Follows:**

#### 1. Short Title

This By-law shall be cited as the "Procedural By-law".

#### 2. Definitions

In this By-law:

- 2.1. "Act" means the Municipal Act, 2001, as amended from time to time.
- 2.2. "Ad Hoc Committee" means a special purpose Committee of limited duration, appointed by Council to consider a specific matter and which is dissolved automatically upon submitting its final report to Council, unless otherwise directed by Council.
- 2.3. "Adjourn" means to end the meeting. This motion requires a second, is not debatable, is not amendable, requires a majority vote for adoption and cannot be reconsidered.
- 2.4. "Advisory Committee" means a Committee established by Council to advise on matters which Council has deemed appropriate for the Committee to consider.
- 2.5. "Acting Head of Council" means the Deputy Mayor.
- 2.6. "Chair" means the person presiding at a meeting whether it be the Head of Council, Acting Head of Council or Chairperson of any Committee.



- 2.7. "Chief Administrative Officer" means the Chief Administrative Officer or designate of The Municipality of Huron East, appointed by By-law.
- 2.8. "Clerk" means the Clerk, or designate, of the Municipality of Huron East appointed by By-law
- 2.9. "Closed Session" means a meeting, or portion thereof, closed to the public in accordance with the Municipal Act, 2001
- 2.10. "Committee" means Ad Hoc, Advisory or Joint Committees which may be appointed by Council from time to time.
- 2.11. "Community Control Group" means the officials designated to control the emergency operations for the Corporation when it becomes necessary to activate the Emergency Response Plan.
- 2.12. "Confirmatory By-law" means a By-law of Council that adopts all resolutions passed at a Council meeting.
- 2.13. "Corporation" means The Corporation of the Municipality of Huron East.
- 2.14. "Correspondence" includes, but is not limited to, the following: letter, memorandum, report, notice, electronic mail, facsimile, petition, etc., that may require an action or decision of Council or a Committee.
- 2.15. "Council" means the Council of The Municipality of Huron East.
- 2.16. "Councillor" means a person elected or appointed as a Member of Council.
- 2.17. "Defer" means to postpone all discussion on the matter to a future specified meeting date or after a certain event which may be established as part of the motion;
- 2.18. "Delegation" means a person or group of persons who address Council or a Committee on behalf of an individual or a group for the purpose of making a presentation to Council or a Committee.
- 2.19. "Deputy Mayor" means the Member of Council who is appointed by Council to act in the absence of the Head of Council in accordance with this By-law and will represent the Corporation on the Council of the Municipality of Huron East.
- 2.20. "Electronic Meeting" means a meeting where any member is not physically present but participates via electronic means of communication, adhering to legislative requirements.

- 2.21. "Electronic Participation" means participation in a meeting by means of telephone, video, or audio conferencing or any other interactive method whereby members, staff and the public are able to hear the member(s) participating.
- 2.22. "Head of Council" means the Mayor (or alternate) and who shall preside at all meetings of the Council.
- 2.23. "Joint Committee" means a Committee established by Council where members of the Committee are appointed by Council and neighbouring municipalities as considered appropriate and may act in Advisory, Ad Hoc nature.
- 2.24. "Lay on the Table" means to temporarily delay the pending question in order to consider a different item immediately. The delayed motion may be taken up again by a motion to "Take from the Table".
- 2.25. "Lower Tier" means any lower tier municipality in the County of Huron.
- 2.26. "Majority" means more than half of the votes cast by members entitled to vote.
- 2.27. "Mayor" means the Member of Council who has been duly elected under the Municipal Elections Act as the Head of Council; and will represent the Municipality of Huron East and in accordance with Section 225 of the Municipal Act, 2001 is the Chief Executive Officer of The Municipality of Huron East.
- 2.28. "Meeting" means any regular, special or other meeting of Council, Local Board, or Committee where a quorum of Members are present and Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, Local Board or Committee.
- 2.29. "Member" means a Member of Council or a Committee as defined in this By-law.
- 2.30. "Minutes" mean a record of the proceedings of Council or Committee.
- 2.31. "Municipality" means The Municipality of Huron East.
- 2.32. "Pecuniary Interest" includes a direct or indirect financial interest of a Member and a financial interest deemed to be that of a member, in accordance with Sections 2 and 3 of the Municipal Conflict of Interest Act, 1990.
- 2.33. "Quorum" means the minimum number of required members (fifty percent plus one of the membership) to be in attendance to conduct the business of the meeting and vote on any matter or question to achieve a simple majority.

- 2.34. "Recess" means a short break taken during a meeting and is of a duration established by the Mayor or Chair.
- 2.35. "Recorded Vote" means the recording of the name and vote of every Member of Council or a Committee who is present when the vote is called on any matter of question.
- 2.36. "Refer" means to direct a matter under discussion by Council or Committee to a staff member for further examination.
- 2.37. "Regular Meeting" means a scheduled Council meeting.
- 2.38. "Reports" means written documents by municipal employees, committees, consultants, solicitors or other individuals for the purpose of providing advice, alternatives and/or recommendations on various matters.
- 2.39. "Resolution" means a formal state of opinion or intention adopted by Council in accordance with these rules.
- 2.40. "Rules and Regulations" means the applicable regulations contained in this By-law.

### **3. Authority**

The Municipal Act, 2001 provides that the Council may determine its own rules of procedure for meetings. The following set of rules shall be in effect upon their adoption by the Council until such time as they are amended or new rules adopted.

### **4. General Rules**

- 4.1. The Rules and Regulations contained in this By-law shall be observed in all proceedings of the Council and shall be the Rules and Regulations for the order and dispatch of business in Council and Committees.
- 4.2. Any procedure under this By-law that is discretionary and not mandatory under statute may be suspended, by a 2/3 vote of all Members present.
- 4.3. With a 2/3 vote of all Members present, the Rules of Order may be temporarily suspended during a Council meeting in order to permit extended debate on a specific item of business.
- 4.4. In any case for which provision is not made in these Rules and Regulations, the procedure to be followed shall be as near as may be that followed in the most current official edition of Roberts Rules of Order.

## 5. Meetings

### 5.1. Location of Meetings

All meetings of the Council shall take place in the Council Chambers at 72 Main Street, Seaforth, ON. Notwithstanding the foregoing that meetings be held in the Council Chambers, the Council shall determine, at their discretion, other locations from time to time for meetings as deemed necessary.

### 5.2. Inaugural Meeting

- (i) Following a regular Municipal Election, the Inaugural Meeting shall take place on a date set by the Clerk of the Municipality and in compliance with the Municipal Elections Act.
- (b) In the case of inclement weather, the Inaugural Meeting shall be held electronically, or rescheduled to the first suitable day following, at the same hour and at the discretion of the Clerk in consultation with the CAO and Mayor Incumbent.
- (c) The order of business for the Inaugural Meeting shall be as follows:
  - 1. Call to Order by the Clerk
  - 2. Declaration of Oath of Office
  - 3. Key Note Speaker
  - 4. Presentation of Gavel & Chain of Office by the Clerk
  - 5. Inaugural Address by the Mayor
  - 6. Comments from Councillors
  - 7. Appointment of Deputy Mayor
  - 8. Confirming By-law
  - 9. Adjournment
- (d) The Deputy Mayor will be appointed during the Inaugural meeting of Council in accordance with the following:
  - (i) The Clerk, or designate, shall conduct the election of the Deputy Mayor.

- (ii) Motion to authorize the Clerk to proceed with the election of the Deputy Mayor by calling for nominations of candidates for the position. Candidates shall be nominated by a mover.
- (iii) Motion stating that the nominations be closed.
- (iv) Remarks from Candidates to be limited to three minutes per candidate, order of candidates to be determined at random by the Clerk.
- (v) The election of the Deputy Mayor shall be done by secret ballot in open Council, as per Section 233(5) of the Municipal Act, a Head of Council may be designated by secret ballot, and shall be conducted as follows:
  - 1. Each member of the Council shall have one vote.
  - 2. The Clerk will distribute equal sized paper to all Members and ask that the name of the preferred candidate be written down.
  - 3. The Clerk will collect the ballots from each Member.
  - 4. The Clerk will announce the votes as they are opened and read aloud.
  - 5. When a candidate has received a majority of votes, there will be no further voting.
  - 6. If more than two candidates are seeking the position and if the candidate with the most votes does not receive the majority of votes cast the candidate receiving the fewest number of votes will be dropped after that first ballot.
  - 7. In the case of a tie vote for low candidate where there are three or more candidates, then Council shall vote on the tied candidates to determine which candidate shall remain on the ballot.
  - 8. All remaining candidates shall be voted in the same manner as the initial vote.
  - 9. In the case of a tie vote by the remaining two candidates, the successful candidate shall be determined by the Clerk placing the names of the

candidates on equal size pieces of paper in a box and one name being drawn. The successful candidate shall be the one whose name was drawn

- (vi) Motion to declare the person elected as Deputy Mayor is required from Council.

