

Council Handbook:

Volume 2 - Governance



Norfolk County
50 Colborne St S.
Simcoe ON N3Y 4H4
norfolkcounty.ca

Norfolk
COUNTY

Table of Contents

1. Role of Council	4
1.1 Role of a Councillor	4
2. Role of Staff.....	5
2.1 Role of CAO/Administration	5
2.2 Role of Staff.....	5
2.3 The Role of Intergovernmental Relations	5
3. Your Role in the Legislative Process.....	7
3.1 Statutory Role of Council	7
3.2 Council and Committee Workload.....	7
3.3 Members Responsibilities	8
3.4 Role of the Chair	8
4. The County Clerk.....	9
4.1 Role of the County Clerk	9
4.2 Procedural Advice	10
4.3 Motion Drafting	10
5. The Council Decision-Making Process.....	10
5.1 The Council Procedures	10
5.1.1 Why There are Rules.....	10
5.1.2 Procedures of Council	10
5.1.3 Parliamentary Authorities.....	11
5.1.4 Where to Find the Rules	11
5.2 The Council/Committee System	11
6. Agendas.....	12
6.1 Electronic Distribution	12
6.2 Closed Session Agenda Materials	13
6.3 Going Paperless!	13
6.4 How Members Add Items to the Agenda	14
6.4.1 Adding an Item to the Agenda	14
6.4.2 Notice of Motion (before the main agenda deadline).....	14
6.4.3 Motions (Without Notice).....	14
6.4.4 Deputations.....	15
7. Meetings	16

7.1 Schedule of Meetings.....	16
7.2 Special Meetings	16
7.3 Meeting Times	17
7.4 Committee Meetings	17
7.4.1 Meeting Room Features	17
7.4.2 Public Participation	17
7.5 County Council Meetings	18
7.5.1 Head of Council	18
7.5.2 Members’ Seating	18
7.5.3 The Clerk’s Role.....	18
7.5.4 IT Support.....	19
7.5.5 The Public Gallery	19
7.5.6 Council’s Order of Business.....	19
7.5.7 Voting	20
7.6 Points of Order and Privilege	20
7.6.1 Point of Order	20
7.6.2 Point of Privilege	20
7.7 Open and Closed Meetings	21
7.7.1 Rules Regarding Meetings.....	21
7.7.2 What Constitutes a Public Meeting	22
7.7.3 Closed Meetings.....	22
7.7.4 Closed Meeting Investigations.....	24
7.7.5 Conduct during Closed Meetings	24
7.8 Declaring Interests	25
7.8.1 How to Declare an Interest.....	25
7.9 Your Voting and Attendance Records.....	25
7.10 Minutes and Decisions.....	26
8. Appointments	26
8.1 Member Appointments	26
8.2 Public Appointments.....	26
8.2.1 Eligibility Requirements	27
8.2.2 Term of appointment.....	27

1. Role of Council

Members of Council each have an equal voice at the Council table and Council only has power as a deliberative body; no individual elected member of Council or informal group of Councillors can make a decision on behalf of Council, unless authorized by Council or statute. Every Council Member has one vote and a majority is required to make a Council decision.

As decisions of Council are made by the majority and become the decisions of the County, after discussion or debate has concluded within a Council meeting and a decision has been approved, all Members of Council are expected to respect and honour those decisions regardless of personal opinion. A Member may state that they did not support a decision or voted against the decision but must do so in a respectful manner and should refrain from making disparaging comments about the decision, the decision-making process and/or other Members.

In Norfolk County, the head of Council is referred to as the Mayor. Although the Mayor is a prominent and highly public figure of the Council, the Mayor does not have any more formal power than any other Member to make decisions on behalf of the County.

