

Type of Decision									
Meeting Date	Friday, Oct. 7, 2011				Report Date	Thursday, Sept. 29, 2011			
Decision Required	X	Yes		No	Priority		High	X	Low
Direction	x	Information Only			Type of Meeting	X	Open		Closed
REPORT TITLE									
Recorded Vote Report 07/10/11/1101									

Subject: Request from a resident to have every Council vote a recorded vote.

RECOMMENDATION: There are currently mechanisms in place to ensure that every vote of Council which is so significant or controversial that any Council member would like a recorded vote may call for one, either before or after the vote is taken.

WHEREAS the council of the United Townships of Head, Clara, Maria supports the notion of full transparency in all municipal affairs;

AND WHEREAS it is to the benefit of ratepayers to understand the position of individual members of council on various municipal topics;

AND WHEREAS it is to the benefit of council itself to have a record of each council member's position on various municipal topics;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria begin the process to amend the Procedure By-Law to make it standard procedure for all municipal council votes to be recorded votes where the vote decision is not unanimous.

BACKGROUND/EXECUTIVE SUMMARY: If Council wishes to adopt this recommendation, an amendment to the Procedure By-Law would be required. To amend our Procedure By-Law will include the advertising and holding of a public meeting. Municipal practise must meet the recommendations in the provincial law and can impose further restrictions if so desired.

Having all votes recorded will required modification to our Procedure By-Law and actual practise during meetings however; should not be too onerous. It might provide a record for members of the public to review if and when we should ever have an election to see how various members of Council voted on any one issue.

Unfortunately, it is possible that a Council member may have changed their perspective on the issue since the vote which might not be reflected by simply reviewing past minutes; obviously there are pros and cons to this change.

From our Procedure By-law...

"32.0 AMENDMENT

32.1. No amendment or repeal of this By-Law or any part thereof shall be considered at any meeting of the Council unless notice of proposed amendment or repeal has been given at a

previous regular meeting of the Council. The waiving of this notice by the Council is prohibited in the Municipal Act.”

The following contains the pertinent sections of the Procedure By-Law as they relate to recorded votes.

“22.4. When a member present requests a **recorded vote**, all members present at the Council meeting, including the Presiding Officer, must vote in alphabetical order, unless otherwise prohibited by statute. The presiding officer shall vote last. The names of those who voted for and others who voted against shall be noted in the minutes. The Clerk shall conduct the vote and announce the results.

22.5. A request for a **recorded vote** can be made immediately prior to or immediately following the taking of the vote.

22.6. Every member present at a meeting of Council when a question is put shall have one vote thereon unless prohibited by statute.

22.7. No vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect.

22.8. Any question on which there is a tie vote shall be deemed to be lost.

22.9. Any abstention from voting by a member who is present at the meeting at the time of the vote and who is qualified to vote shall be deemed a negative vote.

22.10. A failure to vote when a **recorded vote** has been requested by a member who is present at the meeting at the time of the vote and who is qualified to vote shall be deemed a negative vote.

22.11. A separate vote shall be taken upon each proposal contained in a motion divided by resolution of Council.”

The *Municipal Act* states the following on the subject:

“Recorded vote

246. (1) If a member present at a meeting at the time of a vote requests immediately before or after the taking of the vote that the vote be recorded, each member present, except a member who is disqualified from voting by any Act, shall announce his or her vote openly and the clerk shall record each vote. 2001, c. 25, s. 246 (1).

Failure to vote

(2) A failure to vote under subsection (1) by a member who is present at the meeting at the time of the vote and who is qualified to vote shall be deemed to be a negative vote. 2001, c. 25, s. 246 (2).”

Financial Implications/Budget Impact: none

Policy Impact: Changes current policy. Would require a By-Law amendment process.

Approved and Recommended by the Clerk

Melinda Reith,
Municipal Clerk

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