### 5.3 Regular Meeting

- (a) Regular meetings shall be held on the first and third Tuesday of each month, unless otherwise stated in the approved Schedule of Meetings.
- (b) The meetings shall commence at the hour of 6:00 p.m. and finish no later than 10:00 p.m.
- (c) Council may, by resolution, alter the date and/or time of a regular meeting provided that adequate notice of such change has been posted and/or published.
- (d) The Clerk, with the approval of the Mayor, may cancel a meeting of Council when, in their opinion, there is sufficient cause to do so.
- (e) The Clerk, with approval of the Mayor, may change a meeting to an electronic format, if there is sufficient cause to do so.
- (f) No meeting of Council is a properly constituted a meeting unless the Clerk or his/her designate is present.

### 5.4 Special Meetings

- (a) The Mayor may, at any time call a special meeting of Council or upon receipt of a petition of the majority of the Members of Council, the Clerk shall call a special meeting of Council for the purpose and at the time mentioned in the petition.
- (b) No business may be transacted at a special meeting other than that specified in the notice or agenda.

### 5.5 Emergency Meetings

- (a) In the event of an emergency or extraordinary situation as determined by the Mayor or the CAO, a meeting may be held as soon as practical following receipt of a summons. The summons may be given by a manner as determined by the Clerk.
- (b) In accordance with Section 238(3) of the Municipal Act, 2001, during any period where an emergency has been declared to exist in all or

part of the municipality under Section 4 or 7.0.1 of the Emergency Management and Civil Protection Act, a Member of Council or Committee may participate electronically in a meeting which is open to the public to the extent and in the manner set out in this By-law and may be counted in determining whether or not a quorum of Members is present at any point in time and a Member of Council or Committee can participate electronically in a meeting that is closed to the public.

The Clerk or designate, has the delegated authority to institute and modify measures to facilitate public participation in an open meeting that is being conducted by electronic means and to take measures to facilitate the participation of Members of Council and the public in a manner similar to other provisions contained in this By-law for regular meetings of Council and Committee.

#### 5.6 Closed Session – Council and Committees

All meetings of Council shall be open to the public except as provided for in Section 239(2), 239(3), and 239(3.1) of the Municipal Act, S.O. 2001.

- (a) For purposes of this section, a meeting not open to the Public shall be called a “Closed Session”.
- (b) The published agenda for Council or a Committee shall indicate the fact that a Closed Session meeting is required. The agenda will provide as much detail as possible regarding the nature of business to be conducted in Closed Session without jeopardizing the intent of Section 239 of the Municipal Act, 2001.
- (c) Before holding a meeting or part of a meeting that is to be closed to the public, the Council or Committee shall state, by resolution, the fact of the holding of the closed meeting and the general nature of the matter to be considered and specify the staff or others not directly elected to Council or Committee that shall remain for the Closed Session.
- (d) A meeting shall not be closed to the public during the taking of a vote except when the meeting is for a purpose of procedural matter or giving directions or instructions to officers, employees or agents of the Corporation or persons retained by or under contract with the Corporation.
- (e) When a Closed Session comes to an end Council and/or the Committee shall report to the open session the nature of the Closed Session meeting and provide as much information to open session

without jeopardizing the intent of Section 239 of the Municipal Act, 2001.

- (f) When a Closed Session is necessary, it will be a requirement that the minutes shall be prepared and approved at the next scheduled Closed Session.
- (g) The Clerk shall be responsible for maintaining a confidential copy of all original documentation distributed, relating to closed sessions, and for keeping confidential minutes of all Closed Sessions.
- (h) Subject to the provisions of this Section, Council may hear delegations in Closed Session.
- (i) It shall be the responsibility of Council, Committees and staff to respect the confidentiality of all matters disclosed to them and materials provided to them during Closed Sessions that are required to be kept confidential.
- (j) The electronic recording of the proceedings of Council or a Committee Closed Session is strictly prohibited.

#### 5.7 Education and Training Sessions

- (a) The Council may decide, at a meeting open to the public, to convene an informal gathering of its members to receive and discuss information or advice of a general nature involving subject matters of interest to the members, at a time and place designated at that time by the Council.
- (b) The Council, in deciding to convene an Education & Training Session, shall designate the general purpose or purposes for which the session is to be held.
- (c) An Education & Training Session may be held at any place designated by the Council at the time at which it makes its decision to convene the session, whether or not it is within the boundaries of the municipality or elsewhere.
- (d) All Members of Council respectively are entitled to attend the session, together with designated staff or consultants retained by the municipality, but the Council, in deciding to convene the session, may decide to exclude the public therefrom.
- (e) No motion, resolution, by-law, debate, agreement in principle, consensus, report, recommendation, or other action or decision may be



proposed, discussed, decided upon, adopted, taken or made at an Education & Training Session.

- (f) The Clerk or Recording Secretary shall take notes describing in general terms each subject matter dealt with at the Education & Training Session.
- (g) The notes taken shall, after the conclusion of the session, be maintained as a public record under the control of the Clerk.

#### 5.8 Committees

- (a) Special or Ad Hoc or Joint Committees may be established from time to time by Council to consider a specific matter.
- (b) The format of the agenda will be similar to that of Council with permission to remove certain sections.
- (c) A Terms of Reference shall be adopted for every Committee.
- (e) The Mayor is an "Ex Officio" Member of every Committee of Council. The Mayor will not be considered part of the Committee quorum. The Committee, exclusive of the Mayor, may by resolution, permit the Mayor to vote on matters before the Committee.
- (f) The Terms of Reference shall establish (at least) the following:
  - (i) The purpose, goal and authority of the Committee;
  - (ii) Member composition;
  - (iii) Term of Membership, if required;
  - (iv) Citizen representation and requirements, if required;
  - (v) Qualifications, experience, of subject matter representatives;
  - (vi) The location, date, time and frequency of meetings;
  - (vii) The staff responsible for providing support, advise and expertise to the Committee;
  - (viii) Term of the Committee (if required)
  - (ix) A Recording Secretary for the Committee;
  - (x) Approval authority of agendas and minutes;
  - (xi) Cancellation procedures;

- (xii) The rules and regulations to be observed in all proceedings of the Committee for the order and conduct of business therein;
- (g) The Chair Person, staff or designate, which support the Committee shall ensure:
  - (i) Recommendations to Council are brought forward in a timely fashion;
  - (ii) Minutes are brought forward for information or approval, as required; and
  - (iii) Facilitate clear communication with Council.
- (h) Council may appoint representatives to serve on any outside Board or Committee, or any other body to which Council is required or empowered to appoint a representative. Appointments to such Boards/Committees may be a Member of Council or shall be a person appointed from amongst its ratepayers and/or residents.
- (i) At the first Regular Meeting of Council, the Mayor shall:
  - (i) Appoint Council Members to various Committees and Boards;
  - (ii) Council appointments to Committees and Board shall be reviewed by the Mayor mid-term and any changes shall be announced;

At the first Regular January Meeting of a New Council, the Council shall:

- (i) Appoint Citizen Members to various Committees and Boards;
- (ii) The appointment will be for a term length as determined by the Committee's Terms of Reference.

## 6. Notice of Meetings

### 6.1. Notice for Regular Council Meetings:

- (a) Prior to the first meeting in each calendar year, Council shall establish a schedule of all regular Council meeting dates. The schedule shall include the date, time and location of the meetings and shall be posted on the municipal website at the beginning of each year. The meeting schedule is subject to change as necessary.

