

Report CCR-CS-28-16

To: Chair Kevin Eccles and Members of the Corporate Services Committee
From: Sharon Vokes
Meeting Date: November 8, 2016
Subject: **Recommended Procedural Changes to Facilitate Committee of the Whole Pilot Project**
Status: Recommendation adopted by Committee as presented per Resolution CS82-16; Endorsed by County Council November 22, 2016 per Resolution CC149-16;

Recommendation

1. That Report CCR-CS-28-16 regarding recommended procedural changes to facilitate the Committee of the Whole Pilot Project be received; and
2. That the changes recommended in Report CCR-CS-28-16 to G-GEN-002-004 being the procedure to manage resolutions, be approved; and
3. That Roberts Rules of Order be used by Grey County Council for matters not covered in its Procedural By-law; and
4. That the 2017 miscellaneous committee and board appointments be done using a single vote method at the November 22, 2016 Council session; and
5. That County Council enact a by-law to provide for weighted voting in committee of the whole as provided for in the County of Grey Act 1993; and
6. That land use planning approvals currently vested in the Planning and Community Development Committee be delegated to the Committee of the Whole for the duration of the pilot project.

Background

At the September session of Council Report CAOR-CS-03-16 recommending implementation of a six month committee of the whole pilot project in lieu of standing committees was endorsed. The recommendation included giving the Clerk the ability to

suspend procedural rules to facilitate this change.

Somewhat inter-related is the direction from Council at the June 23, 2016 session to develop term of reference for the Deputy Warden position.

Staff have been reviewing best practices on committee of the whole and want to provide an update to the committee, as well as certain recommendations which more appropriately require council approval.

The research indicates that adherence to protocols and rules of order will ensure that meetings remain on target and council receives the information it needs to make informed and timely decisions.

Initiate Weekly/Bi-Weekly Information Email Blasts

The intent is to find a mechanism of keeping councillors informed of matters of interest that don't necessarily require council discussion or approval. The current practice of handling correspondence will be modified to ensure that information being placed on the committee of the whole agenda are matters requiring a decision of council.

Council will remain fully informed through the use of a weekly/bi-weekly information email. This email will include matters of interest to councillors and will consolidate information into one message. Some examples are correspondence that might be of interest but not directly related to County responsibilities, upcoming events of interest and expenditure listings.

Communications' staff will help develop the formatting to ensure ease of reading taking into consideration the methodology of layered information recommended in the Communications' Strategy.

The following modifications are recommended:

- Resolutions that currently are directed to committees will be placed on the agenda of committee of the whole;
- Comments or responses received as a result of a resolution of Council will be kept in the Clerk's Office and not distributed to councillors
- Members of council may request that an item on the information email be brought forward to committee of the whole by making a request to the Clerk's Department.

Rules of Order

County Council and its standing committees have historically been run informally. While this has worked for the most part, many of us can think of examples where stricter adherence to rules of order would have helped run the meeting better. There is nothing like a meeting that has gone off track to make you realize the value of regularly following rules of procedure.

It's recommended that the following changes be implemented:

- For the duration of the pilot project use Roberts Rules or Order (Roberts) rather than Bourinot's Rules of Order, as currently stated in the Procedural By-Law. This is recommended as Roberts is more common and is the one used by the local municipalities. Additionally, Bourinot's is not a complete rule book. Instead, it is more a reflection of the common law of parliament, that bodies can refer to when their own rules are insufficient.
- No discussion on a matter is to take place until a motion has been moved and seconded. At that time staff will present the report, if applicable, and discussion can then follow. If there is a staff report, the motion to be moved is the one in the report. Moving and seconding the motion does not mean the councillor supports the resolution. It is only the mechanism to open up discussion. Council can then adopt, amend or turn down the recommendation. If the decision is to turn down, a new motion can then be brought forward

Staff will be preparing a presentation that will provide an overview of the flow of the meetings to ensure that the pilot project gets off to a good start.

Consent Agendas

Consent agendas will be implemented as noted in the CAO's report to Council noted earlier in this report. Items which are more information based and determined to have little need for discussion will be included in the consent agenda. The items on the consent agenda will be adopted using one motion and will not be subject to debate. Councillors may request an item be removed from the consent agenda prior to its adoption and debated on separately.

