



TOWN OF KENTVILLE POLICY STATEMENT G70 COUNCIL MEETINGS POLICY

1.0 PURPOSE

The purpose of this policy is to provide direction to municipal staff and council members on conducting council and council committee meetings. Meetings of other municipal bodies, such as boards, commissions, or committees whose membership includes persons other than members of council are not directly referenced by this policy.

2.0 DEFINITIONS

3.0 SCOPE

3.1 This policy applies to all of the Town of Kentville meetings. The procedures used to conduct council business are drawn from three sources:

- 3.1.1 provincial statutes specifically the Municipal Government Act (MGA);
- 3.1.2 parliamentary procedures which are commonly accepted rules for conducting meetings; and
- 3.1.3 procedural policies and bylaws enacted by the council.

3.2 This policy draws on the information contained in the MGA as it pertains to legal requirements that the council must fulfill in conducting its council and council committee meetings to include:

- 3.2.1 The procedures for calling meetings, the types of meetings that can be held, and the procedures for voting and recording votes are explained.
- 3.2.2 As well, guidelines for preparing agendas, minutes and procedural bylaws are explained.
- 3.2.3 The appendices include resources such as sample agendas, minutes, and motion forms.

4.0 PROCEDURES

4.1 Responsibilities: Every Council member is responsible:

- 4.1.1 to consider the well-being and interests of the town of Kentville;
- 4.1.2 to contribute to the development and evaluation of the policies and programs of the Town respecting its services and other activities;
- 4.1.3 to participate in Council meetings, CAC meetings, committee meetings and meetings of other bodies to which the member is appointed; and
- 4.1.4 to carry out other duties assigned by the Council.

4.2 Duty to Respect Confidentiality: A Council member or former Council member must, unless specifically authorized otherwise by Council:

- 4.2.1 keep in confidence any record held in confidence by the Town of Kentville, until the record is released to the public as lawfully authorized or required; and
- 4.2.2 keep in confidence information considered in any part of a closed Council, CAC or committee meeting, until the Council, or committee discusses the information at a meeting that is open to the public or releases the information to the public.

4.3 Parliamentary Procedures: The Town of Kentville Council adopts the Robert's Rules of Order for conducting meetings.

4.4 Chair or Presiding Officer: The mayor of the Town of Kentville shall preside at all Town of Kentville council meetings. During the temporary absence of the mayor, the deputy mayor shall preside and, if neither is present, the council may appoint a person to preside from among the council members present. The Chair is responsible for:

- 4.4.1 providing leadership to the Council, including by recommending bylaws, resolutions and other measures that, in the Mayor's opinion, may assist the peace, order and good government of the Town;
- 4.4.2 communicating information to the Council;
- 4.4.3 providing, on behalf of the Council, general direction to municipal officers respecting implementation of policies, programs and other directions of Council;
- 4.4.4 reflecting the will of Council and to carry out other duties on behalf of the Council;

- 4.4.5 preserving order at meetings;
- 4.4.6 enforcing any rules of procedure council have adopted;
- 4.4.7 deciding all questions of order;
- 4.4.8 stating and putting to vote all motions; and
- 4.4.9 expelling and excluding any person, including a council member, who is disrupting the proceedings of the council.

4.5 Deputy Mayor: The council shall select one of its council members to be the deputy mayor of the council. The term of office of the deputy mayor is one year and shall be voted on annually during the October Council Meeting. The deputy mayor shall act in the absence or inability of the mayor or in the event of the office of mayor being vacant and shall have all the power and authority of the mayor.

4.6 Meeting Attendance: The mayor, deputy mayor, councillors and citizen appointees are expected to be present for all meetings of council and assigned committees.

4.6.1 When the mayor, deputy mayor, or councillor who, without leave of the council, is absent from three (3) consecutive regular meetings of the council, the councillor shall thereby vacate the office, and the office shall be declared vacant by the council. Municipal Elections Act 18(6)

4.6.2 When the mayor, deputy mayor, councillor or citizen appointee misses more than three (3) council or committee meetings in a year, (without leave), that part of that person's remuneration will be deducted as a percentage of all meetings attended during that year. MGA Part 1 Section 23(1)d.(v).

4.6.3 Any deductions will be made on the last pay period of the year. When the deduction is for more than fifty percent of the annual remuneration or honorarium, it may be necessary to make deductions on a monthly basis.

4.7 Regrets: When a member of council is unable to attend a council or committee meeting, it is their responsibility to advise the council or committee meeting chair in a timely manner and acknowledgement of receipt of absence notice. The member may carbon copy the CAO on matters of council or the Deputy Chair of a committee. Failure to follow procedure may result in the member being absent without leave and subject to further action.