- (b) Notwithstanding the above, the published agenda shall be considered as adequate notice of Regular Meetings of Council, except for meetings held on a day or at a time other than as provided for in the approved schedule. The agenda shall include the date, time and place of the meeting.
- (c) The Clerk shall ensure that a copy of the agenda for each Regular Council meeting is posted for public viewing on the municipal website no later than 4:30 p.m. on the Friday preceding the scheduled meeting.
- (d) If it is determined by the Clerk, in consultation with the Mayor, a regular meeting may be switched from physical participation to electronic. Notice of the location change shall be posted on the Municipal Website and social media. All Members shall be contacted by the Clerk as soon as possible regarding the format change.

6.2. Notice for Special Council Meetings:

- (a) The Clerk shall ensure that notice of each special meeting of Council is provided to each Member of Council at least forty-eight (48) hours in advance of the said meeting or as soon as practicable. The Clerk shall provide notice of such meeting by posting for public viewing on the municipal website a copy of the agenda for the special meeting.

6.3. Notice for Emergency Council Meetings:

- (a) The twenty-four (48) hours notice may be waived in the case of an emergency or extraordinary situation, as may be determined by the Mayor (or alternate);
- (b) An emergency meeting may be called by the Mayor or in the absence of the Mayor, the Emergency Control Group or CAO;
- (c) In such case, the Clerk, or designate, shall attempt to advise the Members of Council about the call of the emergency meeting as soon as possible and in the most expedient manner available and endeavor to confirm receipt by Council Members of the emergency meeting notification;
- (d) For the purpose of notice, notice shall be posted on the Municipal website;
- (e) Where proper notice was not possible due to the circumstances of the emergency, the Clerk will endeavor to make the fact of the meeting public as soon as possible after the meeting has taken place.

#### 6.4. Notice for Committee Meetings:

- (a) Notice of meetings indicating the date, time and location for Committee meeting shall be posted on the Municipal website 48 hours prior to the meeting. All other requirements for notice indicated in this By-law shall be adhered to by the Committee.

#### 6.5. General Meeting Notice Provisions

- (a) Lack of receipt of the notice by any Member shall not affect the validity of holding the meeting nor any action taken at the meeting.
- (b) The business of a meeting shall be taken upon the order in which it stands in the agenda, unless otherwise decided by Council or the Committee.
- (c) The notice requirements set out in this By-law are minimum requirements only, and the Clerk may give notice in an extended manner if in the opinion of the Clerk, the extended manner is reasonable and necessary in the circumstances.

#### 6.6. Meetings – Inclement Weather

In the event that weather, road or other conditions beyond the control of Council prevent the holding of any Regular, Special, Ad Hoc Committee or Inaugural meeting, the said meeting shall be held electronically or at the same time and day of the following day. If postponed, the postponement may continue until such time as the condition preventing the holding of the meeting has passed.

Consultation will take place between the Mayor, CAO, and Clerk regarding meeting cancellations or transitions to electronic format. The final decision will be made by the Mayor.

#### 6.7. Notice of Cancelled or Electronic Meeting

Where a meeting has been cancelled or moved to electronic format for any reason, notice of the cancellation/changed meeting shall be in the same form as notice for the meeting was made and followed by a telephone or email confirmation. In the case of a Council meeting, the Clerk, or designate, shall be responsible for giving notice. In the case of a Committee the Recording Secretary is responsible for giving notice.

Every effort will be made to notify all Members of Council or the Committee and members of the public who have identified that they plan to attend.

The Clerk shall provide notice of cancellation/change in format to Council, staff, local media and all other interested parties as soon as possible in advance of the meeting via telephone, website, local radio and/or posting signs at the meeting site. If the meeting is moved to electronic format a link to the meeting will be provided by the Clerk to all participants and Members.

#### 6.8. Postponement of Meetings

Any regular meetings of the Council may be postponed to a day named in:

- (a) A notice by the Mayor or the Deputy Mayor of Council given through the Clerk's Office and twenty-four (24) hours in advance of the regular meeting; or
- (b) A resolution of Council passed by the majority of the members.

Where a meeting has been postponed for any reason, notice of the postponed meeting shall be in the same form as notice for the meeting was made. In the case of a Council meeting, the Clerk, or designate, shall be responsible for giving notice. In the case of a Committee the Recording Secretary is responsible for giving notice.

Every effort will be made to notify all Members of Council or the Committee and members of the public who have identified that they plan to attend.

The Clerk shall provide notice of postponement to Council, staff, local media and all other interested parties as soon as possible in advance of the meeting.

### 7. **Calling of Meetings to Order and Quorum**

- 7.1. The Mayor or the Chair shall call the Members to order as soon after the hour fixed for holding of the meeting a quorum is present.
- 7.2. A majority of all Members of Council or the Committee shall constitute a quorum and be necessary for the transaction of business.
- 7.3. If a quorum is not present one-half ( $\frac{1}{2}$ ) hour after the time appointed for the commencement of the meeting, the Clerk, or designate, or the Committee Recording Secretary, shall indicate that no quorum is present and record the names of those members in attendance and they shall adjourn to the appointed time for the next scheduled meeting.
- 7.4. If during the course of a meeting, a quorum is lost, the Mayor or Chair shall declare that the meeting shall stand recessed temporarily or be adjourned until the date of the next regular meeting or other meeting called in accordance with the provisions of this By-law. A quorum is not considered lost

if a number of Members who, by reason of the provisions of Municipal Conflict of Interest Act, are disabled from participating in a meeting is such that at that meeting the remaining Members are insufficient to constitute a quorum, the remaining Members shall be deemed to constitute a quorum, provided such number is not less than two.

- 7.5. If in the event of a declared emergency, Council is not able to achieve quorum then they may enact the use of the Emergency Governance Committee.
- 7.6. If Members are not going to be in attendance or are going to be late for a meeting, they shall contact the Clerk or the Committee's Recording Secretary in advance of the meeting.

## **8. Role of Council**

### **8.1. Role of Council**

It is the role of Council, per Section 224 of the Municipal Act, 2001, as amended.

### **8.2. Preparing for Meetings**

Members of Council shall come prepared to every meeting by having read all the material supplied, including agendas and staff reports, to facilitate discussion and the determination of action at the meeting.

### **8.3. In Advance of Meetings**

Members of Council shall make technical inquiries of staff regarding materials supplied in advance of the meeting.

### **8.4. Request for Substantive Reports**

Requests for substantive reports shall be by Council motion which shall identify the objectives of the report.

### **8.5. No Direction or Interference**

No Member shall have the authority to direct or interfere with the performance of any work for the Corporation.

### **8.6. While in a Meeting**

While in a Council meeting of any sort, Councillors shall follow the following rules, as well as those outlined in the Code of Conduct:

- (a) Councillors shall only speak when recognized by the Mayor or Chair.

- (b) Councillors shall only speak respectfully of His Majesty the King or any Member of the Royal Family, Governor-General, Lieutenant-Governor General or any Member of the Senate, the House of Commons of Canada or the Legislative Assembly of Ontario.
- (c) Members shall not use indecent, offensive or insulting language in or against any Council or Councillor, staff, public or any other person. Further, no Member will publish any derogatory or demeaning comment or opinion of Council, staff or member of the public.
- (d) Members shall only speak to the question in debate.
- (e) Members shall not debate any prior determination of the Council or Committee except to conclude such remarks with a motion to rescind or reconsider such determination.
- (f) Members shall not interrupt or disturb any Member who has the floor except to raise a point of order.
- (g) Members shall not disturb a meeting by disorderly conduct or comments.
- (h) Members shall not leave their seat or make noise or cause a disturbance while a vote is being taken or until the result is declared.
- (h) Members shall not leave the meeting when he/she does not intend to return without first advising the Mayor or Chair.
- (i) Members shall abide by the rules of Council or the Committee, obey the decisions of the Council or Committee on questions of order or practice or upon the interpretations of the Rules of Order by the Council or Committee.
- (j) In the events that a Member of Council or a Committee persists in a breach of the rules of this By-law, after having been called to order by the Mayor or Chair, the Mayor or Chair shall put the question "shall the Member be ordered to leave his/her seat for the duration of the meeting?". The Council or Committee shall vote on the question and the question is not debatable.
- (k) If the Council or Committee decides the question set out above is in the affirmative by a majority vote of the Members, the Mayor or Chair shall order the Member to leave his/her seat for the duration of the meeting.
- (l) If the Member apologizes, the Mayor or Chair, with the approval of Council, may permit him/her to resume his/her seat.

