



THE DISTRICT OF CLEARWATER

**JUNIOR
COUNCILLOR
HANDBOOK**

November 2010



Junior Councillors Handbook, November 2010

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PUBLICATIONS OF INTEREST

A Handbook for Councils: Staples, McDannold Stewart
Conflict of Interest: Chris Murdy, Murdy & McAllister
Local Government in British Columbia, A Community Effort

MUNICIPAL HALL

Office Hours: 8:30 A.M- 4:30 P.M. Monday to Friday, excluding holidays.

After Hours Access: If you need to get into the Municipal Hall for a meeting after regular business hours, and no staff will be in attendance, please contact Corporate Administrator or the Administrative Assistant to arrange to sign out a key for that particular time.

Mailing Address: Box 157, Clearwater, B.C. V0E 1N0

Note: There is a mail slot at the front door of the Municipal Hall where mail of any sort can be dropped. This is also a good place to drop off a key that you have signed out.

E-Mail Address: The domain name for e-mail is "districtofclearwater.com". E-mail for, Administration, for instance, would be addressed to "admin@districtofclearwater.com. Other frequent contacts for members of Council would be (firstname.lastname@)districtofclearwater.com)

Telephone Numbers: Switchboard (250) 674-2257
Fax Machine: (250) 674-2173

Meeting Room: The Council Chambers, the Room can be booked for municipal purposes through the Administrative Assistant.

Municipal Hall: **Administration/Finance**
Staff:

Chief Administrative Officer:	Isabell Hadford
Corporate Administrator:	Leslie Groulx
Director of Finance:	Scott Coulson
Legislative Assistant:	Lynne Frizzle
Receptionist/File Clerk:	Penny Harper
Accounts Payable/Tax Clerk:	Tammy Rutsatz
Accounts Receivable / Payroll Clerk:	Heather Wurm

ICBC / MV Clerks (2.2):	Margaret Ann Proulx Louise Richardson Lisa Jensen
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Public Works:	Rob Griffiths Brian Lipp
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Building/Planning: TNRD Contract	Adam Bux
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North Thompson Sportsplex

Facilities Supervisor:	Roger Mayer
Ice Maker II:	Bob Behan
Recreation Facilities Attendants:	Vacant
I/C Concession Clerk:	Darlene Braaten
Concession Clerks (5 students)	
Skate Patrol (2)	

District of Clearwater Fire Department

Fire Chief:	Mike Smith
Deputy Chief:	Guy Holland
Volunteer Firefighters (19)	
Maintenance:	Wayne Wesnosky

Other Tenants:	Tourism Wells Gray	Tourism/Marketing
Manager	Thompson Nicola Regional District	Building Inspector
	Campbell & Co.	James Foucault

Org. Chart: See Appendix "A" for a chart depicting the corporate structure.

SERVICES TO COUNCILLORS

Mail Slots: There is a box with your name on it in the Administration main office at the Municipal Hall. A variety of materials are forwarded to you in this manner. You can check this box whenever you are in the Municipal Hall.

Weekly Deliveries: Whether or not you can check your mail slot during the week, every 1st and 3rd Friday of each month a package of materials will be put together that has accumulated throughout the week for you. **This includes the agenda material for meetings being held the following week.**

The agenda package is usually ready between 9:00 am and 2:30 p.m. on the 1st and 3rd Friday. If you plan on being out of town, please let someone in the Administration Office know whether you want this package of material delivered to your home or held at the Municipal Hall.

These materials are packaged in a re-usable manila envelope. Please return this envelope to the Municipal Hall Administration Office when you arrive for a meeting.

Council and Committee of the Whole agendas are prepared in a three ring binder. Please also be sure to return these binders no later than Thursday following the council meeting so that they can be prepared for the next meeting. (Most people just leave their binders behind at the end of each Council or Committee meeting).

Meeting Calendar:

Every Friday, a 4-week calendar will be prepared and emailed. This calendar will show all the meetings and various other activities going on at the Municipal Hall, or events you may be attending as a Councillor. Only those events pertaining to you will be highlighted. If an event is **not** highlighted, that generally means you don't have to worry about attending.

IMPORTANT

If you plan to be away and will be unable to attend a Council or Committee meeting, please advise the Corporate Administrator, as soon as possible.

Pay Cheques: Pay cheques for Members of Council are prepared on a bi-weekly basis and are deposited electronically to your bank account.

The 2009 annual indemnities for members of Council are as follows:

Mayor - \$14,142/ year
Council - \$7,920 / year

It has been the practice of Council since 2007 to tie any change in indemnities to the year to the change in the Consumer Price Index of B.C, for the immediate preceding year. One-third of the indemnity is paid as a tax-free allowance for expenses incidental to the duties of office. This portion covers Council members' out of pocket expenses (mileage, luncheons, etc.) you might incur while on Council business within the boundaries of the District of Clearwater.

If you require additional income tax to be deducted, please speak to the Payroll Clerk, in this regard.

Reimbursement for Travel/Conferences/Meeting Registration Fees:

Council has enacted a policy which provides for the payment of travel expenses incurred while on municipal business **outside** the District of Clearwater. Under the provisions of this policy, an elected official is entitled to reimbursement for the cost of registration, transportation and accommodation when the attendance has been authorized in advance by a resolution of Council and is outside of the District of Clearwater.

Per diem rates have also been established for meals and incidentals. Currently these rates are:

Breakfast	\$15.00
Lunch	\$20.00
Dinner	\$25.00

Please retain receipts for other expenses incurred.

Where the registration fee for a meeting, course or convention held **within** the District of Clearwater does not exceed \$50.00, the Mayor, upon application by an elected official, may exercise the powers of Council in approving the payment of the registration fee. An elected official who has been denied approval by the Mayor may request that Council reconsider that decision.

Correspondence: Any incoming correspondence received for you at the Municipal Hall in your role as a committee Councillor, is opened by staff and reviewed unless the sender has marked it "Personal and Confidential".

The reason for this policy is that the contents may be of a nature that this should correspondence be placed on a Council or Committee agenda. If it is more along the lines of an invitation to an event or a government circular, it will be placed in your mail slot. Generally, all outgoing correspondence from Council is initiated by resolution and prepared by the Corporate Administrator. Should you need to have any correspondence typed related to your individual needs as a Councillor, the Corporate Administrator will look after this for you.

COUNCIL AND COMMITTEE MEETINGS

Meeting Dates/Times:

Council meetings are generally held on the first and third Tuesdays of each month at 7:00 p.m. in the Council Chambers at the Municipal Hall. On Tuesdays that are statutory holidays, meetings are put forward to the next day (Wednesday). The meeting schedule is usually reduced in the summer and near Christmas. Council members should bring their agenda packages to all meetings.

Agenda: The Council and Committee agendas are prepared on Friday mornings for meetings to be held the following week. The Corporate Administrator is responsible for the content of the Council and Committee of the Whole agendas, and for obtaining any required background reports from staff. Once prepared, the agendas are posted on the public notice board at the Municipal Hall, and on the Municipality's web site (<http://www.districtofclearwater.com>) and following the council meeting a summary of the meeting highlights are published each Monday in The Clearwater Times under "What's Happening on Council".

Late Meetings: Under the District's *Procedure Bylaw*, Council and Committee meetings must be adjourned by 11:00 p.m., unless otherwise agreed by unanimous vote.

Quorum: A quorum for a meeting of Council or Committee is 4 members.

Meeting Conduct: The Mayor or Acting Mayor acts as the chair for all meetings of Council. It has been the practice of the District of Clearwater Council to act as a legislative rather than as an investigative body. As a consequence, Council refers many issues to the Staff level for investigation and recommendation.

