

The Corporation of the Township of Brock

Special Council Minutes

Electronically

Session Eight

Monday, March 8, 2021

The Eighth Meeting of the Council of the Township of Brock, in the Regional Municipality of Durham, was held on Monday, March 8, 2021, electronically.

Members present: Regional Councillor: W.E. Ted Smith
 Councillors: Michael Jubb
 Claire Doble
 Walter Schummer
 Cria Pettingill
 Lynn Campbell

Staff Members present: Municipal Clerk Becky Jamieson
 (recording the minutes)
 Deputy Clerk Deena Hunt
 Director of Public Works Paul Lagrandeur
 Chief Building Official Richard Ferguson
 Interim Treasurer John Gormaly
 Fire Chief Rick Harrison

1. Call to Order & Moment of Silence

Deputy Mayor W.E. Ted Smith called the meeting to order at 9:00 a.m.

2. Disclosure of Pecuniary Interest and Nature Thereof

None

3. Delegations

None

4. Consideration of Business for which Notice was Given

Resolution Number 1-8

MOVED by Walter Schummer and SECONDED by Claire Doble that Council amend the order of the agenda to bring forward the Closed Session at this time.

MOTION CARRIED

1) Closed Session

Resolution Number 2-8

MOVED by Walter Schummer and SECONDED by Claire Doble That Council move in camera at 9:05 a.m. pursuant to Section 239(2)(b) of the Municipal Act, 2001, to discuss matters relating to employees of the Township.

MOTION CARRIED

Resolution Number 3-8

MOVED BY Lynn Campbell and SECONDED by Cria Pettingill that we rise from in camera at 9:59 a.m.

MOTION CARRIED

Resolution Number 4-8

MOVED BY Cria Pettingill and SECONDED by Claire Doble that Council break for a recess at 10:00 a.m. and reconvene after the Committee of the Whole meeting.

MOTION CARRIED

Deputy Mayor Smith reconvened the meeting at 12:45 p.m. with the same members of Council and staff.

- 2) Notice of Reconsideration – Vacancy of the Office of the Mayor (Head of Council) Staff Report: 2021-CO-06, Vacancy of the Office of the Mayor (Head of Council), and Resolution No. 14-2 adopted by Council on February 22, 2021, be opened for reconsideration.

Resolution Number 5-8

MOVED BY Cria Pettingill and SECONDED by Claire Doble That Staff Report: 2021-CO-06, Vacancy of the Office of the Mayor (Head of Council), and Resolution No. 14-2 adopted by Council on February 22, 2021, be opened for reconsideration.

Councillor Campbell requested a recorded vote.

Recorded Vote

Yeas

Claire Doble
Michael Jubb
Cria Pettingill
Walter Schummer
W.E. Ted Smith
Lynn Campbell

Nays

MOTION CARRIED

Resolution Number 14-2

MOVED by Walter Schummer and SECONDED by Lynn Campbell That Report: 2021-CO-06 be received; and, That the Office of the Mayor vacancy be filled by holding a By-Election; that the Clerk provide notice to the public of the method selected by Council; That the Clerk be authorized to bring forward the necessary by-law to hold the By-Election to fill the vacancy of the Mayor and to authorize the use of vote by mail and vote tabulators where appropriate as the preferred method for the By-Election to be held on June 18, 2021; and, that the By-law be brought forward to the March 22 Council meeting.

There was discussion with respect to the challenges of holding a By-Election given that the Municipal Clerk is leaving the Township, staff do not have the skill set to properly run a By-Election, and the Office of the Mayor vacancy should be filled by an appointment.

Resolution Number 6-8

MOVED BY Walter Schummer and SECONDED by Lynn Campbell That Resolution Number 14-2 be rescinded.

MOTION CARRIED

Resolution Number 14-2

MOVED by Walter Schummer and SECONDED by Lynn Campbell That Report: 2021-CO-06 be received; and, That the Office of the Mayor vacancy be filled by holding a By-Election; that the Clerk provide notice to the public of the method selected by Council; That the Clerk be authorized to bring forward the necessary by-law to hold the By-Election to fill the vacancy of the Mayor and to authorize the use of vote by mail and vote tabulators where appropriate as the preferred

method for the By-Election to be held on June 18, 2021; and, that the By-law be brought forward to the March 22 Council meeting.

MOTION RESCINDED

Resolution Number 7-8

MOVED by Michael Jubb and SECONDED by Cria Pettingill That Report: 2021-CO-06 be received for information;

That Council declared the Office of the Mayor vacant on February 1, 2021,

That as per Section 263(1) of the Municipal Act, if a vacancy occurs in the office of a member of council, the municipality shall, subject to this section,

- (a) fill the vacancy by appointing a person who has consented to accept the office if appointed; or
- (b) require a by-election to be held to fill the vacancy in accordance with the Municipal Elections Act, 1996, 2001, c. 25, s. 263 (1).

That as per Section 263(2) of the Act, if the offices of a person who is a member of council of both a local municipality and its upper-tier municipality become vacant, the local municipality and not the upper-tier municipality shall fill the vacancy in accordance with subsection (1) as noted above.

NOW Therefore Be it Resolved that the Office of Mayor vacancy be filled by appointment as per Section 263 (1) (2) of the Municipal Act; and that Council direct the Clerk to determine the interest and eligibility of the second place candidate in the October 2018 election, John Grant, and report back to Council as soon as possible to advise of his eligibility and interest.

There was discussion with respect to the experience that John Grant has as Mayor, the stability that he would provide to staff and Council, and that while the application process for appointment was an option, it would have required the Clerk's involvement and more time to be implemented.

The Clerk advised that, should Mr. Grant agree to the appointment, Council should adopt a Resolution at a future Council meeting, a confirming By-law would be passed, Mr. Grant would take the oath of office and receive the Chain of Office.

Councillor Campbell requested a recorded vote.

Recorded Vote

Yeas

Claire Doble
Michael Jubb
Cria Pettingill
Walter Schummer
W.E. Ted Smith
Lynn Campbell

Nays

MOTION CARRIED

Resolution Number 8-8

MOVED by Claire Doble and SECONDED by Walter Schummer That Council reconvene the in camera session at 1:14 p.m. pursuant to Section 239(2)(b) of the Municipal Act, 2001, to discuss matters relating to employees of the Township.

MOTION CARRIED

Resolution Number 9-8

MOVED BY Lynn Campbell and SECONDED by Cria Pettingill that we rise from in camera at 2:20 p.m.

MOTION CARRIED

5. Public Questions and Clarification

None

6. Confirmation By-law

By-law Number 3022-2021 – to confirm the proceedings of the Council of the Corporation of the Township of Brock at its meeting held on March 8, 2021.

Resolution Number 10-8

MOVED by Walter Schummer and SECONDED by Claire Doble that By-law Number 3018-2021, to confirm the proceedings of the Council of the Corporation of the Township of Brock at its meeting held on March 8, 2021, was read a first, second and third time and passed in open Council and that the Mayor and Clerk were authorized to sign the by-law on behalf of the municipality and to have same engrossed in the by-law book.

MOTION CARRIED

7. Adjournment

Resolution Number 11-8

MOVED by Lynn Campbell and SECONDED by Cria Pettingill that we do now adjourn at 2:22 p.m.

MOTION CARRIED

DEPUTY MAYOR

CLERK