- (m) If a Member does not leave his/her seat after being ordered to do so by the Mayor or Chair and if the Member does not apologize then the Mayor or Chair shall seek appropriate assistance.
- (n) Members must occupy their chairs while a vote is being taken and the results are being declared.
- (o) Members may require the question or motion under discussion to be read at any time during the debate, but not so as to interrupt a Member while speaking.
- (p) Every Member present shall vote when a question is put on the floor unless a Pecuniary Interest has been declared.
- (q) Municipal Councillors shall officially be addressed as Councillor, Deputy Mayor as Deputy Mayor and Mayor as Mayor.

## **9. Role of Head of Council**

- 9.1. It is the role of the Head of Council, per Section 225 of the Municipal Act, 2001, as amended.

## **10. Role of Head of Council as Chief Executive Officer**

- 10.1. It is the role of the Head of Council, per Section 226.1 of the Municipal Act, 2001, as amended.

## **11. Absence of the Mayor**

- 11.1. In the event that the Mayor is absent; has a conflict under the Municipal Conflict of Interest Act; refuses to act; or the office becomes vacant, the Deputy Mayor shall act in the place and stead of the Mayor, and while so acting the Deputy Mayor may exercise all the rights, powers and authority of the Mayor.
- 11.2. For the purposes of the Huron East Emergency Management Plan if the Mayor is unavailable, the Deputy Mayor shall be the alternate.
- 11.3. In the absence of both the Mayor and the Deputy Mayor, and if a quorum is present, the Council shall elect a Chair from amongst its Members present. While presiding, the Member appointed by the Council shall have all the powers of the Mayor for the purpose of conducting the meeting.



## **12. Emergency Governance Committee**

- 12.1. Section 23 of the Municipal Act, 2001 regulates the delegation of legislative and quasi-judicial powers.
- 12.2. In a declared emergency and where the decision making capability of a municipality may be compromised or where normal protocols may be impossible to meet, the Corporation may establish an Emergency Governance Committee to act in place of the Council.
- 12.3. The Emergency Governance Committee will only be formed if at least seven (7) Members of the total eleven (11) Member Council are incapacitated through death, injury or illness and are unable to exercise their powers due to the inability to meet quorum.
- 12.4. The Emergency Governance Committee is comprised of a minimum of four (4) and a maximum of six (6) Members of Council.
- 12.5. The Emergency Governance Committee is delegated the authority by Council to exercise its normal legislative, quasi-judicial and administrative powers, subject to the limitations of the Municipal Act, 2001, with such delegated authority to only be exercised:
  - (a) For the duration of an emergency which has been declared by the Mayor or his/her designate, in accordance with the Corporation's Emergency Management Plan; and
  - (b) For Council's normal decision making processes, and not for the management or co-ordination of emergency response activities.
- 12.6 The Committee, wherever practicable, will conduct its meetings in accordance with this Procedure By-law.

## **13. Conduct of Proceedings for Council and Committees**

- 13.1. As soon after the hour of the meeting as there shall be a quorum present, the Mayor or Chair shall call the meeting to order.
- 13.2. The Mayor or Chair shall announce the business before the Council or Committee in the order in which it is to be acted upon.
- 13.3. The Mayor or Chair shall receive and submit, in the proper manner, all motions presented by the Members.
- 13.4. The Mayor or Chair shall preserve order and decorum and decide questions of order subject to an appeal to the Council or the Committee and this decision may be overruled by a majority vote.

- 13.5. The Mayor or Chair shall put to vote all questions which are regularly moved and seconded or necessarily arise in the course of proceedings, and to announce the result.
- 13.6. The Mayor or Chair shall authenticate by signature when necessary all By-laws, Minutes and documents authorized by Council or the Committee.
- 13.7. The Mayor or Chair shall represent and support the Council or Committee declaring its will and obeying its decision in all things.
- 13.8. The Mayor or Chair shall ensure that the decisions of Council or the Committee are in conformity with the laws and By-laws governing the activities of the Corporation.
- 13.9. The Mayor or Chair shall adjourn the meeting when business is concluded.
- 13.10. The Mayor or Chair shall adjourn the meeting without question in the case of grave disorder arising in the meeting space.
- 13.11. The Mayor or the Chair shall ensure that the members of the public who constitute the audience in the Council Chamber or Meeting Rooms:
  - (a) maintain order and quiet;
  - (b) address Council or the Committee only with the permission of the Mayor or Chair;
  - (c) do not interrupt any speech or action of the Members or any other person addressing Council or the Committee;
  - (d) to order any individual or group in attendance at the meeting to cease and desist any behaviour which disrupts the order and decorum of the meeting and to order the individual or group to vacate the Council Chambers or Meeting Room and where such behaviour persists, with a majority vote of Council, recess the meeting and seek appropriate assistance to restore order;
  - (e) no person, except Members and Officers of Council be permitted to come within the hall during a Council or Committee meeting, without first gaining permission of the Mayor or Chair;
  - (f) to turn off or set to silent mode, all electronic devices; and
  - (g) use approved recording, broadcasting or streaming devices respectfully, and should the Mayor or Chair direct it, move or cease to use said devices. In the event, the individual is noncompliant, the Mayor or the Chair shall request the individual leave the room

13.12 All meetings may be audio and/or visually recorded, broadcast and/or streamed publically by the Municipality, with the exception of proceedings of meetings closed to the public.

#### **14. Declaration of Pecuniary Interest**

14.1. A 'pecuniary interest' is defined in the Municipal Conflict of Interest Act. Where a Member of Council or a Committee has a pecuniary interest in any matter, including that of a spouse, child or parent and is present at a meeting of Council or Committee at which the matter is the subject of consideration, the Member:

- (a) shall, prior to any consideration of the matter at the meeting, verbally disclose the interest and the general nature;
- (b) shall submit to the Clerk, or designate, prior, or immediately following, the Council meeting the Declaration of Pecuniary Interest Form;
- (c) shall not, at any time, take part in the discussion, or vote on any question in respect of the matter;
- (d) shall not, at any time, attempt, either on his or her own behalf or while acting for, by or through any other person, in any way whether before, during or after the meeting to influence the voting on any such question;
- (e) shall, where the meeting is not open to the public, immediately leave the meeting room during which the matter is under consideration;
- (f) where the interest of a Member has not been disclosed by reason of the Member's absence from a meeting wherein the matter was discussed, the Member shall disclose the interest at the next Council or Committee meeting attended by the Member.

#### **15. Agendas**

15.1. Regular Council Meeting Agendas

- (a) The Clerk or his/her designate shall prepare the agenda for all Council Meetings consisting of the following "Order of Business":
  1. Call to Order
  2. Land Acknowledgement
  3. Confirmation of the Agenda

4. Disclosure of Pecuniary Interest
  5. Minutes of Previous Meeting
  6. Consent Agenda
  7. Public Meetings/Hearings and Delegations
  8. Planning
  9. Municipal Drains
  10. Reports and Recommendations of Municipal Officers
  11. Correspondence
  12. Unfinished Business
  13. Council Reports
    - 13.1 Council Member Reports
    - 13.2 Requests by Members
    - 13.3 Notice of Motions
    - 13.4 Announcements
  14. Other Business
  15. By-laws
  16. Closed Session and Reporting Out
  17. Confirmatory By-law
  18. Adjournment
- (b) The agenda shall be available to Members of Council by 4:30 p.m. on the Friday preceding the meeting to which it pertains.
- (c) The business of Council shall be taken in the order in which it stands upon the agenda, unless otherwise decided by the majority of Council.
- (d) Any Member may bring before Council or a Committee, any business that they believe should be deliberated upon by Council or the Committee.
- (e) The Clerk may change the order of business when preparing the agenda as deemed necessary.

## 15.2 Special or Emergency Council Meeting Agendas

- (a) The Clerk, where reasonably possible, shall cause an agenda to be prepared, in the following order, for the use of Members at Special or Emergency Meetings of Council:
  - Declaration of Pecuniary Interest
  - Consideration of Business
  - Adjournment
- (b) The minutes of a Special or Emergency meeting shall be ratified at the next regular meeting of the Council.

## 16. Minutes – Council and Committee

### 16.1. Minutes

- (a) Minutes of Council or a Committee, whether it is closed to the public or not, shall record:
    - (i) the date, time and place of the meeting;
    - (ii) the record of attendance of the Members;
    - (iii) the correction and adoption of the minutes of prior meeting(s);
    - (iv) all resolutions and decisions;
    - (v) all the other proceedings of the meeting without note or comment, whether it is closed to the public or not; and
    - (vi) a list of other business items discussed.
  - (b) After the minutes have been adopted they will be signed by the Mayor or Chair and by the Clerk or Recording Secretary.
- 16.2. The Clerk shall ensure that the Minutes of the preceding Regular Meeting and any Emergency or Special Meeting are circulated along with the agenda package.
- 16.3. Unless a reading of the minutes of a Council or a Committee meeting is requested by a Member, such minutes shall be approved without reading if the Clerk or Recording Secretary previously circulated each Member with a copy and has previously posted the same.

- 16.4. The minutes of all Council meetings (with the exception of Closed Session meetings) shall be posted on the municipal website for public inspection with the release of the next agenda package.
- 16.5. The minutes shall be filed once adopted by the Council.

**17. Presentations/Delegations/Petitions – Council and Committee**

- 17.1. Any delegation wishing to appear before the Council or Committee on Municipal business shall make a formal request to the Clerk or Recording Secretary in writing by utilizing the required Council Delegation Request Form. The request shall be submitted no later than 5:00 p.m. on the Wednesday preceding the meeting. At the discretion of the Clerk, the Delegation will be scheduled to make a presentation to a Regular Council Meeting or Committee meeting.
- 17.2. Any communication or correspondence that is to be presented to Council or Committee shall be legibly written, typed, or printed and shall not contain any obscene or defamatory language and shall be filed with the Clerk or Recording Secretary no later than 5:00 p.m. on the Wednesday preceding the meeting.
- 17.3. If a request to be heard is received after the agenda is published, it must be approved by the Mayor or Clerk before it will be added to the agenda.
- 17.4. The Clerk or Recording Secretary may, upon receipt, refer any communication to a Department Head without the prior consideration of Council or the Committee.
- 17.5. After a delegation has been heard at a Council or a Committee meeting and it is felt that a further meeting on the same topic is warranted, the Council or Committee may so recommend and shall determine the time and date of such further delegation.
- 17.6. The Mayor or Chair has the discretion to limit, refuse or reject delegations on repetitive topics, or topics that are deemed to be frivolous.
- 17.7. No delegation shall appear before Council more than once in a six month timeframe, on the same subject matter, unless there has been a proven significant change in the subject matter.
- 17.8. Each person or group addressing the Council or a Committee, shall give their name and, shall limit their address to ten (10) minutes, and an additional ten (10) minutes will be provided for questions and comments from Council to the Delegation. Where a Delegation consists of a group of people, it shall be

limited to two (2) speakers, each limited to speaking not more than five (5) minutes, for a total of ten (10) minutes. All remarks shall be addressed to Council or Committee as a body and not to any individual Member thereof.

- 17.9. No person, other than Members of Council or a Committee and the person having the floor, shall be permitted to enter into any discussion, either directly or through the Members of Council or a Committee. No questions shall be asked to the Delegation, Council Members or Committee, except through the Mayor or Chair.
- 17.10. A delegation requesting to speak for more than ten (10) minutes will only be permitted by prior approval of the Mayor, Chair, Clerk or Chief Administrative Officer.
- 17.11. Where a delegation is making a request for support of Council that has financial implications, the request shall be referred to staff for research and report to a future meeting of Council or Committee.
- 17.12. Interested parties, or authorized representatives, may address the Council or Committee by written communication in regard to any matter concerning the Corporation's business or over which the Council or Committee has control at any time by direct mail or email or by addressing the Clerk or Recording Secretary and such written communication will be distributed to the Members.
- 17.13. Anyone requesting to speak at a public meeting or to appear as a delegation must attend in person. Virtual attendance will only be considered in extenuating circumstances at the discretion of the Mayor and Clerk or CAO.

## **18. Reports of Departments**

- 18.1. Reports of Departments shall be received by the Clerk no later than 5:00 p.m. on the Wednesday preceding the Council meeting.

## **19. By-laws**

- 19.1. Council shall be provided with a copy of all By-laws which are on the agenda for consideration. Council shall not consider any By-law not listed on the agenda. Every By-law shall receive three readings prior to it being passed. Nothing shall prevent Council from giving all three readings to a By-law at one sitting of Council.
- 19.2. Every By-law enacted by Council shall be numbered and dated and shall be sealed with the seal of the Corporation and signed by the Clerk and Mayor and shall be filed by the Clerk for safekeeping.

- 19.3. A By-law shall deem to have been read upon the title or heading or short description thereof being read or taken as read unless a Member of Council requires the By-law or any portion thereof to be read in full.
- 19.4. The proceedings at every regular meeting shall be confirmed by By-law so that every decision of the Council and every resolution passed at that meeting shall have the same force and effect as if each and every one of them had been the subject matter of a separate By-law duly enacted.

## **20. Notice of Motion**

- 20.1. A Member may introduce a motion regarding a matter that would not otherwise be considered by Council by:
- (a) delivering a copy of the motion to the Clerk no later than 5:00 p.m. on the Wednesday prior to the meeting; or
  - (b) verbally or in writing, at a regular Council meeting, but shall not be debated until the next regular Council meeting.
- 20.2. The Clerk upon receipt of the Notice of Motion shall print the motion (including the name of the mover) in full on the agenda for the next regular meeting of the Council as requested by the mover.
- 20.3. A Notice of Motion does not require a seconder to be included in the agenda.
- 20.4. A Notice of Motion shall not be considered or otherwise disposed of by Council unless the mover of the motion is in attendance at the meeting or the mover has consented for Council to proceed with the disposition of the motion in their absence. A Notice of Motion that has been called for by the Mayor at two meetings of the Council but has not been proceeded with shall be removed from the agenda unless otherwise directed by the Council.
- 20.5. A Motion normally requiring a Notice of Motion may be introduced without notice if Council, without debate, dispenses with the requirement for Notice on the affirmative vote of at least two thirds of members present and voting.

## **21. Requests by Members**

- 21.1. Members shall be permitted a maximum of three minutes each in order to make statements which are intended for the purpose of sharing information about events/activities/functions and general work of Members and to request reports from staff on various issues.
- 21.2. A majority vote of Council will be required to request reports from Staff.



- 21.3. Reports required as a result of a motion of Council will be brought forward to a future meeting of Council at the discretion and scheduling of the CAO and relevant Department Head.

## **22. Adjournment**

- 22.1. Council shall adjourn any regular or special session of Council if still in session after a duration of four (4) hours, unless otherwise determined by a resolution of Council passed by the majority of the Members.
- 22.2. Every meeting of Council shall be deemed to be adjourned at the hour of 10:00 p.m. save and except with a resolution of Council

## **23. Resolutions/Motions**

- 23.1. A motion must be formally seconded before the question can be put on a motion and recorded in the minutes.
- 23.2. When a motion is presented to the Council or a Committee, in writing, it shall be read, or, if it is an oral motion, stated by the Mayor or Chair.
- 23.3. After a motion is read or stated by the Mayor or Chair, it shall be deemed to be in possession of Council or the Committee but may, with the permission of Council or the Committee, be withdrawn at any time before decision or amendment.
- 23.4. After a motion is finally put, no Member shall speak to the motion nor shall any other motion be made until after the vote is taken and the result declared.
- 23.5. Every Member of Council shall have one vote.
- 23.6. Every Member of Council present at a Council Meeting when a question is put, shall vote thereon, except where he/she is disqualified to vote by reason of a pecuniary interest or is absent from the Council Chamber or Meeting room when the question is put.
- 23.7. All votes shall be announced openly, as carried or defeated, by the Mayor or Chair.
- 23.8. On an unrecorded vote, the manner of determining the decision on a motion shall be at the discretion of the Mayor or the Chair and may be by show of hands.
- 23.9. The Mayor or Chair shall require a recorded vote to be taken on any question upon request of a Member if such request is made prior to commencement of the voting or immediately thereafter. When a Member present requests a

recorded vote, all Members present at the meeting shall vote, unless otherwise prohibited. The Member requesting the recorded vote shall be the first to vote. Thereafter, the Clerk shall call the vote in a manner that provides for a random order and the Members shall respond YAY or NAY when called upon. The names of those who voted for and those voted against shall be noted in the minutes.