1.1 Role of a Councillor

Councillors play three main roles in the County:

- **Representative Role:** Councillors represent their ward residents. They provide a bridge between the community and the Council by being an advocate for the local residents, keeping them informed about issues that matter to them and directing them to the appropriate County department to assist with their requests.
- **Policy-Making Role:** Council is responsible for establishing general principles to assist in guiding future actions. Councillors, as a collective group, are the primary policy-making body of Norfolk County while administration carries out Council's policy decisions.
- **Stewardship Role:** Council's objective is to ensure that administrative policies, practices and procedures are in place to safeguard Norfolk County's

resources and to maintain financial integrity through an open, accountable and transparent process.

2. Role of Staff

The role of staff is to manage people and resources to achieve Council's vision.

2.1 Role of CAO/Administration

The CAO is the Chief Administrative Officer of the County. The CAO is responsible for:

- Ensuring that Norfolk County's policies and programs are implemented;
- Providing management of the day-to-day operations;
- Making certain that appropriate staffing is in place; and
- Advising and informing Council on the operations of the County.

2.2 Role of Staff

The Municipal Act, 2001 defines the role of staff.

Section 227: It is the role of the officers and employees of the municipality to:

- a) Implement Council's decisions and establish administrative practices and procedures to carry out council's decision;
- b) Undertake research and provide advice to Council on the policies and programs of the municipality; and
- c) Carry out other duties required under this or any other Act and other duties assigned to the municipality.

2.3 The Role of Intergovernmental Relations

The Mayor and Members of Council represent Norfolk County in developing and strengthening positive relationships with the Provincial, and Federal governments, local Members of Parliament (MP) and Members of Provincial Parliament (MPP), as

well as agencies, boards and commissions, through regular collaboration and engagement to advance public policies supporting positions of Norfolk County.

The Mayor acts as the Head of Council, thereby, the lead on the County's intergovernmental relations and issues with other government levels. This authority is derived from the *Municipal Act, 2001* specifically:

Role of head of council: 225. It is the role of the head of council,

- a) to act as chief executive officer of the municipality;
- b) to preside over council meetings so that its business can be carried out efficiently and effectively;
- c) to provide leadership to the council;
 - (c.1) without limiting clause (c), to provide information and recommendations to the council with respect to the role of council described in clauses 224 (d) and (d.1);
- d) to represent the municipality at official functions; and
- e) to carry out the duties of the head of council under this or any other Act.

Head of council as chief executive officer: 226.1 As chief executive officer of a municipality, the head of council shall,

- a) uphold and promote the purposes of the municipality;
- b) promote public involvement in the municipality's activities;
- c) act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and
- d) participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents.

Members of Council may participate in various municipal sector associations, including but not limited to, the Association of Municipalities of Ontario (AMO), Federation of Canadian Municipalities (FCM), Rural Ontario Municipal Association (ROMA), and the Western Ontario Warden's Caucus (WOWC).

3. Your Role in the Legislative Process

Members of Council play a variety of roles while holding office. One of the most important roles is taking part in the deliberations of the Norfolk County Council, its committees, agencies and corporations.

3.1 Statutory Role of Council

Section 224 of the *Municipal Act, 2001* sets out the role of County Council as follows:

- To represent the public and to consider the well-being and interests of the Municipality
- To develop and evaluate the policies and programs of the Municipality
- To determine which services the Municipality provides
- To ensure that administrative and controllership policies, practices and procedures are in place to implement the decisions of Council
- To ensure the accountability and transparency of the operations of the Municipality, including the activities of the senior management of the Municipality
- To maintain the financial integrity of the Municipality; and
- To carry out the duties of Council under this or any other Act

3.2 Council and Committee Workload

Each Member of Council serves on a variety of bodies:

- All members serve on County Council
- Council-in-Committee – consists of all Members of Council
- Advisory Committees – Council Members are encouraged to serve on at least one advisory committee
- Special Committees – Members may serve on additional committees and advisory bodies established by County Council
- Norfolk County Agencies and Corporations – Members may serve on one or more agency or board

- External Boards – Members may also choose to serve on one or more boards of external organizations to which the Norfolk County appoints Members.

