



**THE CORPORATION OF TAY VALLEY TOWNSHIP
"SPECIAL" COUNCIL MINUTES**

**TUESDAY, JANUARY 10, 2012
7:00 P.M.**

MUNICIPAL OFFICE – COUNCIL CHAMBERS – 217 HARPER ROAD

Members Present: Chair, Reeve Keith Kerr
Deputy Reeve Susan Freeman
Councillor Brian Campbell
Councillor Greg Hallam
Councillor Mark Burnham
Councillor Wayne Jordan
Councillor Bill Avery
Councillor RoxAnne Darling

Staff Present: Peter Tranter, Acting Chief Administrative Officer/Treasurer
Amanda Mabo, Clerk
Noelle Reeve, Planner
John Simcock, Public Works Superintendent

Regrets: None.

1. CALL TO ORDER

The Chair called the meeting to order at 7:00 p.m.
A quorum was present.

2. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

There was no disclosure of pecuniary interest at this time.

3. BY-LAWS

- i) **By-Law No. 2012-001: Appoint a Chief Administrative Officer/Deputy Clerk – attached, page 4.**

RESOLUTION #C-2011-01-01

MOVED BY: Susan Freeman

SECONDED BY: Bill Avery

“**THAT**, By-Law No. 2012-001, being a by-law to Appoint a Chief Administrative Officer/Deputy Clerk (Malcolm E. Morris) for Tay Valley Township, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

4. CONFIRMATION BY-LAW

- i) **By-Law No. 2012-002: Confirmation By-Law – January 10th – attached, page 7.**

RESOLUTION #C-2011-01-02

MOVED BY: Greg Hallam

SECONDED BY: Mark Burnham

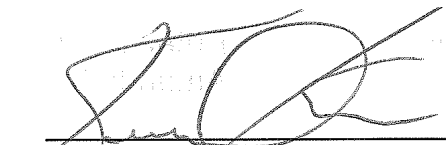
“**THAT**, By-Law No. 2012-002, being a by-law to confirm the proceedings of the Council meeting held January 10th, 2012, be read a first, second and third time short and passed and signed by the Reeve and Clerk.”

ADOPTED

5. ADJOURNMENT

Council adjourned at 7:10 p.m.


Amanda Mabo, Clerk


Keith Kerr, Reeve

BY-LAWS

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2012-001

A BY-LAW TO APPOINT A CHIEF ADMINISTRATIVE OFFICER AND DEPUTY CLERK (MALCOLM E. MORRIS)

WHEREAS, Section 229 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipality may appoint a Chief Administrative Officer who shall be responsible for exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality; and performing such other duties as are assigned by the municipality;

AND WHEREAS, Section 228 (2) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipality may appoint Deputy Clerks who have all of the powers and duties of the Clerk under this and any other Act;

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

1. GENERAL REGULATIONS

- 1.1 **THAT**, Malcolm E. Morris be appointed as Chief Administrative Officer for Tay Valley Township.
- 1.2 **THAT**, the duties, responsibilities and authority of the Chief Administrative Officer shall be as set out in the Employment Agreement between Malcolm E. Morris and the Corporation of Tay Valley Township, dated January 10th, 2012.
- 1.3 **THAT**, Malcolm E. Morris be appointed as Deputy Clerk for Tay Valley Township.
- 1.4 **THAT**, the duties, responsibilities and authority of the Deputy Clerk shall be as set out in Section 228 (2) of the said *Municipal Act, 2011*.

2. BY-LAW REPEALED

- 2.1 By-Law No. 2011-012 is hereby repealed.
- 2.2 All by-laws or parts thereof and resolutions passed prior to this by-law which are in contravention of any terms of this by-law are hereby rescinded.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2012-001**

3. ULTRA VIRES

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

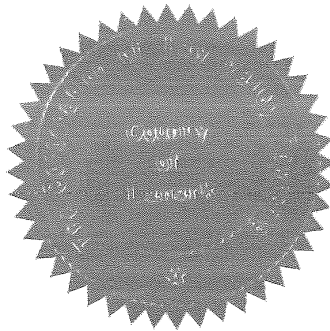
4. EFFECTIVE DATE

THAT, this by-law shall come into force and effect as of the 23rd day of January 2012.

ENACTED AND PASSED this 10th day of January, 2012.



Keith Kerr, Reeve



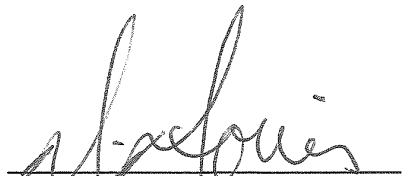


Amanda Mabo, Clerk

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2012-001**

DECLARATION OF APPOINTED OFFICE

I, Malcolm E. Morris, do solemnly promise and declare that I will truly, faithfully and impartially, to the best of my knowledge and ability, execute the office of Chief Administrative Officer/Deputy Clerk, that I will truly, faithfully and impartially, to the best of my knowledge and ability, execute the office to which I have been appointed in this municipality, that I have not received and will not receive any payment or reward, or promise thereof, for the exercise of any partiality or malversation or other undue execution of such offices, and that I have not by myself or partner, either directly or indirectly, any interest in any contract with or on behalf of the Corporation except that arising out of my office as Chief Administrative Officer/Deputy Clerk.



Malcolm E. Morris,
Chief Administrative Officer
Deputy Clerk

JAN 10, 2012
Date



Keith Kerr, Reeve
Mayor

January 10, 2012
Date

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2012-002

A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF TAY VALLEY TOWNSHIP AT ITS MEETING HELD ON JANUARY 10TH, 2012

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

- 1.1 **THAT**, the actions of the Council of the Corporation of Tay Valley Township at its meeting held on the 10th day of January, 2012 in respect of each motion and resolution passed and other action taken by the Council of the Corporation of Tay Valley Township at its meetings is hereby adopted and confirmed as if all such proceedings were expressly embodied in this By-Law.
- 1.2 **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.

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2012-002**

1.3 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.

2. ULTRA VIRES

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

3. EFFECTIVE DATE

ENACTED AND PASSED this 10th day of January, 2012.



Keith Kerr, Reeve





Amanda Mabo, Clerk