Voting: All questions decided by Council must be decided by a majority of the members of Council present at the meeting. In rare cases a vote will require a two-thirds majority of the entire Council (i.e., 5 members) in order to pass. Staff will advise when this is the case.

Tie Votes: If the votes of the members of Council (including the Mayor) present at the meeting are equal for and against a question, the motion is defeated.

Abstentions: Under the *Community Charter*, any member of Council who abstains from voting is deemed to have voted in the affirmative.

General Procedure:

The procedural rules for Council and its Committees are set out in detail in the *Procedure Bylaw 001*, attached as Appendix "B".

Public Presentations:

In a regularly constituted meeting (as opposed to a public hearing), Council is sitting as a legislative body for the purpose of conducting the business of Council. Except for specifically scheduled presentations, (e.g., reports from regional / intermunicipal bodies), the regular Council meetings do not provide a "town hall" type of forum for presentations and questions from the public, unless previously on the agenda or approved with the consent of Council and restricted to items already on the Council agenda for a given meeting. There is, however, a wider scope for public participation at the Committee level, where for each agenda item the Chair will generally ask if there is anyone in attendance wishing to speak to it.

In-Camera Meetings:

In-camera meetings are held to deal with matters where the public interest or privacy considerations require the exclusion of persons other than Council members and senior municipal officers. By statute, this applies to agenda items relating to legal advice, law enforcement, labour negotiations, hiring decisions or other appointments, and third party business information. Before moving into an in-camera session, Council must pass a resolution to that effect, stating the statutory basis on which the meeting is to be closed to the public.

At the beginning of each in-camera session, a motion approving the agenda is always made to ensure that everyone is in agreement that the items on the agenda should indeed be discussed in private. The Chief Administrative Officer and the Corporate Administrator are in attendance for all in-camera meetings except in extraordinary circumstances.

Information considered at an in-camera session must be kept in confidence and may not be disclosed unless Council as a whole decides to release the information to the public.

Minutes: All adopted minutes of open Council and Committee meetings are available for public inspection at the Municipal Hall. Current minutes are also posted on the municipal web site once they have been adopted.

GENERAL GOVERNANCE ISSUES

Decision-Making Process and Lines of Authority:

Council is a collegial decision-making body, and it is the ultimate repository of authority at the local government level. Councillors do not exercise authority within the organization as individuals. Rather, through discussion and debate, they contribute to the development of policy in a legislative forum.

The individual committee chairpersons are not the local government equivalents of ministerial portfolios. They do not confer any line authority with respect to the corresponding municipal departments. The department heads are directly accountable to the Chief Administrative Officer, who, in turn, reports to Council as a whole. The organization would soon lose its way if its managers found themselves subject to direction from a number of different sources, so the managers cannot take direction from members of Council as individuals. A committee chairperson can entail a special role, however, in the context of a meeting of Committee of the Whole, where other members may look to you for elaboration on agenda items falling under your section. Any member of Council is free to approach the Chief Administrative Officer or any department head with requests for information that will enhance his or her ability to participate in the decision-making process at the Council or committee level. Responding to such requests in a timely fashion will always be accorded the highest of priorities by all staff.

Conflict of Interest:

By law, a council member must not participate in the discussion of, or vote on a question in respect of a matter in which the member has a direct or indirect pecuniary interest.

This rule does not apply:

- (a) if the pecuniary interest of the Council member is a pecuniary interest in common with electors of the Municipality generally,
- (b) if the matter relates to remuneration or expenses payable to one or more council members in relation to their duties as council members, or
- (c) if the pecuniary interest is so remote or insignificant that it cannot reasonably be regarded as likely to influence the member in relation to the matter.

If you feel you have a conflict on any matter before Council, you are obligated to declare this conflict and state why you consider this to

be the case. Following this declaration, you are required to leave the meeting room while that matter is under consideration.

In addition to these statutory conflicts, where contravention of the procedure set out in the *Community Charter* can result in disqualification from holding office, the courts have identified a number of common law conflicts which can invalidate Council decisions. These may occur in situations where there is a non-pecuniary personal interest separate and distinct from that of the public in general. The Chief Administrative Officer and the Corporate Administrator are available to assist you should you be unsure if a matter will put you in a potential conflict. Ultimately, however, each individual councillor is responsible for obtaining his or her own legal advice in this regard.

Acceptance of Gifts:

There is, of course, an outright prohibition against accepting any gift or benefit that is connected with your role as part of a legislative body. That general prohibition, however, does not apply to “a gift or personal benefit received as an incident of the protocol or social obligations that normally accompany the responsibilities of office.”

Items in the latter category might include things such as gifts presented by delegates visiting from other municipalities across Canada. Where the sponsoring organization or one of its directors is not seeking a grant or other approval from Council, they might also include complimentary tickets to arts, cultural and sporting events, which sometimes tend to be offered not so much as perquisites, but as ways for the organization to raise the profile of its event, or to add a sense of occasion.

Although there is no prohibition against the acceptance of these “protocol or social obligation” sorts of gifts, a disclosure requirement applies in the following circumstances:

- (1) where a gift or personal benefit exceeds \$250 in value, or
- (2) where the total value of gifts or personal benefits received directly or indirectly from any one source over any 12 month period exceeds \$250.

Where those conditions are met, the Council member must file with the Corporate Administrator, as soon as reasonably practicable, a disclosure statement indicating:

- (1) the nature of the gift or benefit;

- (2) the source, including, if from a corporation, the full names and addresses of at least two directors;
- (3) the date of receipt; and
- (4) the circumstances under which the gift was given and accepted.

Bylaw Enforcement:

Municipal bylaws are enforced on a priority basis in accordance with an established enforcement protocol and available resources. Members of Council who receive a complaint from a constituent should advise the individual to put his complaint in writing to the Chief Administrative Officer, who supervises the contract for the bylaw enforcement officer (TNRD).

There is a separation between legislative, administrative and enforcement functions in local government. Council involvement in bylaw enforcement is generally limited to:

- (1) approval of funding for civil action if required (e.g., injunctions);
- (2) approval to place contravention notice on title.

Claims for Compensation:

The District of Clearwater is a member of the Municipal Insurance Association of British Columbia, which is a self-insuring cooperative covering municipalities throughout the Province. One of the conditions of membership is that all claims be referred to an adjuster retained by the Association for adjudication, the rationale being that claims settled by a municipality in isolation could have adverse precedential implications for the other participants. Accordingly, any claims against the Municipality are forwarded to our insurers who will correspond with the claimant directly when they have concluded their investigation. Council does not become involved in the settlement of claims against the Municipality.

Parks and Recreation:

The services provided by the Parks and Recreation Department are the responsibility of the Parks and Recreation Committee, a committee of the whole. The Committee will provide policy direction to the staff and will generally handle all related matters generated from taxpayers. In addition to daily contact at the staff level, the Parks and Recreation Committee monthly minutes are reviewed and adopted by Council's. On an annual basis, Council will meet with the Parks and Recreation Committee to discuss mutual concerns and the budget or other matters.

Police Department:

There is a separate statutory framework for policing in British Columbia. As a result the Staff Sergeant does a quarterly report to Council as a need to know basis.

MISCELLANEOUS

Contact Information for Constituents:

Unless you instruct otherwise, the practice is for home telephone numbers of Council members to be made available to residents or property owners who wish to contact you directly. Work numbers are not given out without specific authority.

Financial Disclosure Forms:

All members of Council are required to complete financial disclosure forms annually. Following receipt of your first form, staff will then prepare sets of forms annually with the same information repeated (providing your handwriting is legible!). Please make any additions or deletions to your disclosure at that time.

Municipal Events: Every three years, Council hosts a reception following the Inaugural Meeting on the first Monday in December, and a farewell dinner for departing members of Council.



DISTRICT OF CLEARWATER CHARTER FOR JUNIOR COUNCIL

Purpose:

1. To provide an opportunity for the Youth of Clearwater to acquire a greater knowledge of and an appreciation of the local government system through active participation in decision-making and implementation systems.

2. To assist the Mayor and Council of the District of Clearwater (DOC) to collaborate and accomplish the goals established by the youth organization.
3. to serve the youth of the DOC by:
 - a. communicating to the municipality regarding the issues, needs and recommendations of the youth
 - b. planning and implementing Social, Educational, Cultural and Recreational activities
 - c. working with the Mayor, the Council Standing Committees, Provincial Administration, Schools, Chamber of Commerce, Civic Clubs, interest groups and Service Organizations to provide service and leadership opportunities
 - d. to instill a feeling of positive self worth
 - e. to teach respect for the rights and property of others
 - f. to promote community pride and eliminate potential negative influences among the youth

The Junior (Youth) Council:

Shall consist of:

- A Patron (the Mayor or a Council member assigned by the Mayor),
- A DOC staff advisor (the CAO or staff member assigned by the CAO)
- Youth Advisor (Teacher Representatives) and,
- Student Council representatives who are elected by the students at CSS

Duties and Responsibilities of the Junior Council for the DOC:

1. To attend all Junior Council meetings
2. To select one of its members to attend the regular DOC Council meetings
3. To pass Motions and Resolutions as necessary by majority present, i.e.: 50%+1 of those present at a meeting and allowed to vote
4. To carry out the purpose of Junior Council as outline in the Charter
5. To prepare an agenda for each Junior Council meeting and ensure it is posted to all Junior Council members at least two (2) days in advance of each meeting
6. To participate in a debriefing session with the full Junior Council meeting once every month or as often as needed
7. To plan activities for the youth coordinating all such activities with the Patron assigned to the Junior Council

Responsibility and Authority of the Junior Council President:

1. To preside over all Junior Council meetings
2. To carry out the decision of the Junior Council
3. To attend Council meetings once a month in order to provide liaison and co-ordination between the District Council and the Junior Council

4. To propose to the Junior Council plans and projects designed and assist in the implementation of these plans and projects
5. To assign each Junior Council member areas of responsibility
6. To represent the Junior Council within and outside of the District of Clearwater

Responsibility of the Junior Councillors:

1. To be involved in the planning of strategic activities and their eventual monitoring and evaluation of Junior Council
2. To assist in coordinating and implementation of all Junior Council activities
3. To provide leadership and direction at the school
4. To carry out assignments as directed by the local Junior Council

Requirements to serve on the Junior Council:

1. Must be a full time student at Clearwater Secondary School
2. Must be 18 years of age or younger
3. Must be able to attend at least 75% of all Junior Council Meetings
4. Must fulfill the responsibilities of any office held
5. Must set a proper example for the youth in the community. A member of the Junior Council can be removed from office upon violation of one or more of the above criteria and by a majority vote of the Junior Council with the final approval of the Junior Council President and the District Council
6. Tenure of office is one (1) year

Vacancies:

Any vacancy on the Junior Council, either by removal or by resignation, shall be filled by nomination of the Junior Council with final approval by the Mayor and Council for the District of Clearwater.

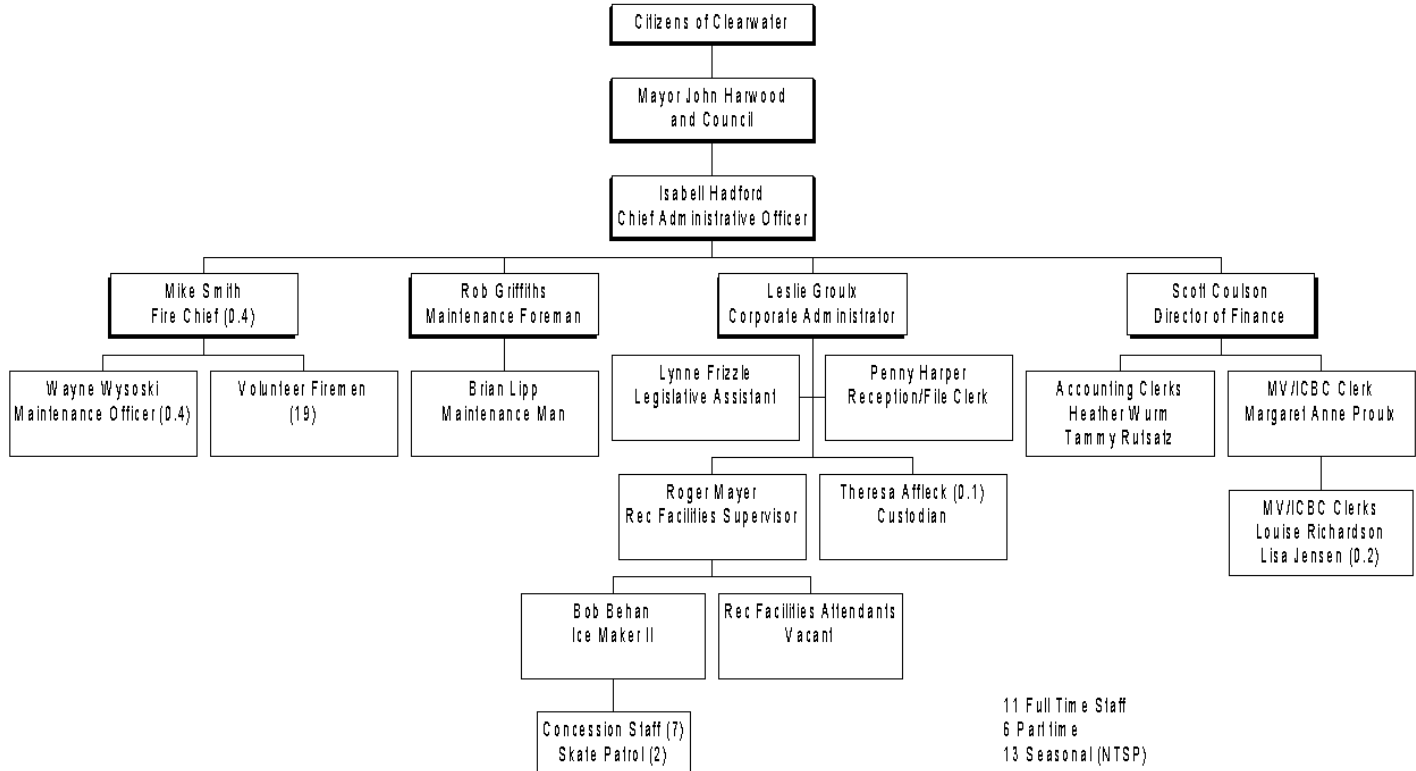
Elections:

Elections will be held in accordance with policies established by Clearwater Secondary School for the election of student council members. Those elected will form the Junior Council. The Junior Councillors shall be required to take the same "OATH OF OFFICE" that is administered for the District of Clearwater Council.

Adopted in

Amended by resolution of Council October 6, 2009

**DISTRICT OF CLEARWATER
ORGANIZATION CHART
November 2010**



**DISTRICT OF CLEARWATER
COUNCIL CONTACT INFORMATION**

Council Member	Email	Contact Number	Emergency Contact Number and Person	Cell phone number
John Harwood	HARWOOD@TELUS.NET	250-674-3270	250-674-3270 Melanie – wife	250-674-1348
Brent Buck	tbuck@telus.net	250-674-3643 (H), 250-674-3328 (W)	250-674-3643 (H), 250-674-3328 (W) Tracy – wife	250-320-9879
Christy Dobi	DCDOBI@TELUS.NET or christydobi@telus.net	250-674-0074	250-676-1136 Dave – husband	250-674-8502
Candus Graffunder	candus@telus.net	250-674-3145	250-674-0019 Jody - Sister	250-674-1650
Ken Kjenstad	sydken@mercuryspeed.com	250 674 3379	250 674 2387 Ole – son	250-674-1359
Stephanie Teare	teares@hotmail.com	250-674-2557	403-242-3681	n/a

			Ken and Sylvia Teare – parents	
Bert Walker	BWALKER6@TELUS.NET	250-674-2657	250-674-2657 Joyce – wife	250-674-1476



DISTRICT OF CLEARWATER STAFF CONTACT INFORMATION

STAFF MEMBER	POSITION	EMAIL	CONTACT NUMBER	EMERGENCY CONTACT NUMBER AND PERSON	CELL PHONE NUMBER
ISABELL HADFORD	CHIEF ADMINISTRATIVE OFFICER	ISABELL.HADFORD@DISTRICTOFCLEARWATER.COM DDMK@TELUS.NET	250-674-2959	PHIL HADFORD 250 828.-4028 WORK	250.674.8917
LESLIE GROULX	CORPORATE ADMINISTRATOR/ ECONOMIC DEVELOPMENT	LESLIE.GROULX@DISTRICTOFCLEARWATER.COM LGROULX@TELUS.NET	250-674-2780	DANIEL – HUSBAND 250.674.2780 HEATHER – SISTER 250.674.2449	250-674-8818
THERESA AFFLECK	CUSTODIAN	TAFLECK_3@MSN.COM	250 674-2766	KEVIN RITCHIE 250 674-2766 HOME 250 674-1429 CELL:	250 674-8150
BOB BEHAN	NTSP	SPORTSPLEX@DISTRICTOFCLEARWATER.COM	250-614-2433	ALTERNATE NUMBER: 250-674-8341	
ROB GRIFFITHS	PUBLIC WORKS SUPERVISOR	ROB.GRIFFITHS@DISTRICTOFCLEARWATER.COM			
GUY HOLLAND	DEPUTY FIRE CHIEF	CHARGUY@TELUS.NET	250-674-2119	250-674-2213 (WORK)	250-674-1042
LYNNE FRIZZLE	LEGISLATIVE ASSISTANT	LYNNE.FRIZZLE@DISTRICTOFCLEARWATER.COM LFRIZZLE@HOTMAIL.COM	250-674-3261	PAT MAYER (SPOUSE) 250-318-2605	250-674-8185

				KARI FRIZZLE DAUGHTER 604.815.7150	
LISA JENSEN	MVA OFFICE	LISA.JENSEN@DISTRICTOFCLEARWATER.COM TOPAZL@TELUS.NET	250-674-3303	MELISSA JENSEN 250.674.3704 CRYSTAL MERWIN 250.674.0259	250-674-8103
BRYAN LIPP	MAINTENANCE WORKER	BRYAN.LIPP@DISTRICTOFCLEARWATER.COM BLIPP@TELUS.NET	250-674-2942	KATE -WIFE 250.674.2942	250.674.1027
ROGER MAYER	NTSP SUPERVISOR	SPORTSPLEX@DISTRICTOFCLEARWATER.COM	250-674-3690	ALTERNATE NUMBER: 250-674-8825	
MARGARET ANNE PROULX	MVA OFFICE	MARGARETANNE.PROULX@DISTRICTOFCLEARWATER.COM	250-672-0164	AIMEE CAMPBELL 250-672-5138 HOME 250-318-5243 CELL LUDIE PROULX BROTHER 250.672.9903	
LOUISE RICHARDSON	MVA OFFICE	LOUISE.RICHARDSON@DISTRICTOFCLEARWATER.COM DLRICHIE@TELUS.NET	250-674-2556	Doug – HUSBAND 250.674.2556 WAYNE RICHARDSON SON 250.674.3023 HOME 250.674.4086 .WORK	
TAMMY RUTSATZ	ACCOUNTS PAYABLE	TAMMY.RUTSATZ@DISTRICTOFCLEARWATER.COM	250-676-9560	GORD – HUSBAND) 250.676.9560 DAN/LINDA KING 250.676.9578 -	
MIKE SMITH	FIRE CHIEF	MIKE.SMITH@DISTRICTOFCLEARWATER.COM	250.674.2606	ALTERNATE No. 250.674.1795	250.674.1278
HEATHER WURM	PAYROLL, ACCOUNTS RECEIVABLE	HEATHER.WURM@DISTRICTOFCLEARWATER.COM	250-674-3776	LEONARD - HUSBAND 250.674.3776 -	



**2011 DISTRICT OF CLEARWATER
COUNCIL & COMMITTEE MEETING SCHEDULE
HELD AT 132 CLEARWATER STATION ROAD**

January	4 th	5:00 pm 7:00 pm	Infrastructure Committee Regular Meeting
	18 th	5:00 pm 7:00 pm	Parks & Recreation Committee Finance & Audit Committee 2010 5 Year Expenses – All Funds Regular Meeting
			<i>Chief Administrators Annual Conference</i>
February	1 st	5:00 pm 7:00 pm	Economic Development Finance & Audit Committee Water Fund, Sewer Fund Five Year Revenue and Expense, Setting of Parcel taxes and Tolls Regular Meeting
			<i>Newly Elected Officials SILGA Communities Seminar</i>
	15 th		Finance & Audit Committee- 2010 5 Year Revenues & Expenses Operations Fund Regular Meeting
March	1 st	5:00 pm 7:00 pm	Infrastructure Committee Finance & Audit Committee – 5 Year Capital Budget & Reserve Allocations Regular Meeting
	15 th	5:00 pm 7:00 pm	Parks & Recreation Committee Finance & Audit Committee – New 5 year financial Plan layout/template Setting Parcel taxes/water tolls Regular Meeting
April	5 th	5:00 pm 5:30 pm 7:00 pm	Economic Development Committee Finance & Audit Committee-Discussion on Setting of Tax Rates & Objectives and Policies Regular Meeting

	19 th	5:00 pm 7:00 pm	Finance & Audit Committee - Setting of Tax Rates Regular Meeting
			<i>SILGA Convention – May 4 - 6 – Merritt</i>
			<i>Parks and Recreation Annual Conference</i>
May	3 rd	5:00 pm 7:00 pm	Infrastructure Committee Regular Meeting First Three Readings of Tax Rates Bylaw First Three Readings of 2010 Five Year Financial Plan Bylaw
			<i>LGMA Convention – May 17th – 19th - Penticton</i> <i>GFOA Convention – June 1- 3– Victoria</i>
May	11 th	7:00 pm	Special Council Meeting Final Reading and Adoption of 2010 Five Year Financial Plan Bylaw Final Reading of Tax Rates Bylaw
May	17 th	5:00 pm 7:00 pm	Parks & Recreation Committee Regular Meeting
June	7 th	5:00 pm 7:00 pm	Economic Development Committee Regular Meeting
	21 st	5:00 pm 7:00 pm	Finance & Audit Committee Regular Meeting
July	19 th	5:00 pm 7:00 pm	Infrastructure Committee Regular Meeting
August	16 th	5:00 pm 7:00 pm	Parks & Recreation Committee Regular Meeting
September	6 th	5:00 pm 7:00 pm	Economic Development Committee Regular Meeting
	20 th	5:00 pm 7:00 pm	Finance & Audit Committee Regular Meeting
			<i>UBCM Convention – September 26 – September 30</i>
October	4 th	5:00 pm 7:00 pm	Infrastructure Committee Regular Meeting
	18 th	5:00 pm	Parks & Recreation Committee Regular Meeting

		7:00 pm	
		<i>Corporate Administrators Annual Conference</i>	
November	8 th	5:00 pm 7:00 pm	Economic Development Committee Regular Meeting
	19th		<i>Local Government Elections</i>
	22 nd	5:00 pm 7:00 pm	Finance & Audit Committee Regular Meeting
December	5 th	7:00 pm	Inaugural Meeting

Any changes made to this schedule will be posted on the District's website.

DISTRICT OF CLEARWATER



DISTRICT OF CLEARWATER 2010 – 2011 COMMITTEE CHAIR SCHEDULE

	FINANCE & AUDIT COM	PARKS & RECREATION COM	INFRASTRUCTURE COM	ECONOMIC DEV COM
JANUARY– NOVEMBER 2010	GRAFFUNDER, CANDUS	TEARE, STEPHANIE	KJENSTAD, KEN	DOBI, CHRISTY
DECEMBER 2010 – NOVEMBER 2011	KJENSTAD, KEN	GRAFFUNDER, CANDUS	BUCK, BRENT	WALKER, BERT

PLEASE NOTE THAT MEMBERS OF COUNCIL SHALL ROTATE THROUGH THE COMMITTEE ON A ONE YEAR BASIS.

ACTING MAYOR (2010)

January: Councillor Dobi
February: Councillor Kjenstad
March: Councillor Graffunder
April: Councillor Teare
May: Councillor Walker
June: Councillor Buck

July: Councillor Dobi
August: Councillor Kjenstad
September: Councillor Graffunder
October: Councillor Teare
November: Councillor Walker

Bylaw section

DISTRICT OF CLEARWATER

BYLAW NO. 0001

**A BYLAW TO REGULATE THE MEETINGS OF THE COUNCIL
AND THE CONDUCT THEREOFF**

WHEREAS under Section 124 of the *Community Charter* Council must establish procedures to be followed for the conduct of its business;

NOW, THEREFORE, the council of the District of Clearwater in open meeting assembled, ENACTS AS FOLLOWS:

1. CITATION

This Bylaw may be cited as “The District of Clearwater Council Procedure Bylaw No. 0001, 2007.”

PART 1 – GENERAL

2. DEFINITION

In this Bylaw unless the context requires otherwise:

“ADVISORY BODY means an advisory committee appointed by Council for the purpose of providing advice to Committees, Commissions and staff.

“DISTRICT” means the District of Clearwater

“DISTRICT WEBSITE” means the information resource found at www.districtofclearwater.com

“COMMISSION” means a municipal commission appointed by Council under Section 143 of the *Community Charter*.

“COUNCIL” means the Council of the District of Clearwater.

“CORPORATE ADMINISTRATION ADMINISTRATION” means the person responsible for corporate administration as set out under Section 147 of the *Community Charter*.

“COMMITTEE OF THE WHOLE” means a committee of Council comprised of all members of Council (COW).

“FCM”	means the Federation of Canadian Municipalities.
“IN CAMERA MEETING”	means a meeting that is closed to the public in accordance with Sections 90 and 92 of the <i>Community Charter</i> .
“MAYOR”	means the Mayor of the District.
“MEMBER”	means a member of the Council.
“MUNICIPAL HALL”	means District Hall at 132 Station Road, Clearwater, BC V0E 1N0.
“PARCEL TAX ROLL REVIEW PANEL”	means a panel consisting of at least 3 members appointed by Council under Section 2004 of the <i>Community Charter</i> to review the parcel tax roll and to authenticate the roll.
Station “PUBLIC NOTICE POSTING PLACE”	means the Notice Board at the front entry of 132 Road, Clearwater, B.C. V0E 1N0 and at the District website: www.districtofclearwater.com
“QUORUM”	means the majority of Council.
“STANDING COMMITTEE”	means a committee appointed by the Mayor under Section 141 of the <i>Community Charter</i> for matters the Mayor considers would be better dealt with by a Committee and at least half of the members must be Council members.
“SELECT COMMITTEE”	means a committee appointed by Council under Section 142 of the <i>Community Charter</i> for a select purpose and to report its finding and opinion to the Council. At least one member of a select committee must be a Council member.
Association “SILGA”	means Southern Interior Local Government
“UBCM”	means the Union of British Columbia Municipalities.

3. Application of Rules of Procedures

- 3.1 The provisions of this Bylaw govern the proceedings of Council, Commissions, Standing Committees, Select Committees, the Committee of the Whole and Advisory Bodies as applicable.

- 3.2 In cases not provided for under this Bylaw, the *New Robert's Rules of Order 2nd Edition, 1998* or latest edition apply to the proceedings of Council, Council Committees and Committees of the Whole. to the extent that those Rules are:
- a. applicable in the circumstances;
 - b) not inconsistent with provisions of this Bylaw, the *Community Charter* or the *Local Government Act*.

PART 2 – COUNCIL MEETINGS

4. Inaugural Meeting

- 4.1 Following a general local election, the first Council meeting will be held on the first Monday in December in the year of a general election.
- 4.2 If a quorum of Council members elected at the general local election has not taken office by the date of the meeting referred to in Sub-Section 4.1, the first Council meeting must be called by the Director of Corporate Administration and held as soon as reasonably possible after a quorum has taken office.

5. Time and Location of Meetings

- 5.1 All Council meetings must take place within the Council Chambers at the District Hall, except when Council resolves to hold meetings elsewhere and directs the Corporate Administration Department to give notice of the different meeting place by posting a notice of the change on the Public Notice Posting Place at least 24 hours prior to the time of the Council meeting.
- 5.2 **Regular Council meetings will:**
- a) be held on the first and third Tuesday of each month, with the exception of July and August in which only one meeting will be held on the third Tuesday of the month.
 - b) begin at 7:00 p.m.
- 5.3 **Regular Council meetings may:**
- a) be cancelled by Council, provided that two consecutive meetings are not cancelled.

6. Notice of Council Meetings

- 6.1 In accordance with Section 127 of the *Community Charter*, Council must prepare annually on or before December 1st, a schedule of the dates, times and places of Regular council meetings and must make the schedule available to the public by posting it at the Public Notice Posting Place and on the District Website.
- 6.2 Council must give notice annually on or before December 1st, in accordance with Section 94 of the *Community Charter*, of the time and duration that the schedule of Regular Council meetings is available to the public.
- 6.3 Where revisions are necessary to the annual schedule of Regular Council meetings, the director of Corporate Administration must, as soon as possible, post a notice on the Public of Notice Place and the District website which indicates any revisions to the date, time and place or cancellation of a Regular Council meeting.

7. **Notice of Special Meetings**

- 7.1 Except where notice of a Special meeting is waived by unanimous vote of all Council members under Section 127(4) of the *Community Charter*, a notice of the date, hour, and place of a Special Council meeting must be given at least 24 hours before the time of the meeting, by:
 - a) posting a copy of the notice on the Public Notice Posting Place and the District Website.
 - b) leaving one copy of the notice for each Council member in the Council member's file folder at the District Office, or provide said notice to each member of Council via e-mail.