- 4.8 Meeting Conduct: All council meetings and meetings of committees appointed by council are open to the public. In addition to regular meetings, the council may hold such other meetings as may be necessary or expedient for the conduct of business, if each council member is notified at least three days in advance and the clerk gives at least two days public notice of the meeting. Notice of regular council meetings is not required.
- 4.9 The council may meet without notice if the mayor determines that there is an emergency. The clerk shall call a meeting of the council when required to do so by the mayor giving at least two days public notice of the meeting.
- 4.10 A meeting of the council is not an illegal or invalid for a failure to give notice; or meeting elsewhere than provided in the by-laws, a policy or a notice of meeting.
- 4.11 The Town of Kentville meetings are live-streamed using Facebook (FB) Live Streaming facility. There is no option for audience participation in the meeting, but audience may leave FB messages. Citizens do not require a FB account to watch the meetings. The recorded video is available on the Town of Kentville website.
- 4.12 The Town of Kentville meetings may be conducted by electronic means such as telephone or internet conferencing. The following conditions must be met:
- 4.12.1 provide notice to the public of the meeting including how the meeting will be conducted;
 - 4.12.2 the facilities must enable the public to hear all meeting participants at the place specified in the notice and the administrator must be present at that place; and
 - 4.12.3 the facilities must permit all participants to communicate adequately with each other during the meeting.
- 4.13 A member of council may participate by electronic means to a regular meeting of council, or if the meeting is not a regular meeting of Council and notice is given to the public of a meeting, if:
- 4.13.1 The member has made a request to Council based on planned unavailability;
 - 4.13.2 The member of council is out of Town due to work or family commitments;
 - 4.13.3 There is inclement weather and business cannot be postponed;

4.13.4 The member is not on extended vacation or unexcused leave of absence; and

4.13.5 Any councillor participating by electronic means is deemed present at the meeting. Otherwise shall be marked absent if:

4.13.5.1 a technology problem prevents participation; and

4.13.5.2 communication is lost and cannot be reconnected.

4.14 Closed Meetings: All council meetings and meetings of committees appointed by council are open to the public. Except, the council or any committee appointed by the council may meet in closed session to discuss matters relating to:

4.14.1 acquisition, sale, lease and security of municipal property;

4.14.2 setting a minimum price to be accepted by the municipality at a tax sale;

4.14.3 personnel matters;

4.14.4 labour relations;

4.14.5 contract negotiations;

4.14.6 litigation or potential litigation;

4.14.7 legal advice eligible for solicitor-client privilege; and

4.14.8 public security.

4.15 The MGA restricts the ability of council to make binding decisions in closed sessions. All binding decisions made by council must be made in an open session, unless it concerns procedural matters or decisions that provide direction to municipal staff or solicitors.

4.16 A councillor of the Town is liable in damages to the municipality if that individual discloses the details of discussions held in camera or reports submitted in camera and this disclosure results in personal financial gain or a financial loss to the municipality.

4.17 Meeting Schedule: Normally the Town of Kentville council will adopt an annual meeting calendar at the November Council Meeting. The calendar will be posted on-line at the Town website. Meetings will be advertised via social media, local newspaper and other media available to the Town Communication Team.

- 4.17.1 The Town of Kentville council normally conducts the Council Advisory Committee (CAC) Meeting on the second Monday of each month, unless that Monday is a Statutory Holiday in which case the meeting will be held on the second Tuesday.
 - 4.17.2 The Town of Kentville council normally conducts the Council Meeting on the last Monday of each month, unless that Monday is a Statutory Holiday in which case the meeting will be held on the last Tuesday.
 - 4.17.3 The Town of Kentville council does not hold meetings during the month of August, to permit a summer break. The Council Meeting in December is cancelled in observance of the Christmas Holiday.
- 4.18 Voting: all questions arising at a council meeting shall be decided by a majority of votes. Robert's Rules of Order Section 38.
- 4.18.1 The administrative matter votes may be called through either a show of hands or by indicating "yea" or "nay", or by ballot system.
 - 4.18.2 The following resolutions require two thirds (2/3) majority of the council present and voting as stipulated in the MGA:
 - 4.18.2.1 to sell or lease property referred at less than market value.
 - 4.18.2.2 to withdraw money from a special purpose tax account for any purpose for which the municipality may expend funds if the council:
 - 4.18.2.2.1 first holds a public hearing respecting the withdrawal; and
 - 4.18.2.2.2 advertises the public hearing at least twice in a newspaper circulating in the municipality, the first notice to appear at least fourteen days before the hearing, and includes in the notice of the public hearing the date, time and place of the hearing and the purpose of the withdrawal.
 - 4.18.3 A vote may also be conducted by ballot, when ordered. To vote by ballot the chair appoints two tellers. They distribute the ballots, the members write their vote. The votes are collected, and counted, blank ballots are ignored. The result is reported to the chair, the chair announces the result. A motion is made to destroy the ballots.
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- 4.18.4 A member of the council who fails or refuses to vote on a question before the council is deemed to have voted in the negative.
 - 4.18.5 In the event of a tie in a vote on a question, the question is determined in the negative.
 - 4.18.6 The Recording Secretary records, the individual vote of each participant which is listed in the meeting minutes.
 - 4.18.7 The Chair shall vote on all matters before council.
- 4.19 Quorum: The majority of the maximum number (seven (7)) of persons that may be elected to the council is a quorum for every meeting of the council. The Quorum for the Town of Kentville Council is four (4).
- 4.19.1 Where there is a vacancy in a council's numbers, the council may make a decision if a quorum is present at a meeting.
 - 4.19.2 The Town of Kentville council may not pass a by-law or policy, borrow money, set a tax rate, acquire or sell property or make any other decision that has effect after, or for a term extending beyond, the date for the election to fill the vacancies in council membership.
 - 4.19.3 If the number of council members is reduced below three, due to vacancies in the council's numbers, the council may not make a decision except to take such steps as may be required to fill the vacancies.
- 4.20 Conflict of Interest: A conflict of interest (COI) occurs when a matter before council will result in a net benefit for a member of council or any of their family members, friends or associates. A conflict of interest must be self-declared. COI may be described in four categories:
- 4.20.1 Pecuniary (monetary) Interest – direct financial benefit as the result of a decision of council;
 - 4.20.2 Indirect pecuniary interest - an organization that a member of council invests in, works for, governs or is otherwise involved in benefits financially from a decision of council;
 - 4.20.3 Deemed pecuniary interest – the spouse, family member or household member of a member of council benefits financially from a decision of council; and
 - 4.20.4 Intent to obtain interest - making a decision which will benefit a member of council in the future.

- 4.21 At the beginning of every meeting, the chair shall query the members of council, "Are there any Conflict of Interest Issues we should be aware of before the meeting commences?" Members of Council should:
- 4.21.1 Disclose the interest immediately;
 - 4.21.2 Withdraw from the meeting:
 - 4.21.2.1 Public meeting: leave the table; and
 - 4.21.2.2 Private meeting: leave the room.
 - 4.21.3 Do not participate in consideration, debate and do not vote;
 - 4.21.4 Do not try to influence the decision in any way; and
 - 4.21.5 If the member of council is not present at a meeting, but has an interest in a topic discussed, it must disclosed it at the next meeting.
- 4.22 Agendas: The meeting's agenda is a list of items for consideration done during the meeting. The agenda contributes to effective meetings as members consider matters in an orderly and expedient manner. The agenda shall be provided to all members of council five (5) days prior to the scheduled meeting. The draft agenda shall be posted to the Town of Kentville website with the meeting package by the Executive Assistant. Additions and deletions to the agenda may be made at the beginning of the meeting as detailed in the agenda. The standard format for agendas is provided at Annex A - Meeting Agenda.
- 4.23 Committee Recommendations: As required, recommendations from council Standing Committee, shall be introduced using the Council Advisory Committee Request for Decision (RFD) Form from Council Report Policy. The Chair (if a councillor) shall make the presentation to CAC under new business. If the committee chair is not a member of council the representative council member shall make the presentation. The report shall include the committee name, decision requested, and background for the decision, potential budget and policy implications. The request shall be submitted seven (7) working days before the CAC meeting to ensure it is reviewed by the CAO and added to the agenda. Items not meeting the deadline shall be carried over for the following CAC meeting without exception.
- 4.24 Councillor Recommendations: As required, new ideas, business or policy changes shall be introduced using the Council Advisory Committee Request for Decision (RFD) Form as per the Council Report Policy.

- 4.25 Information to Council: There are times when the RFD form is not appropriate to relay information to council, in which case the councillor should use the Annex D memorandum form, with their details and signature. The memo should outline all the necessary information for council and should be submitted seven (7) working days before the CAC meeting to ensure it is reviewed by the CAO and added to the agenda. Items not meeting the deadline shall be carried over for the following CAC meeting without exception.
- 4.26 Meeting Minutes: Minutes are the official record of meeting proceedings. The administrator must keep a record of council meetings. They should be clear, accurate, and concise. The recording of minutes is the duty of the administrator. Minutes are a meeting's memory – they form a permanent, historical record. When necessary, courts recognize the minutes of council meeting as evidence of the decision made by council, and actions taken or not taken by members (pecuniary interest). Minutes are a vital document respecting the affairs of the municipality since they record the council's decisions. The details of and standard format for minutes are provided at Annex B - Meeting Minutes.
- 4.27 In-Camera meeting minutes: Minutes shall be kept for meetings held in-camera. They should follow the same standards established for all other minutes. Minutes from in-camera meetings are protected from disclosure for ten years at which point the minutes become public.
- 4.28 Public Presentations: The public shall be provided with an opportunity to ask questions, make requests, and/or present information to Council for consideration. To promote the opportunity for such public presentations:
- 4.28.1 Any persons wishing to make a presentation at a meeting of Council or CAC, shall request to be included on the meeting agenda through the Executive Assistant;
 - 4.28.1.1 All presenter shall provide all electronic presentations and written documentation relating to the issue to the Executive Assistant, five (5) days prior to the meeting; and
 - 4.28.1.2 The presenter shall be allocated 10 minutes for the presentation, followed by questions and discussion from Council.
 - 4.28.2 Council shall allow a 10 minute comment period prior to the adjournment of the Council meeting, for citizen input.
 - 4.28.3 Council has the right to restrict the number of presentations at each meeting, to ensure regular business may be conducted;

