




RULES OF THE ROAD


0 THE ROAD MAP FOR OUR TRIP
 0 Also known as – "the AGENDA"

0 WHAT DO WE NEED FOR A GOOD MEETING?

0 WHERE DO THE 'RULES' COME FROM?

0 WHAT ARE THE RULES?

0 TOP TIPS

0 TIME FOR QUESTIONS

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WHAT DO WE NEED FOR A GOOD MEETING?

✓ **An Agenda**
 ➤ You meet to make decisions, set policy
 ➤ Your agenda sets out what you need to deal with

✓ **Members**
 ➤ Mayor & Councillors, Board Directors, committee members

✓ **Chair**
 ➤ To manage the meeting and enforce the rules and provide leadership

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WHAT DO WE NEED FOR A GOOD MEETING?

✓ Oh – and a recorder for minutes is required



"Our first order of business is to find someone with opposable thumbs to take minutes... and open tuna cans."

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


WHERE DO 'THE RULES' COME FROM?


- ✓ Provincial legislation – the Community Charter (or Local Government Act for RDs)
- ✓ Part 5 of the CC covers Municipal Government and Procedures and Division 2 specifically covers Council Proceedings
- ✓ 1st – what is a meeting?
 - ✓ A gathering to which all members are invited and is material to the decision making process
 - ✓ Public notice is required
 - ✓ Quorum is necessary (majority of Council members)
 - ✓ If you miss too many, you can be disqualified from holding office (CC s. 125)

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- ✓ **There are various types of meetings,**
 - ✓ Regular, Special, Closed, Public Hearings
 - ✓ **And they all have rules to call them or give notice**
 - Sections 125 to 127 of the Community Charter
 - ✓ **“informal” meetings** – working groups, shirt sleeve sessions, whatever you want to call them
 - ✓ **They are still meetings and subject to the rules**
 - ✓ **Open & Closed meetings**
 - ✓ They are all open unless there is a specific reason under Section 90 (1) or (2) of the CC
 - ✓ 15 subjects that Council **MAY** consider in closed
 - ✓ 4 subjects that Council **MUST** consider in closed
- 



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✓ **Closed meetings**

- ✓ Most common (imho) are
- ✓ Land acquisition, disposition or expropriation (1)(e)
- ✓ Labour or employee relations (1)(a) and (c)
- ✓ Legal advice, including litigation and potential litigation (1)(g) and (i)
- ✓ Negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public (1)(k)
- ✓ Negotiations with other orders of government (Fed/Prov) 90 (2)(b)


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✓ **Going into closed session MUST be preceded by a resolution in OPEN session**

- ✓ the fact that the meeting or part of it is to be closed, and
- ✓ the basis under the applicable subsection of section 90 on which the meeting or part is to be closed
- ✓ The subject matter does not have to be in detail, but the appropriate part of CC Section 90 should be quoted


✓ **When the meeting returns to open session, if there is any actions to be reported out and made public, this is the time.**



✓ **If the matter is still in abeyance, it will be reported out in future when it is completed.**

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MEETING PROCEDURES




- ✓ Some requirements are set in the CC, some can be detailed in the REQUIRED Procedure Bylaw (CC s.124)
- ✓ **Voting**
- ✓ you must vote – no abstentions – CC s.123(3)
 - ✓ If you don't indicate yes or no – then you have voted yes – CC s.123(4)
 - ✓ If it's a tie – the motion is defeated – CCs.123(5)



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Procedure Bylaw

- Required (CC s. 124) and must cover
 - Procedure for meetings including how to pass resolutions and adopt bylaws
 - Procedure for conducting committee meetings
 - Taking minutes of both of the above and certification of the minutes
 - Procedure for advance public notice of meetings (date, time, place)
 - Where public notices will be posted
 - Procedure for appointing member to act in place of the Mayor (aka Deputy Mayor)
 - Establish date for first regular Council meeting

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Role of Chair / Mayor


- Preserve order and conduct
- Decide points of order
- May expel persons they consider “acting improperly”
- Summon witnesses and enforce attendance to give evidence
- Mayor can’t veto, but may require reconsideration of a matter
 - At same meeting, or within 30 days (1 x only)
 - Not if approval or assent of electors and adopted by Council

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Motions

- ✓ Several types of motions/resolutions
 - ✓ Main motion – to bring before Council
 - ✓ Subsidiary motions
 - ✓ Table to later in the meeting;
 - ✓ Postpone a motion to a later date and time
 - ✓ Amend a motion; or
 - ✓ Call the question
- ✓ Usually requires seconding before debate
- ✓ Non-debatable motions – to table, or to raise from table, to postpone, or to call the question


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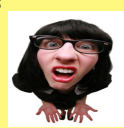
✓ Suspend the Rules
✓ Can be used to change the rules for the meeting, as long as it doesn't contravene the CC Act
✓ Many places have a more relaxed atmosphere
✓ And that can be useful, until conduct dictates a return to formality




✓ Amending Motions
✓ You can amend without providing notice in advance
✓ Motions to amend can be amended - once
✓ Deal with subsidiary (amendments) before main
✓ Amended main motions can be amended further

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✓ Friendly Amendments
✓ Appreciated by Council, not by staff
✓ More clarity is attained by seeing the amendments in the minutes




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Conflict of Interest & Disqualification

❖ Division 6 of the CC covers conflict and subsequent disqualifications
❖ General rules disqualifying voting or discussion on an issue at Council or Committee meetings
❖ If you have a direct pecuniary (monetary) interest
❖ If you have a non-direct pecuniary interest
❖ If you, in the eyes of a reasonable person....., may be perceived to have a bias


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- ❖ Who decides
 - ❖ It is the Council Member's judgment as to whether or not they are in conflict
- ❖ If that member decides to declare
 - ❖ They must declare it and state in general terms why they are in conflict
 - ❖ They must seek legal advice if they wish to return to the discussion
 - ❖ If they believe they made a mistake and they are not in conflict, declare it and state in general terms why they are not in conflict
 - ❖ If the matter was due to a pecuniary interest, restrictions on participation are still in effect

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TOP TIPS


- 0 Be there – and be on time
- 0 Be prepared
 - read the agenda, and the reports,
 - make notes /questions as required,
 - draft resolutions or amendments in advance
- 0 Follow the rules – but don't get stuck on them
 - don't manipulate
 - no distracted driving
 - pay attention



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TOP TIPS continued...

- 0 Be respectful
 - Take the "high road"
 - Good manners – remember what your mother taught you
 - Don't interrupt others (go through the Chair)
 - Be polite, diplomatic, patient
 - Don't point or call names
 - Humour always is an asset (gentle humour)
- 0 Common sense and active listening
 - Focus on issues not personalities

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TOP TIPS continued...

- 0 Debate wisely
 - > Participate but don't ramble or overly dominate the discussion
 - > Keep your remarks on the matter at hand
 - > Consider thoughtfully – that is what your constituents expect of you
 - > Make decisions calmly, not in the heat of the moment


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TOP TIPS continued...

- 0 Remember why you ran
 - > You wanted to serve your community
 - > It's not about you – it's about them
- 0 Trust
 - > Your colleagues
 - > Your staff
 - > Yourself

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QUESTIONS?



Questions are guaranteed in life; Answers aren't.

AND HOPEFULLY