8. **Annual Municipal Report**

- 8.1 In accordance with Section 99 of the *Community Charter*, the Council must annually consider the Annual Municipal Report. The Director of Corporate Administration must give notice, in accordance with Section 94 of the *Community Charter*, of the date, time and place when Council will consider:
 - a. the annual report prepared under Section 98 of the *Community Charter*;
 - b) submissions and questions from the public.

PART 3 - DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR

9. **Acting Mayor**

- 9.1 Council must, on an annual basis, from amongst its members, designate councillors to serve on a rotating basis as the member responsible for acting in the place of the Mayor when the Mayor is absent or otherwise unable to act or when the office of the Mayor is vacant.
- 9.2 Each Councillor designated under Section 9.1 is responsible for fulfilling the duties of the Mayor in his or her absence.
- 9.3 If both the Mayor and Acting Mayor are absent from a Council meeting, the members present must choose the next member in succession from the rotating roster established under Section 9.1 to preside at the Council meeting.
- 9.4 Other than at a Council meeting, if both the Mayor and the Acting Mayor are absent or otherwise unable to act, the member next in succession on the rotating roster established under 9.1 shall be the Acting Mayor.
- 9.5 The member designated under Section 9.1, 9.3, or 9.4 has the same powers and duties as the Mayor.

PART 4 - COUNCIL PROCEEDINGS

10. Attendance of Public at Meetings

- 10.1 Except where the provisions of Section 90 of the *Community Charter* apply, all Council meetings must be open to the public.
- 10.2 Before closing a Council meeting or part of a Council meeting to the public, Council must pass a resolution in a public meeting in accordance with Section 92 of the *Community Charter*.
- 10.3 This Section applies to all meetings of the bodies referred to in Section 93 of the *Community Charter* including Council committees, commissions, a parcel tax roll review panel, a board of variance, or advisory bodies.
- 10.4 Notwithstanding Subsection 10.1, the Mayor or the Acting Mayor may expel or exclude from a Council meeting a person in accordance with Section 133 of the *Community Charter*.

11. Calling Meeting to Order

- 11.1 As soon after the time specified for a Council meeting as there is a quorum present, the Mayor, if present, must take the Chair and call the Council Meeting to order; however, where the Mayor is absent, the Councillor designated as the member responsible for acting in the place of the Mayor in accordance with Section 9 must take the Chair and call such meeting to order. The presiding member has, for that purpose, all the powers of, and is subject to, the same rules as the Mayor.

12. Adjourning Meeting Where No Quorum

12.1 If there is no quorum of council present within 15 minutes of the scheduled time for a Council meeting, the Director of Corporate Administration must:

- a) record the names of the members present and those absent; and,
- b. adjourn the meeting until the next schedule meeting.

13. Order of Proceedings and Business

13.1 The Agenda for all Regular Council meetings contains the following matters in the order in which they are listed below:

- Introduction of Late Items
- Adoption of Agenda
- Adoption of Minutes
- Presentations
- Delegations
- Mayor's Report
- Council Reports
- Commission and Committee Reports
- Staff Reports
- Bylaws
- Correspondence
- Notice of Motion
- Other Business
- Special Business (In-Camera)
- Adjournment

13.2 Notwithstanding the provisions under Section 13.1, it shall always be in order for the Council to vary the order in which business on the Agenda shall be dealt with by a majority vote of the members present.

14. Agenda

14.1 Prior to each Council meeting, the Director of Corporate Administration shall prepare an Agenda setting out all items for consideration at that meeting.

14.2 The deadline for the public to submit items to the Director of Corporate Administration for inclusion on the Council meeting Agenda shall be 1:00 p.m. on the Wednesday preceding the meeting.

14.3 Items received in the Corporate Administration Department after the appropriate deadline in Section 14.2 shall not be placed on the Agenda, but shall instead be

placed on the Agenda for consideration at the following Council meeting, unless the item is introduced as a Late item pursuant to Section 15.

- 14.4 Council Agendas will be available to the members of the Council and the public on the Friday morning (by 9:00 a.m.) prior to the meeting.
- 14.5 Only those matters included on the Agenda shall be considered or dealt with at the Council meeting unless a new matter for consideration is properly introduced as a Late item pursuant to Section 15.
- 14.6 In cases where documents are too unwieldy to be readily reproduced, the Director of Corporate Administration may omit these materials from the Agenda and may, instead, merely refer to these items in short form on the Agenda and keep the documents on file in the Corporate Administration Department.

15. Late Items:

15.1 For the purposes of this section, the following terms are defined as:

a. Essential Items:

These would include matters arising after the preparation of the Agenda and which, if not acted upon in a timely manner, would prejudice or compromise the District's position or the position of a constituent or group of constituents. These topics would be of a legal nature.

b. Elective Items:

These would include matters which are purely administrative and require no background information to support them or provide additional information pertinent to items on the agenda.

c. Deadlines:

The deadline for essential or elective items to be included as a Late item for the agenda is 9:30 a.m. on the morning of the day of the Council meeting. Late items shall be distributed to Council just prior to the commencement of the Council meeting.

16. Delegations

16.1 All delegations requesting permission to appear before Council shall submit a written request to address the members of Council, including a written brief outlining their intended presentation.

16.2 Any request to appear before Council shall be received, in writing, prior to the appropriate deadline stated in Section 14.2 in order to be placed as a new matter on the Council Agenda.

- 16.3** All delegations shall be afforded five (5) minutes to make their presentations and shall be restricted to the topic as included on their written submissions, unless a longer period is agreed by a majority of members present.
- 16.4** The Director of Corporate Administration shall be granted the authority to screen delegation requests and, if deemed appropriate, refuse to place a delegation on the Agenda if the issue is not within the mandate or jurisdiction of a Municipal Council. In the event the delegation wishes to appeal the Director of Corporate Administration's decision, the request will be submitted to Council for their consideration.
- 16.5** Where a delegation has addressed Council on a particular issue, if a subsequent request is received from the same delegation to address Council on the same issue, and no new significant information is being provided, the Director of Corporate Administration will be granted the authority to not place the item on the Agenda, but will circulate the request under separate cover as an item of general information.
- 16.6** The Mayor must not permit a delegation to address a meeting of the Council concerning a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a prerequisite to the adoption of said bylaw.

17. Notice of Motion

- 17.1** Any Council member may give a "Notice of Motion" respecting an item which he or she intends to present by giving a copy of such motion to the Director of Corporate Administration during a meeting of the Council and upon the member being acknowledged by the Mayor and the Notice of Motion being read to the meeting.
- 17.2** A copy of the motion presented under Section 17.1 shall appear in the Minutes of that meeting as a "Notice of Motion". The Director of Corporate Administration shall place the motion on the Agenda of the next Council Meeting, or other future meeting designated by the member bringing forward the Notice of Motion, for consideration.

PART 5 - PETITIONS AND COMMUNICATIONS

18. Proper Form

- 18.1** All communications and petitions intended to be presented to Council shall be legibly written, typed or printed, signed by at least one person, and shall be dated and include a contact phone number, before being accepted.

19 Referrals

- 19.1** Communications addressed to Council which relate to matters that fall within the scope of responsibility of a particular District department may be referred by the Director of Corporate Administration directly to that department.
- 19.2** If a matter is referred under Section 19.1, a copy of the communication shall be given to each member of the Council and to the appropriate Staff members. An acknowledgement shall be provided to the writer on receipt of the communication, advising where the matter has been referred.
- 19.3** The Director of Corporate Administration will be granted the authority to forward correspondence items to the meeting considered to be most appropriate according to the subject matter of the letter.
- 19.4** A right of appeal from any referral under Sections 19.1 and 19.3 may be made to the Chief Administrative Officer who shall determine the final disposition of the matter. As well, Council may refer any item of correspondence as it deems appropriate.
- 19.5** All petitions or other written communications which require a report may be referred to the Chief Administrative Officer by means of formal motion.