4.28.4 Council has the right to restrict the number of presentations on a particular issue, although it may waive this right if new information is being proposed; and

4.28.5 Council has the right to refuse a presentation, should the subject of the presentation be outside the purview of municipal government.

5.0 ASSOCIATED DOCUMENTS

- 5.1 Municipal Government Act
- 5.2 Robert's Rules of Order
- 5.3 Municipal Elections Act
- 5.4 Municipal Conflict of Interest Act
- 5.5 Policy Statement G69 Council Report
- 5.6 Policy Statement G57 Committees of Council
- 5.7 Appendix A - Meeting Agenda
- 5.8 Appendix B – Meeting Minutes
- 5.9 Appendix C – Motions
- 5.10 Appendix D – Memorandum

6.0 POLICY REVISION HISTORY

Date Created: July 30, 2018
Revisions: February 25, 2019
June 24, 2019



Chief Administrative Officer, Mark Phillips

COUNCIL ADVISORY COMMITTEE

Month Xth, 2018

AGENDA

6:00 p.m.

- 1. CALL MEETING TO ORDER AND ROLL CALL**
- 2. APPROVAL OF THE AGENDA**
- 3. APPROVAL OF THE MINUTES**
 - (a)**
- 4. DEPARTMENT REPORTS AND RECOMMENDATIONS**
 - (a) Finance**
 - (1) Director's Report**
 - (2) 2016/17 Budget Projections**
 - (b) Planning and Development**
 - (1) Director's Report**
 - (2) Community Economic Development Coordinator's Report**
 - (c) Parks and Recreation**
 - (1) Director's Report**
 - (d) Police**
 - (1) Chief's Report**
 - (e) Engineering and Public Works**
 - (1) Director's Report**
 - (2) Sanitary Sewer Budgets**
 - (f) Administration**
 - (1) Communications Report**
 - (2) Chief Administrative Officer's Report**
- 5. PRESENTATIONS**
 - (a)**
 - (b)**
- 6. BUSINESS ARISING FROM THE MINUTES/OLD BUSINESS**

(a)

7. CORRESPONDENCE

(a)

(b)

(c)

8. NEW BUSINESS

(a)

(b)

9. PUBLIC COMMENTS

10. IN-CAMERA

11. ADJOURNMENT

DRAFT

KENTVILLE TOWN COUNCIL

April 30th, 2018

AGENDA

7:00 p.m.

- 1. CALL MEETING TO ORDER AND ROLL CALL**
- 2. APPROVAL OF THE AGENDA**
 - (a) Dashboard and Action Items
- 3. PRESENTATION**
 - (a)
- 4. APPROVAL OF THE MINUTES**
 - (a)
- 5. BUSINESS ARISING FROM THE MINUTES/UNFINISHED BUSINESS**
 - (a)
 - (b)
- 6. RECOMMENDATIONS AND REPORTS**
 - (a) Council Advisory Committee – **Councillor ____**
 - (1)
 - (2)
 - (b) Councillor's Reports
 - (1) Councillor Andrew
 - a. Kings Transit Authority
 - (2) Councillor Savage
 - a. Investment (Perpetual Fund)
 - b. Kings Regional Sewer Committee
 - c. Coalition of Canadian Municipalities Against Racism & Discrimination
 - (3) Councillor Bolland
 - a. ECO Kings Action Team
 - b. Valley Waste Resource Management Authority
 - (4) Councillor Maxwell
 - a. Annapolis Valley Trails Coalition
 - (5) Deputy Mayor Pulsifer
 - a. Annapolis Valley Regional Library
 - b. Kings Point-to-Point

- c. Friends of the Library
- (6) Councillor Gerrard
 - a. KCA/PTA
 - b. Board of Police Commissioners
 - c. Joint Fire Services Committee

- (c) Mayor's Report
 - (1)

7. CORRESPONDENCE

- (a)

8. NEW BUSINESS

- (a)