These are the formal bodies to which Norfolk County Council appoints Members.

They are in addition to any local committees or working groups with which a Member may choose to get involved.

3.3 Members Responsibilities

The Procedural By-Law sets out the responsibilities of Members, such as:

- Attending scheduled meetings
- Order of Business at meetings
- Rules of Debate
- Voting on Motions put to a vote
- Respecting the rules of the Procedures By-Law
- Speaking respectfully at all times
- Listening attentively, participating in a meeting, and not interrupting the proceedings
- Remaining silent in their seats while Council or a Committee votes and until the Chair announces the result of the vote
- Refraining from using any offensive, disrespectful or unparliamentarily language about any member, any County officials or other County employee, or the Council as a whole
- Respecting and following Council's decisions
- Speaking only on the matter under debate or related motions during debate
- Respecting the confidentiality of matters discussed in closed meetings and not disclosing the subject or substance of these discussions, unless authorized to do so
- Obeying the Chair's rulings and Council's decisions
- Obeying the Councillor's [Code of Conduct](#)

3.4 Role of the Chair

The role of the Chair in Council or Committee is to direct the meeting by ensuring quorum, clarifying roles, ensuring the meeting proceeds in an orderly and efficient

manner, enforcing the rules and decorum of Members and participating as one of the members. The Chair summarizes key decisions and recommendations made during the meeting while ensuring members remain accountable. The Chair ensures the meeting commences on time and adjourns the meeting when the business concludes.

The Norfolk County's [Procedure By-law](#) outlines the specific duties of the Chair throughout the by-law.

The Chair's role also includes preparation in advance of the meeting by reviewing the agenda thoroughly to understand the topics, delegations, presentations and key matters being dealt with. Pre-meeting discussions may be required with applicable operational staff, including the meeting clerk, in advance of the meeting. The Clerk's division may provide specific training related to the function of the Chair.

4. The County Clerk

4.1 Role of the County Clerk

The County Clerk plays an important function in the County's governance and understanding this role is critical.

The Office of the County Clerk is responsible for a variety of corporate, administrative and legislative functions. Because of its cross-functional responsibilities, the Clerk's Office is in continual contact with all municipal departments, elected officials, other levels of government and the general public. The County Clerk's office builds public trust and confidence in local government. The County Clerk's office provides the foundation for municipal government in Norfolk County through various service areas: legislative services, elections, by-law enforcement, licensing, vital statistics, records and information management.

The County Clerk, and the staff within the Clerks Department, provide meeting management support to County Council, Advisory Committees and Boards by preparing and publishing agendas, giving notice, taking minutes of meetings,

publishing decisions, managing the County's Procedural By-Law and managing Council Member and public appointments.

4.2 Procedural Advice

The Clerk or Designate, provides procedural advice to Members of Council before, during or after a meeting.

In meetings, the Clerk or Designate, provides procedural advice to the Chair, and at the invitation of the Chair, to the decision body as a whole.

For matters requiring a ruling, the Chair makes the ruling.

4.3 Motion Drafting

The Clerk, or Designate can advise Members in drafting motions so they are effective and in order. This service can be provided on a confidential basis. A Member's motion or intentions are not shared with other Members without the Member's consent.

Clerk's staff will tell a Member if they think a motion is out of order, but will not interfere if the Member's intent is to place it anyway and have the Chair make a ruling.

5. The Council Decision-Making Process

5.1 The Council Procedures

5.1.1 Why There are Rules

The *Municipal Act, 2001* dictates that all municipalities in Ontario must adopt a procedure by-law to govern the proceedings of their Council. Norfolk County's Council Procedures are set out in [Procedure By-Law 2022-136](#), as amended.

