



“SPECIAL” COUNCIL MEETING AGENDA

Tuesday, October 1st, 2024
5:30 p.m.

Municipal Office – Council Chambers – 217 Harper Road

5:00 p.m. Council Photo
5:30 p.m. “Special” Council Meeting
Following Committee of the Whole Meeting

Chair, Reeve Rob Rainer

1. **CALL TO ORDER**
2. **DISCLOSURE OF PECUNIARY INTEREST AND/OR CONFLICT OF INTEREST AND GENERAL NATURE THEREOF**
3. **BY-LAWS**
 - i) **By-Law No. 2024-037 – Appointment to Fill Council Vacancy Sherbrooke Ward Councillor (Keith Kerr) – *attached, page 4.***

Suggested Motion by Councillor Greg Hallam:

“THAT, By-Law No. 2024-037, being a by-law to Appoint Keith Kerr to Fill the Council Vacancy for the position of Councillor for the Sherbrooke Ward for the Corporation of Tay Valley Township, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

4. **DECLARATION OF OFFICE - Amanda Mabo, Chief Administrative Officer/Clerk**
5. **COUNCILLOR REMARKS**

6. CONFIRMATION BY-LAW

- i) **By-Law No. 2024-038 - Confirmation By-Law – October 1st, 2024 – attached, page 6.**

Suggested Motion by Councillor Korrine Jordan:

*“**THAT**, By-Law No. 2024-038, being a by-law to confirm the proceedings of the “Special” Council meeting held on October 1st, 2024, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”*

7. ADJOURNMENT

BY-LAWS

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2024-037

APPOINTMENT TO FILL COUNCIL VACANCY SHERBROOKE WARD COUNCILLOR (KEITH KERR)

WHEREAS, pursuant to Section 262 (1) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended (“the Act”), the Council of the Corporation of Tay Valley Township at its meeting on August 27th, 2024, declared one of the two Councillor offices for the Sherbrooke Ward vacant;

AND WHEREAS, Section 263 (1) (a) of the Act, provides that if a vacancy occurs in the office of a member of council, the municipality shall fill the vacancy and may do so by appointing a person who has consented to accept the office if appointed;

AND WHEREAS, Section 263 (5) 1. of the Act provides that within sixty (60) days after the day a declaration of vacancy is made with respect to the vacancy under Section 262 of the Act, the municipality shall appoint a person to fill the vacancy under subsection 263 (1) of the Act;

AND WHEREAS, Section 264 of the Act provides that a person appointed or elected to fill a vacancy under Section 263 of the Act shall hold office for the remainder of the person she or he replaced;

AND WHEREAS the Council of the Municipality deems it necessary and expedient to appoint a person to fill the vacancy in the office of Councillor for Sherbrooke Ward for the remainder of the current Council term;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of Tay Valley Township enacts as follows:

1. GENERAL REGULATIONS

1.1 **THAT**, Keith Kerr is hereby appointed to fill the vacant office for the position of Councillor for Sherbrooke Ward for the Corporation of Tay Valley Township for the remainder of the 2022-2026 term of Council upon the passing of this by-law.

2. ULTRA VIRES

Should any sections of this by-law be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2024-037**

3. EFFECTIVE DATE

THAT, this by-law shall come into force and effect as of the 1st day of October, 2024.

ENACTED AND PASSED this 1st day of October 2024.

Rob Rainer, Reeve

Amanda Mabo, Clerk

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2024-038

A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF TAY VALLEY TOWNSHIP AT ITS MEETING HELD ON OCTOBER 1ST, 2024

WHEREAS, Section 5 of *the Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that the powers of a municipality shall be exercised by its council;

AND WHEREAS, Section 9 of *the Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Municipal Act or any other Act;

AND WHEREAS, Section 5(3), provides that a municipal power, including a municipality's capacity, rights, powers and privileges under Section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS, it is deemed expedient that the proceedings of the Council of the Corporation of Tay Valley Township at its meeting be confirmed and adopted by By-Law;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of Tay Valley Township enacts as follows:

1. GENERAL REGULATIONS

- 1.2 **THAT**, the actions of the Council of the Corporation of Tay Valley Township at its meeting held on the 1st day of October, 2024 in respect of each motion and resolution passed and other action taken by the Council of the Corporation of Tay Valley Township at its meeting is hereby adopted and confirmed as if all such proceedings were expressly embodied in this By-Law.
- 1.3 **THAT**, the Reeve and Proper Signing Official of the Corporation of Tay Valley Township are hereby authorized and directed to do all things necessary to give effect to the action of the Council of the Corporation of Tay Valley Township referred to in the preceding section hereof.
- 1.4 **THAT**, the Reeve and/or Deputy Reeve and Clerk and/or Deputy Clerk are hereby authorized and directed to execute all documents necessary in that behalf and to affix thereto the Seal of the Corporation of Tay Valley Township.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2024-038**

2. ULTRA VIRES

Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

3. EFFECTIVE DATE

ENACTED AND PASSED this 1st day of October 2024.

Rob Rainer, Reeve

Amanda Mabo, Clerk