- 23.10. In accordance with Section 246 of the Municipal Act, 2001, a failure to vote by a Member who is present at the meeting at the time of the vote and who is qualified to vote shall be deemed to be a negative vote.
- 23.11. Except where expressly provided in Statute, any question on which there is an equality of votes shall be deemed to be defeated. The Mayor or the Chair shall declare the vote on all questions and should his/her declaration be stated by any Member to be in doubt, the Mayor or the Chair shall require the vote to be retaken in an alternative manner and the results of this vote shall be final.
- 23.12. Members shall not speak to the same motion without the consent of the Mayor or the Chair and at the end of the debate a motion for closure may be made by the Mayor or the Chair.
- 23.13. Amendments shall be put in the reverse order to that in which they are moved. Only one amendment shall be allowed to an amendment. Amendments shall receive disposition of Council before a previous amendment or the question.

#### **24. Reconsideration**

- 24.1. Any Member who voted in the majority may at the same meeting, or at a subsequent meeting move for a reconsideration of a resolution under "Other Business".
- 24.2. A Member, who is absent at the time a vote is taken on a motion which subsequently becomes a subject of a motion for reconsideration, shall be deemed for the purpose of reconsideration to have voted with the majority.
- 24.3. A motion for reconsideration may be seconded by any Member who voted on the original motion either for or against.
- 24.4. A motion for reconsideration shall be made in writing and no discussion of the main motion shall be allowed unless the motion for reconsideration is approved by a vote of the majority of the Members present.

- 24.5. A motion to reconsider an amendment to the main motion may not be submitted, however, the main motion as amended may be submitted for reconsideration.
- 24.6. A motion may be reconsidered at any time during the term of the Council that passed the motion, by a majority vote of the Members present.
- 24.7. A motion to reconsider after the term of Council can be initiated by any Member of Council and a motion may be reconsidered in accordance with the provisions majority vote of the Members present.

## **25. Rules of Debate**

- 25.1. The following matters and motions may be introduced orally, without written notice and without leave, except as otherwise provided by these rules and shall receive disposition of Council upon receipt:
  - (a) a point of order or personal privilege;
  - (b) presentation of petitions;
  - (c) to lay on the table (to defer temporarily);
  - (d) to defer (postpone indefinitely or to a specific day); and
  - (e) to move the previous question (immediate vote on the main motion).
- 25.2. The following motions may be introduced without notice and without leave:
  - (a) to refer;
  - (c) to adjourn;
  - (d) to amend; and
  - (e) to suspend the rules of procedure.
- 25.3. Every Member prior to speaking to any question or motion shall raise his/her hand and obtain permission from the Mayor or Chair to speak. When two or more Members wish to speak, the Mayor or Chair shall name the Member who has the floor and shall be the Member, who, in the opinion of the Mayor or Chair raised his/her hand first.
- 25.4. When a Member is called to order he/she shall cease speaking unless allowed to explain, and the ruling of the Mayor or Chair shall be obeyed, subject to the appeal to the Council or Committee, but without debate.

- 25.5. No Member shall speak more than once to the same question without the leave of the Council or Committee or until all other Members have had the opportunity to speak to the question a first time, except in explanation of a material part of his speech which may have been misconstrued, and in doing so, he/she is not to introduce a new matter.
- 25.6. With 2/3 vote of all Members present, Council may temporarily suspend the Rules of Order to permit an extended debate on a specific item of business.
- 25.7. During the extended debate, the Mayor or Chair may permit Members to speak to the item of business more than one time, but in the order which they have requested permission to speak).
- 25.8. During the extended debate, the Mayor or Chair will maintain order. If in the opinion of the Mayor or Chair the need for extended debate has ended or the debate is no longer orderly, the Mayor or Chair may end the extended debate and return to the regular Rules of Order.
- 25.9. If the Mayor or Chair desires to leave the Chair for the purpose of taking part in the debate or for any other reasons, the Deputy Mayor or Vice Chair shall assume the Chair in his/her place until he/she resumes the Chair.
- 25.10. The Mayor or Chair may answer questions and comment in a general way without leaving the Chair, but if he/she wishes to make a motion or speak to a motion taking a definite position and endeavouring to persuade the Council or Committee to support that position, then he/she shall first leave the Chair.
- 25.11. The Mayor or Chair does not need to vacate the Chair to simply state support or opposition to a motion on the floor.
- 25.12. When the Mayor or Chair calls for the vote on a question, each Member shall occupy his/her seat until the result for the vote has been declared by the Mayor or Chair, and during such time no Member shall walk across the room to speak to any other Member or make any noise or disturbance.
- 25.13. When a Member is speaking, no other Member shall pass between him/her and the Chair or interrupt him/her except to raise a point of order.
- 25.14. Any Member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a Member while speaking.

## **26. Points of Order and Privileges**

- 26.1. No vote shall be taken by ballot or any other method of secret voting, and every vote so taken is of no effect, in accordance with Section 244 of the

Municipal Act, 2001. The exception to this is Election of Deputy Mayor, as exempted through Section 238 of the Municipal Act.

- 26.2. Unless otherwise authorized by the Mayor or Chair, all Members, staff and guests shall address Council through the Mayor or Chair and only when recognized to do so.
- 26.3. When two or more Members indicate simultaneously that they wish to speak, the Mayor or Chair shall name the Member who is to speak first.
- 26.4. The Mayor or Chair shall maintain order and decide questions of order.
- 26.5. The Council, if appealed to, shall decide the question without debate and its decision shall be final.
- 26.6. If the Member who made the motion claims the floor and has not already spoken on the question, he/she is entitled to be recognized in preference to other Members.

## **27. Procedural Appeal**

- 27.1. Any Member may raise a point of order.
- 27.2. The Mayor or Chair shall decide all questions of order and the decision of the Mayor or Chair shall be final, subject to appeal, with the Mayor or Chair retaining the option of putting any question or order to Council or a Committee and in such instances the decision of Council or a Committee shall be final. Upon appeal of any decision of the Mayor or Chair, the question of order shall be decided by Council or the Committee and the decision shall be final.

## **28. Rules of Order**

- 28.1. "Roberts Rules of Order" shall govern the proceedings of the Council in all cases, unless they are in conflict with these rules.

## **29. Suspension and Amendment of These Rules**

- 29.1. Suspension of these Rules

Any provision of these rules may be temporarily suspended by a 2/3 vote of Council. The vote on any such suspension shall be taken by show of hands and entered upon the record.

With a 2/3 vote of Council, the Mayor or Chair may temporarily relax the rules of order to permit additional discussion on an item of business.

- 29.2. Amendment to these Rules

These rules may be amended, or new rules adopted by a 2/3 vote of all Members of Council, provided that the proposed amendments or new rules shall have been introduced into the record at a prior Council meeting.

**30. Recording Equipment**

30.1. At the meetings of Council or Committee, the use of cameras, electric lighting equipment, flash bulbs, recording equipment, television cameras and any other device of a mechanical, electronic or similar nature used for transcribing or recording proceedings by auditory or visual means by members of the public, including accredited and other representatives of any new media whatsoever, may be permitted and shall be subject to the approval and/or direction of the Mayor or Chair unless otherwise decided by the Council or a Committee.

**31. Communication Devices**

31.1. At the meetings of Council, the use of cellular phones, audible pagers or any other similar communication devices creating disruption or a nuisance will not be permitted in the Council Chambers.