5.1.2 Procedures of Council

Procedures of Council are based on and interpreted in accordance with the following principles:

- The majority of Members have the right to decide;
- The minority of Members have the right to be heard;
- All Members have the right to information to help make decisions, unless otherwise prevented by law;
- Members have a right to an efficient meeting;
- All members have the right to be treated with respect and courtesy; and
- All members have equal rights, privileges and obligations.

Council's Procedures are intended to provide stability to the proceedings:

- Council may only amend its procedures on a two-thirds vote;
- Council can waive some but not all of its rules on a two-thirds vote.

5.1.3 Parliamentary Authorities

The Council Procedures are the main parliamentary authority governing the meetings of County Council and Committees.

5.1.4 Where to Find the Rules

The procedures guiding Members' role in the decision-making process can be found in the County's Procedural By-law. However, where rules conflict or no rules exist, the Chair or the County Clerk may consult the latest edition of *Robert's Rules of Order*.

You can find Norfolk County's [Procedure By-law](http://www.NorfolkCounty.ca) on www.NorfolkCounty.ca.

5.2 The Council/Committee System

- All the County's power is exercised by County Council unless Council decides otherwise (with some exceptions)
- The *Municipal Act, 2001* requires Council to act through by-laws
- The business of County Council is processed through Council and Committee with some matters being brought forward directly to a Council meeting

Council meets to consider:

- Reports from County officials

- Reports from its Advisory committees, Standing Committees, special committees, and directly from staff
- Notices of Motion (new business submitted by Members of Council)
- The enactment of by-laws

Council is prohibited by law from delegating the following:

- The power to adopt or amend the budget of the County
- The power to appoint or remove from office an officer of the County whose appointment is required by provincial legislation
- The power to impose a tax or make tax rules
- The power to incorporate corporations
- The power to adopt an official plan or an amendment to an official plan under the Planning Act, R.S.O., 1990
- The power to pass a zoning by-law under the Planning Act
- The power to establish small business counselling services
- The power to provide financial assistance to municipal capital facilities
- The power to adopt a community improvement plan under section 28 of the Planning Act in certain circumstances

6. Agendas

6.1 Electronic Distribution

Electronic distribution via the County website is the primary method for providing agendas and meeting notices to the public and will be published online on the [County's website](#). The County Clerk's Office will issue an email message the Friday preceding the meeting, titled 'Clerk's Notice', to Members of Council containing:

- The date, time and location of the meeting
- A direct link to the agenda on the website
- A link to the meeting for those attending virtually
- Additional items added will be distributed prior to the commencement of the meeting on that meeting date

6.2 Closed Session Agenda Materials

Closed Session agenda materials are not published online, because of their confidential nature. Instead, these materials are printed on pink-coloured paper or provided through a password protected email.

Each Member is responsible for establishing and maintaining office routines that protect the confidentiality of these materials. The Member is ultimately responsible for the stewardship of the confidential information provided to them.

Confidential information is provided in confidence to Members of Council solely for the purpose of their review and decision-making. These documents must not be reproduced in any manner. Members are required to maintain the confidentiality of these materials and of matters discussed in closed meetings. Members may not disclose this information unless authorized by Council to do so. All closed session confidential documents must be filed or destroyed in a secure manner.

If Members have questions about confidentiality, they are encouraged to seek guidance from the County Clerk or from the Office of the Integrity Commissioner.

6.3 Going Paperless!

Going paperless is not only good for the environment but it means less time spent on clerical work and more time doing what matters. Digital practices result in more efficient and quicker access to information, faster turnaround and lower costs.