9. PUBLIC COMMENTS

10. IN CAMERA

11. ADJOURNMENT

TOWN OF KENTVILLE POLICY STATEMENT G70 COUNCIL MEETINGS POLICY

ANNEX B – Meeting Minutes

1. **Meeting Minutes:** Minutes are the official record of meeting proceedings. The administrator must keep a record of council meetings. They should be clear, accurate, and concise. Minutes are a meeting's memory – they form a permanent, historical record. When necessary, courts recognize the minutes of council meeting as evidence of the decision made by council, and actions taken or not taken by members (pecuniary interest). Minutes are a vital document respecting the affairs of the municipality since they record the council's decisions.
2. The minutes of all meetings should:
 - a. focus on the key points and decisions, not on every word spoken, unless verbatim minutes are required for legal reasons;
 - b. focus on the business at hand and exclude any extracurricular exchange of information or hearsay;
 - c. focus on the group as a whole, not on individual opinions. Comments should not be attributed to any individual;
 - d. be objective and free of offensive or inappropriate language, subjective interpretations of mood or the tone in which comments were made;
 - e. be written in past tense as this is an historical record;
 - f. be consistent throughout all departments, sharing the same general look and style, and complying with content and format standards;
 - g. reflect the professionalism of the Town, by being free of typographical, grammatical or technical errors;
 - h. be readable - clearly laid out, visually appealing and easy to read, with concise, point-form summaries, when applicable;
 - i. flow logically (relate to the approved agenda) even if the meeting itself had been fragmented and confusing;
3. The minutes of each Town meeting must contain:
 - a. a header on each page with the meeting name, date, and status of the minutes (i.e. draft or approved);
 - b. a footer on each page with the page number and other notations, as applicable;
 - c. in addition to new business, the name of the meeting and of those members present (include late arrival or early departure times), the date and time of the meeting, the presiding chairperson, any changes to the agenda, any changes to the previous minutes, public comments and the time of adjournment;
 - d. the name of the recording secretary, and if different, also the name of the transcribing secretary;
 - e. a supplementary list of names of those members present in the audience (if required);
 - f. a brief introduction (where applicable) to each agenda item, to provide background information and/or to outline the key points;

- g. (where applicable) Points from Discussion, to support the full scope of debate and to capture the thought process that led to decisions. (Varying points should be included, with repetition avoided);
 - h. declarations noting any conflict of interest of any participant, along with the time that member left and later returned to the meeting. (To indicate no discussion nor vote on the issue in conflict);
 - i. any direction given or action to be taken;
 - j. motions, resolutions and decisions with unanimous consent, as per the following standards;
 - k. the motions are written clearly, highlight them by using features (font), and include enough content to allow them to “stand alone” from the minutes; and
 - l. the following information for nominations and elections - names of nominees, method of vote (i.e. secret ballot, show of hands, etc.), results of the count, and a declaration of the elected individual. (A motion to destroy the ballots would be in order if voting took place by secret ballot.
4. **Recording Decisions:** The minutes contain all resolutions of the council showing decisions made at a meeting, not recording individual opinions. Minutes should not include detailed discussions, such as who said what. Minutes reflect the attendance of a delegation, indicating the name of the representative, applicable organization, and a short description of the public issue the delegation brought forward.
5. Resolutions, including those processing and adopting bylaws, reflect the decisions made by Council. Council considers all matters by way of motion, and council decides all matters by voting. A majority of the votes decides each question; however, legislation requires unanimous approval to certain items such as consent to provide three readings to a bylaw at a single meeting. Procedure bylaws may increase the requirements to more than a majority. The following additional information is provided:
- a. meeting participants should prepare and distribute lengthy or complex motions in advance. (for correct wording and to allow for prepared discussion and possible amendments);
 - b. formal resolutions should be clearly written, with the “resolved clause” having enough content to “stand alone,” without the inclusion of all the “whereas clauses”. Ensure the motion is worded correctly and is not a negative motion;
 - c. ask the chairperson to restate the motion if it is ambiguous;
 - d. record substantive (contentious) amendments separately, it is not necessary to record housekeeping or friendly (non-controversial) amendments separately, as the final wording of the motion is all that is necessary. Record both the fate of the amendment and the main motion;
 - e. record the fate of motions (i.e. approved, amended, defeated, tabled, etc.);
 - f. record individual votes in the minutes, when requested. (Authority - Policy G7-Recorded Votes).
6. **Recording Names:** Legislation requires the administrator to record the names of council and council committee members present at the meeting. Aside from the legislative requirement, recording the names of members present proves the existence of a quorum. Another reason is for purpose of calculating the remuneration of council members if meeting attendance is the basis of council's remuneration. Identifying members not in attendance confirms the absence of

their name was not an oversight. Using members' full names rather than the surname only, at least for purposes of attendance, clearly identifies participants for historical purposes.

7. **Approving of Minutes:** The administrator shall ensure council approves previous minutes at the next regular council meeting. Approval of the Minutes relates to the accuracy of their content, not the approval of the decisions previously made.

8. **Correcting the Minutes:** Revise the draft minutes, as many times as necessary until satisfied they are error free. Make no further revisions to the minutes after presenting them to council for approval. The motion to approve the minutes where there are no errors or omissions is: "Moved by Councillor ____ that the minutes of the regular/special meeting held on (date) be approved." Despite best efforts, council may discover errors or omissions during the approval process. Council authorizes corrections to the minutes by way of motion. For example: "Moved by Councillor ____ that the minutes of the previous meeting be corrected as follows: ..."

9. Correct minor errors by striking out the error, writing in the correction and having the presiding officer and administrator initial the change. If the municipality retains electronic copies of the minutes, consider distinctively noting the amendments – use strikeout font to delete text, different colour to add new text, or use the comment feature to detail the changes. If a substantial change to the minutes is required, note the revision in an appendix to the corrected minutes. Reference the appended correction at the point of inaccuracy, in writing, initialed by the administrator and the presiding officer. After noting corrections to the minutes, council approves the minutes by way of motion, such as: "Moved by Councillor ____ that the minutes of the (type of) meeting held (date) be approved as corrected."

10. **Retention and Storage of Minutes:** In accordance with Part 2 – Administration, Section 34(2) of the Municipal Government Act, minutes (and supporting documentation) of all Town meetings must be archived indefinitely and carefully preserved in a secure and safe environment (i.e. Town vault) as follows:

- a. Printed copies of the agenda, minutes and supporting documents for the meeting, must be stored in the Town's vault, in a binder specifically for that purpose and filed chronologically, following approval of the minutes;
- b. Electronic copies of the agenda, minutes and supporting documents for the meeting must also be coded with logical code names and saved in appropriate folders on the network drive;
- c. Electronic copies of the agenda and minutes are posted on the Town's webpage; and
- d. The audio recording of the meeting must be coded and archived in an electronic file. Audio records of council meetings must be kept for 2 years, while records of all other meetings may be deleted after 6 months, following approval of the minutes.

11. **Closed Meeting Minutes:** Minutes must be kept of all council meetings, including closed meetings held. There are no generally adopted procedures for recording closed meeting minutes. Town of Kentville closed meeting minutes will follow the same standards as minutes of regular meetings of council. It is important to note that minutes of in camera meetings have evidentiary value and should never be destroyed.

12. **Public Disclosure:** The Town of Kentville is also required to produce a public record which states: council met in a closed meeting, the reason for the meeting, the date the meeting

was held and no other information. The creation of the public record does not excuse the municipality from producing minutes of in camera meetings.

13. **Disclosure of Closed Meeting Minutes:** Minutes from a closed meeting are protected from disclosure for ten years at which point the minutes become public. Background information, such as staff reports, become public:

- a. after a decision has been implemented; or
- b. if five years have passed since the decision has been made or considered (unless this information is protected from disclosure under Part XX of the MGA).

TOWN OF KENTVILLE POLICY STATEMENT G70 COUNCIL MEETINGS POLICY

ANNEX C – Motions

General Procedures for Motions

1. The main purpose of a meeting is to see that ideas or items of business are proposed, considered and decided. A motion is a proposed action to address the issue; a resolution is a motion that Council has voted on. Council may use a formal or informal process in their meetings.
2. In a formal setting, a motion introduces an item of business. Town of Kentville Council meetings procedures require seconds for motions. If a motion is lengthy it should be submitted in a written format. After receiving a motion from a councillor, the presiding officer states the motion and calls for discussion or debate. The presiding officer regulates the discussions. All members may speak for or against a motion, move amendments and ask questions to gain information on a particular point. It is customary for each member, other than the mover, to speak only once to each motion. Members vote on the motion following full discussion of the matter. This process leads to amendments to main motions and sometimes amendments to amendments.
3. The informal process permits discussion in advance of introducing the motion. The presiding officer states the issue, which members of council debate until they develop a consensus or a majority view emerges. A member proposes a motion addressing the matter. Members vote on the motion before proceeding to the next item of business.

Proposing a Motion

4. The Town of Kentville Council procedures require a seconder to bring a motion before council. The presiding officer is entitled to propose a motion without relinquishing the chair. If no member seconds the motion, the motion fails. Council will not vote on the question. The minutes contain the motion with the notation it was lost for want of a seconder.

Negative Motions

5. Common thought prohibits the use of “negative motions” or motions to take no action. The presiding officer shall ask for rephrasing a negative motion to make it read in a positive manner.

Types of Motions

6. The types of motions which may be encountered during a typical council or committee meeting may be sorted into four classifications:
 - a. Main motion – reflects the initial proposed decision or action;
 - b. Subsidiary motion – facilitates or modifies the main motion;
 - c. Incidental motion – a motion not related to the main motion; and
 - d. Privileged motion – a motion which takes immediate priority.

Main Motion

7. A main motion is a proposed course of action to be taken by council or a committee. The first motion proposed regarding a matter is the main motion. Members debate the motion, and may amend the motion during the discussion. There are a limited number of instances where unanimous consent is required to adopt a main motion. Examples of main motions include:

- a. “that the minutes of the meeting held [date] be approved as circulated”; or
- b. “that Council agrees to provide a grant in the amount of [amount] to [organization].”

8. Main motions may be subdivided into Incidental Main Motions, or motions which relate to previous or future business or actions. Incidental main motions are treated as main motions, even though they may appear otherwise. Common examples of incidental main motions include:

- a. accepting or adopting a report;
- b. adjourning at a future specified time; or
- c. rescinding a previous decision.

Motion to Reconsider

9. A motion to reconsider is a main motion enabling council to revisit a resolution previously decided. Most rules indicate this motion typically may arise during the current meeting and further, the mover is limited to someone who previously voted with the majority. Council cannot entertain a motion to reconsider if the municipality has already acted on the original resolution.

10. The effect of passing a motion to reconsider is to resume debate on the original motion as though council had not disposed of it. The presiding officer reintroduces the resolution referred to and the council resumes debate on the motion. Potential outcomes from this debate are rescinding the original motion, amending it, or leaving it unchanged.

11. The motion to reconsider is debatable only if the original resolution was debatable.

Motion to Adjourn

12. The meeting ends by passing a motion to adjourn, which may be either a main motion or a privileged motion depending on circumstances. If council concludes all business included on the agenda, the motion to adjourn is a main motion. On the other hand, the majority of council wants to terminate debate on a particular matter, the motion to adjourn holds privileged status as it interrupts the debate on that issue, but not while someone is speaking. Include the date, time, and location of the next meeting in this resolution unless a regular schedule or an earlier resolution addresses those items.

Subsidiary Motion

13. Subsidiary motions are a means to appropriately dispose of a main motion. Subsidiary motions enable the original motion to be amended or clarified, postponed, or referred to a committee or other party for further consideration. Subsidiary motions take priority over main motions, and must be dealt with before the main motion is decided. Roberts Rules of Order recognizes seven subsidiary motions. In order of precedence, the first having the highest rank, these are:

- a. **Lay on the Table:** This motion, if passed, results in the suspension of considering the main motion and any unresolved subsidiary motions to allow the meeting to consider other, more urgent business. It is not in order to table until some specified date or time. In that case, use a motion to postpone. This motion is not debatable.
- b. **The Previous Question:** This motion, if passed, closes debate and disallows any further amendments to the main motion and any pending subsidiary motions. If passed, members subsequently vote on the subsidiary motions, and then the main motion. This motion to table the matter is not debatable and, in organizations other than municipalities, may require a two-thirds majority for adoption. Municipalities may adopt rules requiring a two-thirds majority (or some other percentage) to deal with this type of motion.
- c. **Limit or Extend Limits of Debate:** This motion, if passed, alters the municipality's rules or practices regarding the amount of time the meeting will permit to debate a particular item. If a municipality has a procedural bylaw limiting debate on an individual matter, members may move a motion to extend the limits of debate if they feel the matter has not been thoroughly discussed. Alternatively, in situations where municipalities do not have rules addressing this item, and members feel there has been enough discussion enabling members to make an informed choice, a member may move to limit further debate on the matter. This motion to table the matter is not debatable and, in organizations other than municipalities, may require a two-thirds majority for adoption. Municipalities may adopt rules requiring a two-thirds majority (or some other percentage) to deal with this type of motion.
- d. **Postpone to a Certain Time:** The motion to postpone to a certain time delays consideration of the main motion and any pending subsidiary motions. The motion to postpone indicates if the matter is being postponed to later in the current meeting or to a specific date or event, such as the acquisition of additional information. If there is no intent to actually revisit the item, voting on the question and defeating it provides more clarity.
- e. **Commit or Refer:** The motion to commit or refer a matter results in delegating the main motion and any pending subsidiary motions to a committee for further research and consideration. The motion to commit or refer typically identifies which committee is responsible to further consider the matter and it may include a time by which the committee reports back to council. The meeting may set out the committee's mandate, which may be limited to developing options and recommendations, or the committee may be provided authority to take action. The committee may be a standing committee, or the meeting may create a special or ad hoc committee for this purpose. A standing committee is a committee with a continued existence, formed to do its assigned work on an ongoing basis. Budget and finance committees generally are standing committees. An ad hoc or special committee is a committee formed for a specific task or objective, and is dissolved after the completion of the task or achievement of the objective. Most committees, other than the standing committees, are ad hoc type or special committees

- f. **Amend:** The intent of a motion to amend is to alter or clarify the main motion; however the amendment cannot alter the intent of the original motion. For example, a main motion proposing the purchase of wooden benches for a facility may be altered by clarifying they are to be oak benches. An amendment to install new flooring in the facility rather than purchase benches would conflict with the main motion. A motion may be amended at any time before members vote on it. A motion to amend can also be amended and therefore, there may be a maximum of three questions before the meeting at one time:
 - i. the main motion,
 - ii. an amendment to the main motion, and
 - iii. an amendment to the amendment.
 - g. Amendments may:
 - i. strike or remove parts of the main motion or resolution
 - ii. add information to the main motion or resolution; or
 - iii. delete and replace text or numbers.
 - h. A motion to amend may also be a main motion. This situation arises if the objective is to amend a resolution, whether that motion was previously decided at the current meeting, or at a previous meeting.
14. **Postpone Indefinitely:** The intent of a motion to postpone indefinitely is not to postpone, but to reject the main motion without risking a direct vote on the matter. This strategy may be employed by opponents to the motion who are unsure if there is sufficient support to defeat the motion.

Incidental Motions

15. Incidental motions are motions or questions developing out of a main motion. These questions impact the main motion, and therefore they take priority and must be dealt with before voting on the main motion. Typical incidental motions may involve the following, in no order of priority:
- a. questions of order or appeal;
 - b. suspension of the rules;
 - c. objections to considering the main motion; or
 - d. division of the question.

Questions of Order or Appeal

16. Occasionally, a person, a motion, or a remark is out of order and does not follow acceptable practices or rules of procedure. The presiding officer, or another member, may direct the meeting's attention to the infraction. The presiding officer is responsible to return the meeting to the correct course.
17. In some situations, the presiding officer may have doubts as to the ruling, and before deciding on the matter, they may request advice from a person with more expertise, usually the solicitor. If the presiding officer still has doubts, they may submit the question to the meeting. The statement and question might be structured as follows:

“Councillor Bravo has raised a point of order that the amendment currently before the meeting is not relevant to the motion. I am in doubt, and the question is put to the meeting. The question is, ‘Is the amendment germane to the resolution?’” For clarity, the presiding officer may restate the amendment. If members vote in favour of the presiding officer’s question, debate respecting the amendment resumes. If the majority of members vote against the question, debate respecting the main motion resumes.

18. A member may appeal a decision of the presiding officer if the member feels the ruling is incorrect. Members will vote on a motion such as, “the [council] sustains the decision of the presiding officer, namely [provide details].”

Suspension of the Rules

19. A motion to suspend the rules is in order if the meeting wants to do something that cannot be done without contravening its procedural rules. A prerequisite will be the existence of formal procedures. A motion to suspend the rules may enable a business item to be discussed earlier than proposed in the agenda or allowing members to speak more than once to a motion. Moving into a committee of the whole to discuss a particular item is an example of a suspension of the rules.

20. Rather than a formal motion, a member or the presiding officer may ask for general consent to suspend the rules. Upon receiving or initiating the request, the presiding officer asks if there are any objections. If there are none, the presiding officer would direct the meeting to proceed as if the rules had been suspended by a formal vote.

Objection to Considering the Main Motion

21. If a member wishes to prevent the consideration of a main motion, the member may interrupt another speaker to determine if the question should be considered. The motion must be made before there is any debate on the question or before a subsidiary motion is offered. The object of the motion is to avoid consideration of questions which may be irrelevant, unproductive, or contentious; it is not intended to cut off debate. The motion objecting to considering a question may be useful if, for example, there are repeated attempts to have council reconsider resolutions or policies.

Division of the Question

22. At times, a motion may be worded in such a way that part of it could be supported and another part not supported by the same member. The presiding officer or a member may suggest splitting the motion into two or more motions. After the main motion is split, each divided motion should be complete on its own.

Privileged Motions

23. Privileged motions do not relate to a pending question; however, their nature demands immediate attention and therefore they take priority to any other matter. Privileged motions are

not debatable, and generally are not subject to any subsidiary motion. Privileged motions include fixing a time to adjourn, or taking a recess.

Voting on a Motion

24. When the discussion has been sufficient and all those who wish to speak have been encouraged to do so, the presiding officer may ask the administrator to read the motion before asking for a vote. This step ensures all members are fully aware of the motion before them, particularly if there has been significant debate on the question. A simple majority vote of members present decides a matter. There are some exceptional situations the following resolutions require two thirds (2/3) majority of the council present and voting as stipulated in the MGA:

- a. to sell or lease property referred at less than market value;
- b. to withdraw money from a special purpose tax account for any purpose for which the municipality may expend funds if the council:
 - i. first holds a public hearing respecting the withdrawal; and
 - ii. advertises the public hearing at least twice in a newspaper circulating in the municipality, the first notice to appear at least fourteen days before the hearing, and includes in the notice of the public hearing the date, time and place of the hearing and the purpose of the withdrawal.



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Date

RE: Topic

Submitted to council for consideration or information.

Name, Councillor
Town of Kentville