31.2. An exception would be granted to allow Members of Council and staff the opportunity to use electronic devices as necessary;

**32. Validity and Severability**

32.1. It is hereby declared that notwithstanding any section, subsections, clause, paragraph or provision of the By-law or parts thereof, may be declared by a court of competent jurisdiction to be invalid, unenforceable, illegal or beyond the powers of Council to enact, such section or sections or parts thereof shall be deemed to be severable and shall not affect the validity or enforceability of any other provisions of the By-law as a whole or part thereof and all other sections of the By-law shall be deemed to be separate and independent therefrom and enacted as such.

**33. Effective Date**

33.1. That By-laws 43-2015, 2-2018, 76-2018, 19-2020 and 30-2022 are hereby repealed.

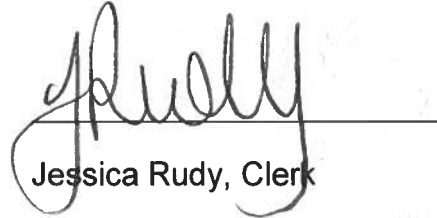
33.2. That this By-law comes into force and takes effect on the final passing thereof.

**Read** a first and second time this 4<sup>th</sup> day of April 2023.

**Read** a third and final time and passed this 4<sup>th</sup> day of April 2023.



Bernie MacLellan, Mayor



Jessica Rudy, Clerk

APPLICATION FOR COMPLIANCE AUDIT

**APPLICANT INFORMATION**

Name of Applicant DEBBIE CHARTRAND

Mailing Address 179 ISABELLA ST. BOX 1022

City SEAFORTH Province ONT Postal Code NOK1W0

Phone 519-600-0153 Email debbiepug@tcc.on.ca

State the address or description of property that qualifies the applicant as an elector in the Municipality of Huron East (if different from mailing address)

**COMPLIANCE AUDIT OF ELECTION CAMPAIGN FINANCES REQUESTED OF**

Name of candidate NANCY CRAIG

Candidate for the office of MAYOR

Date for election of the office OCT. 24, 2022

**GROUND FORS FOR AUDIT REQUEST**

I, the undersigned applicant, an elector who is entitled to vote in the municipal election, have reasonable grounds for believing that the candidate has contravened a provision of the *Municipal Elections Act, 1996 (MEA)* relating to election campaign finances.

The reasonable grounds are (specify sections of the MEA) (attach additional sheets if necessary)

CANDIDATE N. CRAIG - RENTED THE SEAFORTH LEGION FOR A MEETING ON MAY 11, 2022 AND DID NOT CLAIM THIS ON HER FINANCIAL STATEMENT

SEE ATTACHED DOCUMENT.

I believe the facts and information submitted above to be true, and I hereby request a compliance audit of the candidate's election campaign finances.

April 3, 2023  
Date

Debbie Chartrand  
Signature of Applicant

In accordance with Section 88(5) of the MEA, this form contains information collected and maintained specifically for the purpose of creating a record available to the general public and may be inspected by any person at the Clerk's Office at any time when the office is open.





## Nancy Craig for Mayor of Huron East 2022

...

Mar 30 · 🌐

Nancy Craig for Mayor Huron East

The change we need.

The voice we deserve.

Come meet and hear Nancy's accomplishments, and hear her platform.

### A FRANK DISCUSSION

About who I am, what I have accomplished, my Mission Statement, plans for the future, and your input  
[www.facebook.com/Mayor2022/](http://www.facebook.com/Mayor2022/)

This is an opportunity to discuss our community

May 11th, 2022 — 7 p.m.

Seaforth Legion

123 Main Street South

Seaforth, Ontario

Seaforth Ontario

**Jessica Rudy**

---

**From:** Debby Chartrand <debbiepug@tcc.on.ca>  
**Sent:** Thursday, April 6, 2023 9:01 AM  
**To:** Jessica Rudy  
**Cc:** debbiepug@tcc.on.ca  
**Subject:** Re: Municipal Elections Compliance Audit Committee

CAUTION: EXTERNAL MAIL. DO NOT CLICK ON LINKS OR OPEN ATTACHMENTS YOU DO NOT TRUST.

Thank you for the update Jessica. Further to my application for the audit, I forgot to mention that Nancy did not claim money spent for the Web Site she had created for the purposes of her mayoral campaign.

Thanks  
Debbie Chartrand

On Apr 6, 2023 8:19 AM, Jessica Rudy <clerk@huroneast.com> wrote:

Good Morning

This is just to confirm that we have received your application submitted to our Municipal Elections Compliance Audit Committee in regards to the Financial Papers of Candidate Nancy Craig. As a result of this the Committee will be meeting at Seaforth Town Hall Council Chambers on Wednesday, April 12, 2023 at 10:00 a.m. An agenda for the meeting will be posted on the municipal website calendar, and circulated, by end of day today.

The purpose of the Committee is described in Section 88.33 of the Municipal Elections Act. This meeting is for the Committee to determine if they accept or reject the application. If it is rejected, there is no further action of the Committee, however you do have a right to appeal to the judicial system. If it is accepted the Committee will appoint an Auditor to do an Audit of Ms. Craig's financial papers.

These meetings are open to the public to attend and if you wish you are welcome to appear as a delegation to speak to your application. If you wish to speak to the Committee please let me know by this afternoon and I will ensure you are on the agenda.

Thanks and have a good Easter weekend.

**Jessica Rudy, AMP**

Clerk

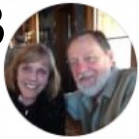
Municipality of Huron East

Box 610, 72 Main Street South

Seaforth, Ontario

P: 519-527-0160 ext. 37

43



Nancy Craig Huron East

Sep 28, 2022 · 🌐

43.

I now have a website! Thank you Jackie and Mike Binda!

nancycraig.ca

Home - nancycraig.ca



**Financial Statement –**  
**Auditor's Report Candidate – Form 4**  
Municipal Elections Act, 1996 (Section 88.25)

**Instructions**

All candidates must complete Boxes A and B. Candidates who receive contributions or incur expenses must complete Boxes C, D, Schedule 1 and Schedule 2 as appropriate. Candidates who receive contributions or incur expenses in excess of \$10,000 must also attach an Auditor's Report.

All surplus funds (after any refund to the candidate or their spouse) shall be immediately paid to the clerk who is responsible for the conduct of the election.

For the campaign period from (day clerk received nomination) 

YYYY	MM	DD
2022	06	01

 to 

YYYY	MM	DD
2022	10	23

- Initial filing reflecting finances from start of campaign to December 31 (or 45 days after voting day in a by-election)
- Supplementary filing reflecting finances from start of campaign to end of extended campaign period

**Box A: Name of Candidate and Office**

Candidate's name as shown on the ballot

Last Name or Single Name <b>CRAIG</b>	Given Name(s) <b>NANCY</b>
--	-------------------------------

Office for Which the Candidate Sought Election <b>MAYOR</b>	Ward Name or Number (if any)
--	------------------------------

Municipality  
**HURON EAST**

Spending Limit General \$ <b>13,936</b>	Parties and Other Expressions of Appreciation \$	Contribution Limit Contributions from Candidate and Spouse \$
---	---	---

I did not accept any contributions or incur any expenses. (Complete Boxes A and B only)

**Box B: Declaration**

I, Nancy Craig, declare that to the best of my knowledge and belief that these financial statements and attached supporting schedules are true and correct.