It is possible, and strongly encouraged except where not available, to go paperless when attending Committee and Council meetings:

- All agenda materials (with two exceptions noted below) are posted on www.norfolkcounty.ca on the meetings [webpage](#).
- Addendums and revised agendas are generally posted the Monday prior to the meeting
- Supplementary and late materials (if needed) are included in the Post Agenda, which is posted following the meeting
- There is public and corporate Wi-Fi in the Council Chamber and every Committee room

The following are not posted online and may be available in password protected digital or paper only:

- Closed Session documents (e.g., pink-coloured paper)

County Clerk's staff is available to help Members develop an online routine:

- An application is available to allow Members to provide annotation and comments on digital agendas
- Hands-on training is available for Members in relation to using digital agendas
- Clerk's staff can support Members with orientations to the online agendas

6.4 How Members Add Items to the Agenda

6.4.1 Adding an Item to the Agenda

Members of Council are requested to follow the procedures for adding items to the agenda, by Notice of Motion, prior to the agenda deadline so they can be published with the agenda. This ensures that the public will have ample notice of the matters to be considered by the Council.

Note: Some matters require public notice under federal or provincial law or County by-law. It may not be possible for the Clerk to place a matter on the agenda if the notice requirements have not been met.

6.4.2 Notice of Motion (before the main agenda deadline)

A Member can submit a Notice of Motion to be considered at a meeting of County Council. The easiest way to add an item to the agenda is to contact the County Clerk's Office to submit the Notice of Motion.

6.4.3 Motions (Without Notice)

(Between the Main Agenda Closing and the Business Day Before the Meeting)

During the meeting – Motion Without Notice:

A Member can submit Motions without Notice during the meeting itself. Since there is NO public notice and NO opportunity for public comment, requests to address a motion without notice should be truly urgent. A Member must provide a reason for urgent consideration of the Motion and a Member must obtain two-thirds majority vote to add new business to the agenda. Motions are to be in writing and require a mover/seconded.

County Council must agree to add the Motion, with at least two-thirds majority vote.

Instructions on how to prepare Notices of Motions can be directed to the County Clerk.

6.4.4 Deputations

To request permission to speak at a meeting, individuals must submit a [deputation request form](#). The individual(s) will be contacted about scheduling.

All deputations are considered at Council-In-Committee Meetings. No deputations shall be permitted on a Council Agenda unless the matter is time sensitive and related to business on the subject agenda.

The general process is as follows:

- The County Clerk's office will arrange for the individual to speak at the appropriate Council-in-Committee meeting. At the meeting, Council hears from the public, asks questions, and receives the Deputation for information.

To speak about a topic that is **not** on a future meeting's agenda:

- These items are assigned to Council-in-Committee meetings.
- Written notice is accepted until Thursday, at 12:00 p.m., the week prior to a meeting. Requestor's shall use the [deputation request form](#) to provide the required information to the Clerk's Office
- The Clerk's Office will contact the requestor after the agenda is published to confirm the deputation

To speak about an item that appears on a published agenda, individuals must submit a Deputation request on the prescribed form by 3:00 p.m. the Monday prior to the meeting with the request to speak.

Rules pertaining to Deputations at Council and Committee meetings can be found in Section 7 of the Procedure By-law.

7. Meetings

7.1 Schedule of Meetings

The regular meetings of Council and Committee are established on an annual basis by the Clerk.

Council meetings are held on the third Tuesday of each month at 1:00 p.m.

Council-in-Committee meetings are held the second Tuesday of each month at 1:00 p.m.

Public Hearings Committee meetings are held the first Tuesday of each month at 3:00 p.m. A regular Council meeting may be scheduled directly following a Public Hearings Committee meeting if required to deal with time sensitive business as outlined in Section 4.3(b) of the Procedure By-law.

Board of Health meeting are held the first Tuesday of each month at 2:00 p.m.

7.2 Special Meetings

The Mayor may call a special meeting at any time on 24 hours' notice to the Members of Council. Notice shall be given through the Clerk, setting out the items to be considered at the meeting.

A majority of the Members can petition the County Clerk to call a special meeting:

- Petitions must set out the purpose, date and time of the meeting
- Petitions must be submitted to the Clerk which allows the Clerk to provide a minimum of 24 hours before the time of the meeting.

The Clerk, in consultation with the Mayor and CAO, may call a special meeting of Council to address time-sensitive matters.

The Office of the Clerk shall provide all Members with at least twenty-four (24) hours notice of a special meeting via email or telephone message, and lack of receipt of a notice shall not affect the validity of the meeting.

7.3 Meeting Times

County Council Meetings

- Start time: 1:00 p.m., unless otherwise determined by the Mayor in consultation with the County Clerk

Council-in-Committee Meetings

- Start time: 1:00 p.m., unless otherwise determined by the Mayor in consultation with the County Clerk

*County Council can vote to extend a session to complete an item, or the remaining items on the agenda.

7.4 Committee Meetings

7.4.1 Meeting Room Features

The Norfolk County Administration Building includes the Council Chambers and two Committee rooms that are also used for closed session and Advisory Committee meetings.

7.4.2 Public Participation

The public are welcome to attend all open meetings of Council. The public can also participate in the decision-making process by writing to Council, or by making a public presentation (often referred to as a deputation). Section 7 of the [Procedural By-law](#) outlines the criteria to request the opportunity to delegate.

Public deputations are generally heard at Council-in-Committee. They are only allowed at Council meetings if the subject of the deputation relates to business already on the Council agenda.

Deputations are limited to five minutes, unless Council decides to extend the time, if requested. Members of Council may ask questions of presenters.

7.5 County Council Meetings

7.5.1 Head of Council

The Mayor is the Head of Council. The Mayor appoints a Deputy Mayor to act, from time to time, in the place of the Mayor when the Mayor is absent from the municipality or absent through illness, or when the office is vacant and, while so acting, such Member has and may exercise all the rights, powers and authority of the Head of Council and this authority is delegated by Council under Section 23.1 of the Municipal Act, 2001, S.O. 2001 c.25..

7.5.2 Members' Seating

Seating in the Council Chamber is pre-assigned by the Clerk in consultation with the Mayor.

Each seat has a monitor where Members will see presentation notes, speaker requests and motions.

There is a microphone at each Member's seat. Member's must ensure their microphone is on when requesting to speak. When speaking into the microphones, it is important to speak clearly and slowly. This helps other Members, staff and the public to hear the Member and ensures good quality recording of comments or questions. It is important to note that only two microphones can be on during any one time, so Members must turn the microphone off when not speaking.

7.5.3 The Clerk's Role

The County Clerk and the legislative staff are located in proximity to the Members. The County Clerk, or designate, manages the meeting, advises on procedures and is a parliamentary expert.

The County Clerk records the proceedings of the meeting. The Clerk and staff work with the Chair, assist Members with their motions and record votes.

7.5.4 IT Support

The Council Chamber is equipped with broadcast facilities. IT staff are present to support the meetings and broadcast the proceedings. Council meetings are also streamed live on www.NorfolkCounty.ca.

7.5.5 The Public Gallery

Members of the public are free to attend open meetings of County Council. The gallery generally opens to the public 15 minutes before the scheduled start time for each Council session.

7.5.6 Council's Order of Business

Format of Agenda:

For each regular meeting of the Council, the Clerk shall have prepared and printed, an agenda with a list of all items to be considered in the following headings:

1. Ceremonial Activities
2. Approval of Agenda
3. Declarations of Interest
4. Closed Session (if early session required)
5. Consent
6. Presentations & Deputations
7. Communications
8. Approval of the Minutes
9. Reports of Committees-of-the-Whole
10. Reports of Committees
11. Staff Reports/Discussion Items
12. By-laws
13. Motions
14. Notices of Motion
15. Other Business
16. Announcements
17. Closed Session
18. Confirming By-law

19. Adjournment

7.5.7 Voting

The manner of voting is determined by a show of hand. Members can request a recorded vote to be taken on any motion as outlined in Section 18 of the [Procedural By-law](#).