Recorded (Weighted) Voting

If Council wishes to use weighted voting in committee of the whole, it is recommended that this decision be by by-law. The County of Grey Act 1993 does provide that Council can have recorded voting in committees if sanctioned by by-law. It would be beneficial

to consider this approach as there are times that a recorded vote can change the outcome of a recommendation.

It is recommended that Council enact a by-law to provide for recorded (weighted) voting in committee of the whole.

Advisory Committee/Miscellaneous Appointments

The various standing committees annually make appointments to task forces, advisory committees, boards and outside agencies. The current process can be cumbersome and time consuming.

The process recommended for 2017 is as follows:

1. Clerk's Office will send out notification of vacancies to County councillors requesting that councillors advise the Clerk's Office of any openings they are interested in.
2. The Clerk will prepare a report for Council's consideration at the November 22, 2016 session of council.
3. If voting is required, it will be done by a single vote method in the same manner councillors are elected in municipal elections.
4. The November 22, 2016 session has been chosen as the Health Unit likes to have its new members in place for the December board meeting.

Committee Chairs and Deputy Warden

County Council has directed staff to prepare terms of reference of job responsibilities of the Deputy Warden. The most appropriate place to do this is within the Procedural By-law where duties are currently listed for the Warden and Councillors. Currently the only specific duty given to the Deputy Warden is under 13.4 (Absence of Warden) and this clause is specific to chairing a meeting. The clause reads as follows:

"In the absence of the Warden, the Deputy Warden shall fulfill the responsibilities of the Warden and in the absence of the Deputy Warden; the Clerk shall convene the Meeting until a Chair is chosen by Council. The Chair so chosen shall preside during such absence and shall, while in the Chair, have vested in him all the powers as given by this By-law to the Warden."

At this time staff have been directed to define the responsibilities of the Deputy Warden but there has been no direction to change what is already in place. With that in mind, the only change staff would propose at this time would be to update the Procedural By-law to move the above section to one entitled Duties of the Deputy Warden.

Staff note there has been some concern moving forward with the pilot project without retaining committee chairs.

During the pilot, while committees are not in operation, there is not a clear role for a committee chair. As the pilot project moves forward it may be found that governing using a committee of the whole structure would benefit from use of committee chairs or enhancing the responsibilities of the Deputy Warden.

It is recommended that revising the Procedural By-law to include a separate section on Duties of the Deputy Warden be delayed until after the pilot is completed. At that time Council will have a better understanding of any additional duties, if any. The Procedural By-law is in need of an update and this is planned in 2017 and these changes can be incorporated at that time.

Delegation of Duties for Planning Approvals

The Planning Act provides that Council, through by-law, can delegate certain land use planning authorities to a committee or staff. In Grey County some responsibilities have been transferred to the Planning and Community Development Committee. It is recommended that for the duration of the Committee of the Whole pilot project that the following responsibilities be delegated to the Committee of the Whole:

- Approvals of local official plans and complex local official plan amendments
- Draft approval of plan of subdivisions and plan of condominiums
- Approving draft approval extension requests beyond one year

Financial/Staffing/Legal/Information Technology Considerations

There are no financial or staffing implications related to this report.

The Information Technology Department has developed a council portal where minutes, agendas and reports can easily be found. The portal is working at this time. Councillors will be able to mark up their e-agendas. This change will eliminate the need to send out notices of meetings with attachments. Instead, councillors will be advised that agendas have been posted to the site and are available for download. This advancement is especially important as it is anticipated that some agendas will be quite lengthy and the ability to mark up and make notes electronically will assist councillors when dealing with agenda items.

Staff will be planning a training session for councillors to go over the new protocols for meeting procedures as well as helping councillors become familiar with how to use the council portal.

Link to Strategic Goals/Priorities

While moving to a committee of the whole system isn't directly tied to a specific objective within the current corporate strategic plan, it does support Goal 6 of achieving excellence in governance and service.

Attachments

[County of Grey Act, 1993](#)

Respectfully submitted by,

Sharon Vokes
Clerk/Director of Council Services