Nancy J. Craig  
Signature of Candidate

2023/03/07  
Date (yyyy/mm/dd)

Date Filed (yyyy/mm/dd) <b>2023/03/02</b>	Time Filed <b>2:50 pm</b>	Initial of Candidate or Agent (if filed in person) <b>NJC</b>	Signature of Clerk or Designate 
--	------------------------------	--	-------------------------------------

Box C: Statement of Campaign Income and Expenses

LOAN

Name of bank or recognized lending institution

Amount borrowed

\$ Nil

INCOME

Total amount of all contributions (from line 1A in Schedule 1)	+ \$ 2045
Revenue from items \$25 or less	+ \$
Sign deposit refund	+ \$
Revenue from fundraising events not deemed a contribution (from Part III of Schedule 2)	+ \$
Interest earned by campaign bank account	+ \$
Other (provide full details)	
1.	+ \$
2.	+ \$
3.	+ \$
4.	+ \$
5.	+ \$
6.	+ \$

Total Campaign Income (Do not include loan)

= \$ 2045 C1

EXPENSES (Note: Include the value of contributions of goods and services)

1. Expenses subject to general spending limit

Inventory from previous campaign used in this campaign (list details in Table 2 of Schedule 1)	+ \$
Advertising	+ \$
Brochures/flyers	+ \$ 287.67
Signs (including sign deposit)	+ \$ 598.90
Meetings hosted	+ \$
Office expenses incurred until voting day	+ \$
Phone and/or internet expenses incurred until voting day	+ \$
Salaries, benefits, honoraria, professional fees incurred until voting day	+ \$
Bank charges incurred until voting day	+ \$ 18.32
Interest charged on loan until voting day	+ \$
Other (provide full details)	
1. Mileage, travel and misc.	+ \$ 469.45
2. Canada Post	+ \$ 670.66
3.	+ \$
4.	+ \$
5.	+ \$
6.	+ \$
Total Expenses subject to general spending limit	= \$ 2045 C2

2. Expenses subject to spending limit for parties and other expressions of appreciation

1.	+ \$
----	------

2.	_____	+ \$	_____
3.	_____	+ \$	_____
4.	_____	+ \$	_____
5.	_____	+ \$	_____
<b>Total Expenses subject to spending limit for parties and other expressions of appreciation</b>		= \$	<u>Nil</u> C3

**3. Expenses not subject to spending limits**

Accounting and audit	_____	+ \$	_____
Cost of fundraising events/activities (list details in Part IV of Schedule 2)	_____	+ \$	_____
Office expenses incurred after voting day	_____	+ \$	_____
Phone and/or internet expenses incurred after voting day	_____	+ \$	_____
Salaries, benefits, honoraria, professional fees incurred after voting day	_____	+ \$	_____
Bank charges incurred after voting day	_____	+ \$	_____
Interest charged on loan after voting day	_____	+ \$	_____
Expenses related to recount	_____	+ \$	_____
Expenses related to controverted election	_____	+ \$	_____
Expenses related to compliance audit	_____	+ \$	_____
Expenses related to candidate's disability (provide full details)			
1.	_____	+ \$	_____
2.	_____	+ \$	_____
3.	_____	+ \$	_____
4.	_____	+ \$	_____
5.	_____	+ \$	_____
Other (provide full details)			
1.	_____	+ \$	_____
2.	_____	+ \$	_____
3.	_____	+ \$	_____
4.	_____	+ \$	_____
5.	_____	+ \$	_____
<b>Total Expenses not subject to spending limits</b>		= \$	<u>2045</u> C4 Nil

**Total Campaign Expenses (C2 + C3 + C4)** = \$ 5 = \$ 2045 C5

**Box D: Calculation of Surplus or Deficit**

Excess (deficiency) of income over expenses (Income minus Total Expenses) (C1 – C5)	_____	+ \$	<u>2045</u> D1
If there is a surplus, deduct any refund of candidate's or spouse's contributions to the campaign	_____	- \$	<u>2045</u>
<b>Surplus (or deficit) for the campaign</b>		= \$	<u>Nil</u> D2

If line D2 shows a surplus, the amount must be paid in trust, at the time the financial statements are filed, to the municipal clerk who is responsible for the conduct of the election.

Schedule 1 – Contributions

Part I – Summary of Contributions

Contributions in money from candidate and spouse + \$ 1000

Contributions in goods and services from candidate and spouse (include value listed in Table 1 and Table 2) + \$ \_\_\_\_\_

Total value of contributions not exceeding \$100 per contributor  
 • Include ticket revenue, contributions in money, goods and services where the total contribution from a contributor is \$100 or less (do not include contributions from candidate or spouse). + \$ 150

Total value of contributions exceeding \$100 per contributor (from line 1B; list details in Table 3 and Table 4)  
 • Include ticket revenue, contributions in money, goods and services where the total contribution from a contributor exceeds \$100 (do not include contributions from candidate or spouse). + \$ 895

Less: Ineligible contributions paid or payable to the contributor  
 Contributions paid or payable to the clerk, including contributions from anonymous sources exceeding \$25 - \$ \_\_\_\_\_

Total Amount of Contributions (record under Income in Box C) = \$ 2045 1A

Part II – Contributions from candidate or spouse

Table 1: Contributions in goods or services

Description of Goods or Services	Date Received (yyyy/mm/dd)	Value (\$)
<b>Total</b>		<u>Nil</u>

Additional information is listed on separate supplementary attachment, if completed manually.

Table 2: Inventory of campaign goods and materials from previous municipal campaign used in this campaign (Note: Value must be recorded as a contribution from the candidate and as an expense.)

Description	Date Acquired (yyyy/mm/dd)	Supplier	Quantity	Current Market Value (\$)
<b>Total</b>				<u>Nil</u>

Additional information is listed on separate supplementary attachment, if completed manually.

Part III – Contributions exceeding \$100 per contributor – individuals other than candidate or spouse





Schedule 2 – Fundraising Events and Activities

Complete a separate schedule for each event or activity held.

Additional schedule(s) attached, if completed manually.

Fundraising Event/Activity 1

Description of fundraising event/activity N/A

Date of event/activity (yyyy/mm/dd) \_\_\_\_\_

Part I – Ticket revenue

Admission charge (per person) \$ \_\_\_\_\_ 2A

(If there are a range of ticket prices, attach complete breakdown of all ticket sales)

Number of tickets sold x \_\_\_\_\_ 2B

Total Part I (2A X 2B) (include in Part I of Schedule 1) = \$ Nil

Part II – Other revenue deemed a contribution

Provide details (e.g., revenue from goods sold in excess of fair market value)

- 1. \_\_\_\_\_ + \$ \_\_\_\_\_
- 2. \_\_\_\_\_ + \$ \_\_\_\_\_
- 3. \_\_\_\_\_ + \$ \_\_\_\_\_
- 4. \_\_\_\_\_ + \$ \_\_\_\_\_
- 5. \_\_\_\_\_ + \$ \_\_\_\_\_

Total Part II (include in Part I of Schedule 1) = \$ Nil

Part III – Other revenue not deemed a contribution

Provide details (e.g., contribution of \$25 or less; goods or services sold for \$25 or less)

- 1. \_\_\_\_\_ + \$ \_\_\_\_\_
- 2. \_\_\_\_\_ + \$ \_\_\_\_\_
- 3. \_\_\_\_\_ + \$ \_\_\_\_\_
- 4. \_\_\_\_\_ + \$ \_\_\_\_\_
- 5. \_\_\_\_\_ + \$ \_\_\_\_\_

Total Part III (include under Income in Box C) = \$ Nil

Part IV – Expenses related to fundraising event or activity

Provide details

- 1. \_\_\_\_\_ + \$ \_\_\_\_\_
- 2. \_\_\_\_\_ + \$ \_\_\_\_\_
- 3. \_\_\_\_\_ + \$ \_\_\_\_\_
- 4. \_\_\_\_\_ + \$ \_\_\_\_\_
- 5. \_\_\_\_\_ + \$ \_\_\_\_\_

Total Part IV Expenses (include under Expenses in Box C) = \$ Nil

**Auditor's Report -- Municipal Elections Act, 1996 (Section 88.25)**

N/A

A candidate who has received contributions or incurred expenses in excess of \$10,000 must attach an auditor's report.

Professional Designation of Auditor

Municipality			Date (yyyy/mm/dd)		
<b>Contact Information</b>					
Last Name or Single Name			Given Name(s)		Licence Number
<b>Address</b>					
Suite/Unit Number	Street Number	Street Name			
Municipality			Province		Postal Code
Telephone Number		Email Address			

The report must be done in accordance with generally accepted auditing standards and must:

- set out the scope of the examination
- provide an opinion as to the completeness and accuracy of the financial statement and whether it is free of material misstatement

Report is attached

Personal information, if any, collected on this form is obtained under the authority of sections 88.25 and 95 of the *Municipal Elections Act, 1996*. Under section 88 of the *Municipal Elections Act, 1996* (and despite anything in the *Municipal Freedom of Information and Protection of Privacy Act*) documents and materials filed with or prepared by the clerk or any other election official under the *Municipal Elections Act, 1996* are public records and, until their destruction, may be inspected by any person at the clerk's office at a time when the office is open. Campaign financial statements shall also be made available by the clerk in an electronic format free of charge upon request.