Members must be seated and silent when votes are taken. All members present, including the Chair, must vote unless they have declared a conflict of interest in the item. If Members can vote and they refuse, they will be recorded as voting in the negative.

Unless Council's procedures specify otherwise, a motion passes when a majority of Members present vote for it. A tie means a lost vote.

7.6 Points of Order and Privilege

7.6.1 Point of Order

A point of order is when a Member highlights an error in procedure or a breach of the rules and asks that the rules be followed.

Examples include:

- "The motion is out of order"
- "This item is not within the jurisdiction of this committee"
- "We did not have the opportunity to ask questions of officials"

7.6.2 Point of Privilege

A point of privilege is an immediate request of action on a matter affecting the rights and privileges of (a) Council or Committee as a whole, or (b) a committee or Council Member.

Rights and privileges of the assembly (i.e., Council or Committee)

These include:

- Things like heating, ventilation, sound, lighting, comfort and security

- They also include the dignity and integrity of the assembly and its proceedings, or obstructions to it carrying out its functions

Rights and privileges of the assembly (i.e., Council or Committee)

These include:

- Requests for personal assistance
- Objections to personal remarks or wrongful accusations made by another person at the meeting
- Relief from any obstruction or interference with a Member performing their duties.

7.7 Open and Closed Meetings

7.7.1 Rules Regarding Meetings

Generally, the County and its local boards are required by law to give notice and hold all meetings in public.

The County takes a number of steps to ensure the highest degree of openness and transparency for meetings of Council and committees.

- Notice is given of all meetings of County Council and its committees
- Agendas and reports are posted online before meetings and decisions and minutes are posted as soon as possible after meetings
- Meetings are closed only when legally permitted or required to do so, and in those sessions debate is confined to the confidential information contained in reports
- The amount of confidential information in reports and documents before Committee and Council is minimized. Where an item may contain confidential information, that information is reproduced on pink paper marked “confidential” or made available to Members in a password protected digital format
- All meetings begin and end in public

7.7.2 What Constitutes a Public Meeting

As of January 1, 2018, Section 238(1) of the *Municipal Act, 2001* defines meeting as follows:

A “meeting” means any regular, special or other meeting of Council, of a local board or of a committee of either of them, where,

- a) A quorum of members is present, and
- b) Members discuss or otherwise deal with any matter in a way that materially advances the business decision-making of the council, local board or committee.

7.7.3 Closed Meetings

Although the *Municipal Act, 2001* permits Council and its Committees to close a meeting to the public to discuss certain matters, this power is permissive. If Council chooses to, it can consider these matters completely in open session.

Matters that may be considered at a meeting which is closed to the public:

- Security of the County’s or a local board’s property;
- Personal matters about an identifiable individual, including County or local board employees;
- A proposed or pending land acquisition for County or agency purposes;
- Labour relations or employee negotiations;
- Litigation or potential litigation, including matters before administrative tribunals, affecting the County or a local board;
- Receiving advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- A matter for which Council, a board, a committee or other body had authorized a meeting to be closed under another Act; or
- Holding an education and training session for the Members. No business can be conducted or advanced in an education or training session
- Information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;

- A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- A trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or
- A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.
- a request under the Municipal Freedom of Information and Protection of Privacy Act, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or
- an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13 (1) of the *Municipal Act*, or the investigator referred to in subsection 239.2 (1).

Procedures to move into Closed Session:

- Before meeting in Closed Session, Council or Committee must first pass a motion that states the nature of the matter to be considered and the reason for meeting in Closed Session.
- This description must be of sufficient detail to ensure that the public understands the general nature of the matter to be considered in Closed Session.

Council or committee in a closed meeting does not vote except for:

- A procedural matter; or

- To give directions or instructions to County officials or agents, agencies, or persons retained by, or under a contract with, the County or a local board

Consequences of improperly closed meetings:

- If a meeting is improperly closed it can lead to investigations by the Ombudsman's office and potential legal consequences.

