

**TOWNSHIP OF SOUTH GLENGARRY
SPECIAL MEETING OF COUNCIL
Council Chambers, Municipal Office
Tuesday, August 4, 2020 4:30 PM**

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1. CALL TO ORDER	
2. APPROVAL OF AGENDA	
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DECLARATION OF PECUNIARY INTEREST

I, _____, declare a pecuniary interest on Agenda Item(s) for the meeting of _____:

Signature



STAFF REPORT

S.R. 105-2020

PREPARED BY: K. MacDonald, Deputy Clerk

PREPARED FOR: Council of the Township of South Glengarry

COUNCIL DATE: August 4, 2020

SUBJECT: Amendment to the Procedural By-law to Continue Electronic Participation

BACKGROUND:

1. On March 17, 2020 the Province of Ontario declared a state of emergency in response to the Covid-19 pandemic. On March 19th, 2020 the Province enacted Bill 187, the *Municipal Emergency Act, 2020* to amend the *Municipal Act, 2001* to provide that, during emergencies, members of councils, local boards and committees who participate electronically in open and closed meetings may be counted for purposes of quorum.
2. On April 6th, Council passed by-law 18-2020 in order to amend By-law 59-16, also referred to as its Rules of Procedure. This amendment allowed for electronic participation when a state of emergency is declared. It also allowed members participating electronically to be counted towards quorum and members participating electronically to participate in closed session meetings.
3. On July 21st, 2020 the Ontario government passed Bill 197 which amended the *Municipal Act, 2001* to allow Councils to amend their procedure by-laws to allow for members participating in meetings electronically to be counted for purposes of quorum and members participating electronically to participate in closed session meetings without there being a declared state of emergency.

ANALYSIS:

4. As the provincial declaration of emergency officially ended on July 24th, 2020 it is necessary to amend By-law 59-16 to continue to allow for Council members participating electronically to be counted towards quorum and participate in Closed Sessions. This amendment will facilitate members of Council to continue to meet in person or remotely and serve the constituents of South Glengarry.
5. As a state of emergency will no longer be a requirement for electronic participation, the passing of this by-law will also repeal by-law 18-2020.



6. As the recent revisions to the *Municipal Act* have not altered the requirement for meetings to be open to the public, administration recommends that meetings continue to be recorded and streamed to the Township's Youtube page.

ALIGNMENT WITH STRATEGIC PLAN:

Goal 3: Strengthen the effectiveness and efficiency of our organization

IMPACT ON 2020 BUDGET:

Nil.

RECOMMENDATION:

BE IT RESOLVED THAT Staff report 105-2020 be received and By-law 47-2020 being a by-law to amend By-law 59-16 Rules of Procedure be read a first, second and third time passed, signed and sealed in open Council this 4th day of August, 2020

A handwritten signature in black ink, appearing to read "Tim Mills", is written over a horizontal line.

Recommended to Council for
Consideration by:
CAO – TIM MILLS

SG-I-20

**THE CORPORATION OF THE
TOWNSHIP OF SOUTH GLENGARRY
BY-LAW No. 18-2020
FOR THE YEAR 2020**

BEING A BY-LAW TO AMEND BY-LAW NO 59-16.

WHEREAS the *Municipal Act, 2001*, c.25 s. 5(1) provides that the powers of a municipal corporation are to be exercised by its council;

AND WHEREAS the *Municipal Act, 2001*, c. 25 S. 5 (3) provides that the powers of every Council are to be exercised by by-law;

AND WHEREAS the Council of the Corporation of the Township of South Glengarry did, on the 8th day of August, 2016, pass By-law No. 59-16, being a by-law to govern the calling, place and proceedings of meetings;

AND WHEREAS on March 17, 2020 the Province of Ontario declared an emergency under section 7.0.1 (1) of the *Emergency Management and Civil Protection Act*, 1990;

AND WHEREAS on March 19, 2020 Bill 187 was passed to amend *Municipal Act*, 2001 to provide that, 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 a council, of a local board or of a committee of either of them who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time and a member of a council, of a local board or of a committee of either of them can participate electronically in a meeting that is closed to the public;

AND WHEREAS on April 6th, 2020 the Council of the Corporation of the Township of South Glengarry amended By-law 59-16 with By-law 18-2020 to allow for Council to hold and participate in electronic meetings when an emergency has been declared;

AND WHEREAS on July 21st, 2020 the provincial legislature passed Bill 197 to amend the *Municipal Act*, 2001 to allow for a member of a council, of a local board or of a committee of either of them who is participating electronically in a meeting to be counted in determining whether or not a quorum of members is present at any point in time and a member of a council, of a local board or of a committee of either of them can participate electronically in a meeting that is closed to the public without a state of emergency having been declared;

AND WHEREAS the Council of the Corporation of the Township of South Glengarry deems it necessary to amend By-law No. 59-16 to continue to allow for electronic participation.

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of South Glengarry enacts as follows:

1. Definitions in Schedule A of By-law 59-16 is hereby amended by adding the following:

25. "Electronic meeting" means a meeting called and held in full or in part via electronic means (including, but not limited to, audio teleconference, video conference, or via means of the internet);

2. Section 5.0 Meeting of Council is hereby amended by adding the following:

5.11.1 Any member of a council, of a local board or of a committee (including the Committee of Adjustment) of either of them who is participating electronically in a meeting may be counted in determining whether or not a

quorum of members is present at any point in time; and an electronic meeting may include a Closed Session, which shall be conducted in the absence of the public and in accordance with this by-law.

5.11.2 Electronic meetings that would be considered open to the public shall be recorded and shall be made available on the Township's website. Further, should the meeting require a means for representations to be made by the public, notice will be provided to the public as to how they may attend the meeting either online or via teleconference.

3. On the date this by-law comes into effect, By-Law 18-2020 shall be hereby repealed.
4. Save and except as provided herein, all other relevant provisions of by-law No.59- 16 shall apply.

READ A FIRST, SECOND AND THIRD TIME, PASSED, SIGNED AND SEALED IN OPEN COUNCIL THIS 4TH DAY OF AUGUST, 2020

MAYOR:

CLERK:
