

Type of Decision									
Meeting Date	Friday, April 1, 2011				Report Date	Wednesday, March 23, 2011			
Decision Required	X	Yes		No	Priority	X	High		Low
Direction	x	Information Only			Type of Meeting	X	Open		Closed
REPORT TITLE									
Annual Municipal Operating By-law Report Part 2 - 01/04/10/1001									

Subject: Setting an operating budget for 2011 and allocating funds to reserves as per Council decision at meeting of February 18, 2011.

RECOMMENDATION: That Council adopt the by-law setting the operating budget, reserves and capital spending for 2011 based on the Option #3 as was decided at the meeting of Friday, February 18, 2011.

Resolution #1

WHEREAS the Council of the United Townships of Head, Clara & Maria did decide through a resolution of council during a duly called and conducted meeting of Friday, February 18, 2011 to adopt a budget of \$781,898;

AND WHEREAS staff followed the direction of Council and prepared the budget by-law for approval which was defeated with staff directed to bring the matter back before Council for further debate;

NOW THEREFORE BE IT RESOLVED that the Council of the United Townships of Head, Clara & Maria does hereby agree to reconsider resolution #18/02/11/006;

AND FURTHER THAT the Council of the United Townships of Head, Clara & Maria does hereby agree to adopt a municipal operating budget in the amount of \$ _____;

AND FURTHER THAT the number \$ _____ be inserted in the draft by-law #2001-10 to be read immediately following the passing of this resolution;

Resolution #2

BE IT RESOLVED THAT By-Law 2011-10 being a by-law to adopt the 2011 municipal operating budget be read a first time short and passed.

BACKGROUND/EXECUTIVE SUMMARY: The following is from the minutes of the meeting of February 18, 2011...

- i. "Report #18/02/11/1205 – 2011 Budget Report
Resolution # 18/02/11/006

Moved by Councillor Foote and Seconded by Councillor Reid

WHEREAS staff have presented a report to Council outlining various budget options for consideration for the 2011 operating year;

AND WHEREAS Council has reviewed that report and discussed the various options and implications on rates and levels of taxes required to raise the funds needed to meet the level of expenses and reserves in the different proposals;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby request that Staff prepare a budget by-law for the next meeting of this Council utilizing Option 3 as presented in report #18/02/11/1205.

Carried”

This by-law should be adopted as discussed previously and **DECIDED** at the budget meeting of February 18, 2011. Council has previously debated this issue and determined through a majority vote of Council that option #3, which would result in an operating budget of \$781,898 and would include reserves of \$48,390, was to be used for 2011's operating budget.

From the previous report...:

- o Option 2011 #3 would net \$40,000 additional in tax revenue for own purposes and mean an increase in taxes over 2010 of \$40.85 for a property valued at \$100,000.
- o There are 83 residential properties within the municipality valued at over \$100,000, the majority being significantly less. Of these 13 are hunt camps leaving 70 residential properties which would be affected by 100% (or more) of the increase.

Staff prepared the required documents, as directed by Council and the subsequent by-law was defeated at the meeting of Friday, March 18, 2011 with no additional or new information having come forward.

Procedurally, decisions of Council are not routinely reconsidered unless new information has come to light. I am not aware of any change in the data/information used to make the decisions.

During the debate of February 18, 2011 there was a decision of Council made by resolution which has since been overturned during what should have been a “rubber-stamp” to the budget by-law. Although Council is able, at their discretion to change their minds and their votes, a decision on this issue had already been made.

At the end of the meeting of March 18, 2011, Councillor Gibson requested from the rest of Council what direction was to be given to staff. After some discussion it was decided that staff was to bring the initial report (February 18, 2011) back to Council. You have that information in a report from the February 18th meeting for your consideration and review.

It is staff opinion that the budget decision was already made at the meeting of Friday, February 18, 2011 and there should be no reconsideration in light of no additional information coming forward.

Should Council determine otherwise, according to our Procedure By-law a Motion to Reconsider would need to be moved by Councillor Reid, Foote or Gibson as they voted for the original motion. The motion would require a seconder. Otherwise the by-law should be adopted in a single reading with the original amount inserted in the blank.

Financial Considerations/Budget Impact: as previously decided by Council. The budget meets operating expenses for 2011 and contributes \$40,000 to reserves for future needs.

Policy Impact: By-laws and resolutions were prepared as per Council policy. The Procedure by-law states that:

- 1.1. A previously considered matter may not be reconsidered by Council more than two times in a calendar year. Decisions which contractually bind the Township shall not be

reconsidered. The motion to reconsider may only be moved by a member on the prevailing side of the previous decision.

It is not normal for Council to reconsider an issue that has already been decided without there being further/changed/new information however; we are required by legislation to have a budget so this issue needs to be determined.

Approved and Recommended by the Clerk

Melinda Reith,

Municipal Clerk

Melinda Reith