The [Closed Meeting Protocol](#), approved December 13, 2023 provides further guidance related to closed meetings.

7.7.4 Closed Meeting Investigations

If someone believes a meeting of County Council, an applicable local board, or a Committee has been improperly closed to the public, they may request the County to investigate the matter or may submit a complaint to the Ontario Ombudsman's office.

If the County is requested to investigate itself, the County will arrange for an independent investigation by a qualified person appointed for that purpose.

If the investigator finds that a meeting was improperly closed, they will report that publicly to County Council or the local board and make public recommendations as they see fit.

A negative finding from an investigator could cause embarrassment or reputational damage. It might also form the basis for further legal action.

Application to a court:

As an alternative to filing a complaint with the County, or the Ombudsman's office, a complainant may also file an application to the court to overturn or quash a decision or by-law on the ground a meeting was improperly closed.

7.7.5 Conduct during Closed Meetings

Members are required to keep information about closed sessions confidential, unless otherwise authorized by County Council.

Members shall not post to social media or communicate with media outlets or any other non-member about the proceedings during Closed Session.

7.8 Declaring Interests

Members of Council are bound by the provisions of the [*Municipal Conflict of Interest Act*](#).

County officials cannot give Members advice on their interests. Members must independently determine if they have an interest for the purposes of the Act.

Members must declare interests at each meeting related to applicable matters that appears on an agenda. Members should not rely on County officials, including the County Clerk, to remind them of interests previously declared.

7.8.1 How to Declare an Interest

Meeting Chairs will ask for declaration of interests at the start of meetings. Members should declare known interests at that time.

If a Member discovers an interest later in the meeting or at a subsequent meeting, a Member should obtain the floor on a point of privilege and declare the interest as soon as possible.

A Member must identify the matter and state the nature of the interest. Disclosures of interest must be filed in writing with the Clerk prior to or immediately after the meeting. Applicable forms are available from the Clerk's office.

7.9 Your Voting and Attendance Records

The County Clerk records Members' attendance on a sessional basis.

A session starts when a meeting is called to order and ends when a meeting is temporarily recessed or adjourned when completed.

The County Clerk records a Member as being present if they are present for any part of a session. There is no minimum duration required to be marked present. If the Member is not present for any portion of a session, the County Clerk marks the Member absent from that session.

County Clerk's office records the times that Members enter and leave the meeting room.

The *Municipal Act, 2001* provides that the office of a Member of County Council becomes vacant if the Member is absent from the meetings of Council for three successive months without being authorized to do so by a resolution of Council.

7.10 Minutes and Decisions

Minutes of meetings contain decisions, motions, votes, rulings and other information about the proceedings.

As per the *Municipal Act*, Minutes are taken without note or comment including only what was decided and not what was said during the meeting.

The minutes will form part of the next agenda package to be reviewed and approved by Council.

The County Clerk's office posts draft minutes online a few days after a meeting.

8. Appointments

8.1 Member Appointments

County Council appoints Members of Council to committees and boards from time to time for such purposes as deemed appropriate, based on term of reference considered by Council and approved by resolution or by-law.

Members required to serve on such a committee shall be appointed by resolution. The Mayor is an ex-officio Member of any committee established by Council and as outlined in the Committee's Terms of Reference.

8.2 Public Appointments

The County relies on the contributions of members of the public who serve on the County's boards, and committees. These appointments are an important way of engaging citizens and obtaining desired skills and local expertise.

8.2.1 Eligibility Requirements

An appointee must be:

- A resident of Norfolk County; and
- 18 years of age or older

For some boards, such as the Library Board, provincial law requires appointees to be Canadian citizens.

Relatives of Members of Council are not eligible for appointment. This includes spouses, partners, children and parents.

8.2.2 Term of appointment

A public member is appointed to a board for the term of Council (four years) unless appointed at a point during the four-year term at which point the term will be until the end of the current Council term of office.