PART 6 - BYLAWS

20. Form of Bylaws

- 20.1** A bylaw introduced at a Council meeting must:
- a. be printed;
 - b. have a distinguishing name;
 - c) have a distinguishing number;
 - d) contain an introductory statement of purpose;
 - e) be divided into sections.

21. Bylaws to be Considered Separately or Jointly

- 21.1** Council must consider a proposed bylaw at a Council meeting either:
- a) separately when directed by the Presiding Member or requested by another Council member; or,
 - b) jointly with other proposed bylaws in the sequence determined by the Presiding Member.

22. Reading and Adopting Bylaws

22.1 Every proposed bylaw shall receive three separate readings prior to its final adoption.

22.2 The first three readings of a bylaw may be given on the same day, except in the case of an Official Community Plan designation bylaw or a Zoning bylaw which is to be considered at a Public Hearing.

22.3 An Official Community Plan designation bylaw or a Zoning bylaw which is to be considered at Public Hearing may receive only first and second reading at the time of introduction.

22.4 Where the Council resolves to consider a bylaw clause by clause, such consideration shall be done at the second reading of the bylaw.

22.5 Where Council desires to amend a bylaw after third reading, with the exception of those specific provisions respecting an Official Community Plan designation bylaw or a Zoning bylaw, it may do so as follows:

- a) by motion to reconsider third reading and, if carried;
- b) by motion to amend the bylaw at third reading in accordance with the procedure set down in this bylaw;
- c) by motion to pass third reading of the bylaw as amended.

22.6 Despite Section 135(3) of the *Community Charter*, and in accordance with Section 890(9) of the *Local Government Act*, an Official Community Plan designation bylaw or a Zoning bylaw may be adopted at the same meeting at which the bylaw passed third reading.

23. Bylaws Must Be Signed

23.1 After a bylaw is adopted, and signed by the Director of Corporate Administration and the Presiding Member of the Council meeting at which it was adopted, the Director of Corporate Administration must have it placed in the District's records for safekeeping with the following affixed to the bylaw:

- a) the District's corporate seal,
- b) the dates of its readings and adoption,
- c) the date of the Public Hearing, if applicable; and,
- d) the date of Ministerial approval or approval of the electorate, if applicable

PART 7 – RESOLUTIONS

24. Copies of Resolutions to Council Members

24.1 A resolution may be introduced and considered at a meeting as long as it has been included as an item on the Council's printed Agenda or placed as a Late Item in accordance with Section 15 of this bylaw.

25. Introduction of Motion

25.1 Every motion must be moved and seconded before it is deemed to be in the possession of the Council.

26. Recording of Motions in Minutes:

26.1 The names of those who voted against the motion shall be entered in the minutes.

26.2 Notwithstanding Section 26.1, motions that have been withdrawn by council as per Section 28, shall not be recorded in the Minutes.

26.3 The names of the members who moved and seconded a motion presented to Council shall be recorded in the Minutes.

27. Consideration of Motions

27.1 When any motion is under consideration, no other motion shall be received, except a motion to amend, refer, table or postpone.

28. Withdrawal of Motions

28.1 After a motion has been made and seconded, it shall be deemed to be in the possession of the Council, but the motion may be withdrawn by the mover of the motion at any time before a decision or amendment is made, provided that the mover has the consent of the seconder.

29. Appeal Ruling of the Chair

29.1 Whenever the Chair is of the opinion that a motion is contrary to the rules and privileges of the Council, the Chair shall apprise the members thereof without proposing the question and shall cite the rule or authority applicable to the case without argument or comment. The ruling of the Chair may be appealed by the other members of Council then present.

29.2 On an appeal by a Council member from the decision of the Chair, the question shall be immediately put by him or her, and decided without debate "Shall the Chair be sustained?" and the Chair shall be governed by the vote of the majority of the

Council members then present, excluding himself or herself. In the event of the votes being equal, the question shall pass in the affirmative.

29.3 If the Chair refuses to put the question "Shall the Chair be sustained?", the Council shall immediately appoint a Chair pro tem. He or she shall proceed in accordance with Section 29.2. A resolution or motion carried under this Section is binding.

30. Reconsideration

30.1 A motion/resolution which was adopted or defeated may be reconsidered by Council provided that the resolution has not had the assent of the electors, has not been reconsidered under this Section or Section 131 of the *Community Charter*, and has not been acted upon by an officer, servant or agent of the Municipality.

A reconsideration motion:

- a) must be brought forward by a member who voted on the prevailing side of the motion;
- b) may be seconded by an member;
- c. must be brought forward at the next meeting of Council following the original vote; or;
- d. must receive a majority vote of Council for it to be adopted;
- e) if defeated, and the outcome being that the resolution is preserved unchanged, the same resolution may not be brought back before Council for six (6) months from the date of the latest vote, except with consent of two-thirds of all the members of the Council.

30.2 Each resolution or reading of a bylaw may be reconsidered under the provision of Section 30.1

30.3 Notwithstanding section 30.2, once a bylaw is finally adopted, it may not be reconsidered except in accordance with Section 131 of the *Community Charter*.

30.4 Notwithstanding section 30.2, resolutions for third reading or final adoption of an Official Community Plan Bylaw or Zoning Bylaw shall not be reconsidered.

PART 8 - RULES OF CONDUCT AND DEBATE

31. Decorum in Debate

- 31.1** Every Council member who wishes to speak to any question or motion shall raise their hand, wait to be recognized by the Mayor and shall address themselves to the Mayor.
- 31.2** Members of Council shall address the Chair as "Mr. Mayor, "Madam Mayor", or "Your Worship" or "Mr. or Madam Acting Mayor", or "Mr. or Madam Chair" as the case may be, and shall refer to each other as "the Mayor" or "Councillor and last name", as the case may be.
- 31.3** Members of Staff shall be addressed as Mr., Mrs., or Ms. or else shall be referred to by their official title.
- 31.4** Any question addressed to Staff shall be put through the Mayor to the Chief Administrative Officer who shall refer the matter to the appropriate Staff representative if necessary.
- 31.5** When two or more Council members desire to speak at the same time, the Mayor shall name the member who shall have the floor.
- 31.6** A member speaking at a Council meeting must at all times use respectful language, must not use offensive gestures or signs, must speak only in connection with the matter being debated, and may speak about a vote of Council only for the purpose of making a motion that the vote be rescinded.
- 31.7** When the Mayor is of the opinion that there has been sufficient debate he may put forth the question.

32. Chair-Questions of Order

- 32.1** When a Council member is speaking, no other member may interrupt the speaker except to raise a point of order.
- 32.2** The Chair may call any Council member to order while that member is speaking.
- 32.3** When such action is taken, the Chair shall immediately suspend the debate, and the Council member in question shall refrain from speaking until the point of order is determined by the Chair, whose rulings is subject to an appeal by the Council members.
- 32.4** Should any Council member resist or disobey the decision of the Chair, the members may order the member in question to leave his or her seat for that meeting, and in the event of his refusing to do so, the Chair may order that the member be removed from the meeting.
- 32.5** In the event of satisfactory apology being made by the offending member, the Council may, by vote of the majority, permit the member to resume his or her seat forthwith.

- 32.6** No Council member shall speak to any matter other than the question in debate or reflect upon any vote of the Council except for the purpose of moving that such vote be rescinded.
- 32.7** No Council member shall resist the rules of the Council nor disobey the decision of the Chair on points of order or practice, or upon the interpretation of the rules of the Council.
- 32.8** Any Council member may require the question being debated to be read for his or her information at any period of the debate, but shall not do so in order to interrupt a member speaking.
- 32.9** When the question under consideration contains more than one recommendation, any member may request, by motion, that the vote upon each recommendation shall be taken separately and the Council members shall decide by majority vote of the members present how such vote shall be taken.

33. Voting at Meetings

- 33.1** The following procedures apply to voting at Council meetings:
- a. when debate on a matter is closed, the Presiding Member must put the matter to a vote.
 - b. Council members who are in the room shall take their places when a vote is called for, and shall not leave until the vote has been taken;
 - c. after the Presiding Member finally puts the question to a vote under paragraph (a), a member must not speak to the question or make a motion concerning it;
 - d. the Presiding Member's decision about whether a question has been finally put is conclusive;
 - e. whenever a vote of the Council is taken for any purpose, each member present and voting shall signify their vote upon the question, openly and individually by raising their hand, and the Chair shall declare the motion carried or defeated as the case may be;
 - f. a member present at the meeting at the time of the vote who abstains from voting is deemed to have voted in the affirmative.
 - g. if the votes of the members present at the meeting at the time of the vote are equal for and against a matter, the motion is defeated and the Mayor must declare this result.

- h. no vote shall be taken in a Council meeting by ballot or by any other method of secret voting.

PART 9 - MINUTES

34. Adoption and Distribution

- 34.1** Minutes of the proceedings of Council, Committees, and Commissions must be legibly recorded, certified as correct by the Director of Corporate Administration and signed by the Mayor or other member presiding at the meeting. Minutes of Advisory Bodies may be signed off by the Chair of the Advisory Body.
- 34.2** Prior to adoption, the Director of Corporate Administration shall distribute a copy of all Minutes of Council meetings to each member of Council.
- 34.3** Whenever possible, Minutes of a given meeting shall be adopted at the next Council meeting or Committee/Commission meeting, as appropriate.
- 34.4** In accordance with Section 97 of the *Community Charter*, Minutes of the proceedings of Council/Committees and Commissions must be available for public inspection at the District of Clearwater offices during its regular office hours.
- 34.5** Section 34.4 does not apply to Minutes of a Council meeting or that part of a Council meeting from which persons were excluded under Section 90 of the *Community Charter*.

PART 10 - CONDUCT OF COMMITTEE BUSINESS

35. Duties of Commissions/Committees and Advisory Bodies

- 35.1** Commissions/Committees and Advisory Bodies must consider, inquire into, report, and make recommendations to Council about all of the following matters:
- a) matters that are related to the general subject indicated by the name of the Commission;
 - b) matters that are assigned by Council;
- 35.2** Commissions/Committees or Advisory Bodies must report and make recommendations to Council on all of the following items:
- a) in accordance with the schedule of the committee's meetings;

36. Schedule of Meetings

36.1 At its first meeting after its establishment a Commission, Committee or Advisory Body must establish a regular schedule of meetings.

36.2 The Chair of a Commission, Committee or Advisory Body may call a meeting in addition to the schedule meetings or may cancel a meeting.

37. Notice of Meetings

37.1 After the Commission, Committee or Advisory Body has established the regular schedule of meetings, including the times, dates and places of the meetings, notice of the schedule must be given by:

- a) posting a copy of the schedule at the applicable Public Notice Posting Place; and the District website.
- b) providing a copy of the schedule to each member of the Commission, Committee or Advisory Body.

38. Minutes of Meetings

38.1 Minutes of Committee of the Whole, Commissions, Standing, or Select Committees must be maintained and available to public and:

- a. legibly recorded,
- b. certified as correct by the Corporate Officer,
- c. signed by the Mayor or member presiding at the meeting, and
- d. open for public inspection in accordance with Section 97(1)(c) of the *Community Charter*.
- e. Subsection 38.1 (d) does not apply to minutes of a Commission, Standing, or Select Committee meeting from which persons were excluded under Section 90 of the *Community Charter*.

39. Quorum

39.1 The quorum for a Committee of the Whole, Standing, Select or Advisory Committee of Commission is a majority of all of its members.

39.2 If a Committee/Commission member misses more than 3 meetings in a row, Council may rescind his or her appointment at any time and appoint another person in place of the person whose appointment was rescinded.

40. Conduct and Debate

40.1 The rules of the Council procedure must be observed during Standing or Select Committees, Commission, or Advisory Body meetings, so far as it is possible and unless as otherwise provided in this Bylaw.

40.2 Council members may attend any meetings of a Standing or Select Committee, Commission or Advisory Body and may participate in discussions; however, only members who have been appointed, or an alternate member attending in the absence of an appointed committee member, may introduce or vote on the proceedings.

40.3 The Mayor shall be an ex-officio voting member of all Committees and Commissions and, when in attendance, shall possess all the rights, privileges, powers and duties of other members.

41. Delegations

41.1 When a person or a group of persons wish to appear as a delegation before a Standing or Select Committee, Commission or Advisory Body on a matter within the jurisdiction of the Committee, they shall be subject to the requirements set out in this bylaw.

42. Sub-Committees

42.1 Committee of the Whole, Standing, Select or Advisory Committees or Commissions shall not be permitted to create sub-committees without the prior approval of Council.

43. Recommendations

43.1 Standing or Select Committee, Commission, or Advisory Body recommendations shall be subject to the approval of the Council, except where the Standing, Select, Committee of the Whole or Advisory Committee has been delegated administrative power by the Council.

44. Public Hearings

44.1 a) will be held on the first Tuesday of each month at 7:30 p.m. or as otherwise directed by Council Resolution.

- b. A regular Council meeting will be held after each Public Hearing to consider possible zoning and Official Community Plan Bylaw readings.

PART 11 - GENERAL

- 45. If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.
- 46. Any one or more of the rules and orders contained in this bylaw may be temporarily suspended by an affirmative vote of the majority of all Council members.
- 47. This bylaw may not be amended or repealed and substituted unless Council first gives notice in accordance with Section 94 of the *Community Charter*.

READ A FIRST TIME this 3rd day of December, 2007

READ A SECOND TIME this 3rd day of December, 2007

READ A THIRD TIME this 3rd day of December, 2007

RECONSIDERED AND ADOPTED this 5th day of February, 2008

Mayor, John Harwood

Leslie Groulx, Corporate Administrator

CERTIFIED TO BE A TRUE AND CORRECT COPY
OF BYLAW NO. 17, 2008 CITED AS "THE
DISTRICT OF CLEARWATER COUNCIL PROCEDURE
BYLAW NO. 0001, 2007" AS ADOPTED BY
THE COUNCIL OF THE DISTRICT OF CLEARWATER
THIS 5th DAY OF FEBRUARY 2008.

LESLIE GROULX, CORPORATE ADMINISTRATOR

CERTIFIED TO BE A TRUE AND CORRECT COPY
OF BYLAW NO. 0003, 2007 CITED AS "THE

DISTRICT OF CLEARWATER INDEMNIFICATION
BYLAW NO. 0003, 2007" AS ADOPTED BY
THE COUNCIL OF THE DISTRICT OF CLEARWATER
THIS 8th DAY OF JANUARY 2008.

LESLIE GROULX, CORPORATE ADMINISTRATOR