

THE CORPORATION OF THE MUNICIPALITY OF KILLARNEY

Special Meeting of Council
Via Electronic Participation

Location: Municipal Council Chambers
November 24th, 2020
5:00 P.M.

PRESENT: MAYOR: Nancy Wirtz

COUNCILLORS: Barbara Anne Haitse Michael Reider Jim Rook
John Dimitrijevic Robert Campbell

ABSENT: Nil

DISCLOSURE: Nil

STAFF: Clerk-Treasurer – Candy Beauvais
Deputy Clerk-Treasurer – Gilles Legault
Administrative Assistant – Angie Nuziale

MEMBERS OF PUBLIC: Nil

GUESTS: Byron O'Connor - Pinchin

DELEGATIONS: Nil

Mayor Wirtz called the meeting to order at 5:05 P.M. and read the following statement.

On March 19, 2020, Bill 187, *Municipal Emergencies Act, 2020* came into force. This legislation amended the *Municipal Act, 2001* to permit municipalities to amend their procedural bylaws to provide that, during emergencies, members of Councils, local boards, and committees who participate in meetings electronically may be counted for the purposes of determining quorum. Further, on July 21, 2020, the COVID-19 Economic Recovery Act, 2020 was passed to further amend the *Municipal Act, 2001* such that a Municipality's procedure by-law may permit Councillors to participate electronically in both open and closed meetings and for those Councillors to be counted in determining quorum when participating electronically. Therefore, the Municipality of Killarney has determined to further amend its procedural bylaw. Accordingly, meetings of the Municipality's Council, local boards, and committees will be conducted via teleconference or via in person meetings. The public will also be able to participate in such meetings in the same manner.

Mayor Wirtz then continued with roll call, a quorum was present and the meeting proceeded.

Mayor proceeded to ask Council if there were any declarations of pecuniary interest. Each councillor announced they had no disclosure.

Note: All motions are recorded votes in order to ensure the public is aware of how councillors are voting since they are unable to view the meeting proceedings.

The first matter of business was to discuss electronic meetings and proxy voting for council, committees and boards.

20-384 BY JIM ROOK – JOHN DIMITRIJEVIC

WHEREAS the Provincial Government has passed changes to the Municipal Act, 2001 to provide municipalities the option to amend its procedural by-law to allow for electronic participation in open and closed municipal meetings and members may count towards quorum beyond times when an emergency declaration is in place;

AND WHEREAS the Municipality of Killarney has amended its procedural by-law on July 21, 2020 (via By-Law No. 2020-29);

AND WHEREAS Council will revisit electronic participation in meetings once COVID restrictions are lifted;

THEREFORE the annual operating budget will include funds to support the provision of electronic meetings if we are required to make investments in new or supplementary technology and other resources to support electronic meetings going forward.

Resolution Result	Recorded Vote		
	Council Members	YES	NO
█ CARRIED	Robert Campbell	X	
.. DEFEATED	John Dimitrijevic	X	
.. TABLED	Barbara Anne Haitse	X	
█ RECORDED VOTE (SEE RIGHT)	Michael Reider	X	
.. PECUNIARY INTEREST DECLARED	Jim Rook	X	
.. WITHDRAWN	Nancy Wirtz	X	

20-385 BY ROBERT CAMPBELL – BARBARA ANNE HAITSE

WHEREAS the Provincial Government has passed changes to the Municipal Act, 2001 to give municipalities the authority to amend their procedural by-law to allow members of council/committees and local boards who are unable to attend a meeting to appoint a proxy holder to act on their behalf, subject to certain limitations;

THEREFORE BE IT RESOLVED THAT the Council for the Municipality of Killarney will not implement Proxy Voting at this time, but may wish to examine this option in the future.

Resolution Result	Recorded Vote		
	Council Members	YES	NO
█ CARRIED	Robert Campbell	X	
.. DEFEATED	John Dimitrijevic	X	
.. TABLED	Barbara Anne Haitse	X	
█ RECORDED VOTE (SEE RIGHT)	Michael Reider	X	
.. PECUNIARY INTEREST DECLARED	Jim Rook	X	
.. WITHDRAWN	Nancy Wirtz	X	

20-386 BY JIM ROOK – MICHAEL REIDER

BE IT RESOLVED THAT Council go into Closed Session at 5:23 P.M. in accordance with Section 239 (2) (e) of the Municipal Act, 2001, c. 25 to discuss a matter of potential litigation.

Resolution Result	Recorded Vote		
	Council Members	YES	NO
█ CARRIED	Robert Campbell	X	
.. DEFEATED	John Dimitrijevic	X	
.. TABLED	Barbara Anne Haitse	X	
█ RECORDED VOTE (SEE RIGHT)	Michael Reider	X	
.. PECUNIARY INTEREST DECLARED	Jim Rook	X	
.. WITHDRAWN	Nancy Wirtz	X	

Mayor Wirtz stated public participation is not permitted during the Closed Session. Therefore, ALL participants on the call are asked to disconnect while Council and the Clerk retire into closed session. The public participants can call back into the special meeting number to reconnect and will be placed on hold until the special open meeting resumes.

Council then proceeded to sign in to Closed Session. The Closed Session was not recorded. Following Closed Session, Council members re-connected to the special open meeting, will rise and report, and the open session of the meeting will resume.

20-387 BY JIM ROOK – ROBERT CAMPBELL

BE IT RESOLVED THAT Council rise and report from closed session at 6:16 P.M.

Resolution Result	Recorded Vote		
	Council Members	YES	NO
 CARRIED	Robert Campbell	X	
.. DEFEATED	John Dimitrijevic	X	
.. TABLED	Barbara Anne Haitse	X	
 RECORDED VOTE (SEE RIGHT)	Michael Reider	X	
.. PECUNIARY INTEREST DECLARED	Jim Rook	X	
.. WITHDRAWN	Nancy Wirtz	X	

20-388 BY ROBERT CAMPBELL – BARABAR ANNE HAITSE

BE IT RESOLVED THAT Council contact Killarney Mountain Lodge (Holden Rhodes), Burnside & Associates Ltd. and Pinchin Ltd. requesting a meeting to discuss options and potential solutions to fire suppressions issues at Killarney Mountain Lodge.

Resolution Result	Recorded Vote		
	Council Members	YES	NO
 CARRIED	Robert Campbell	X	
.. DEFEATED	John Dimitrijevic	X	
.. TABLED	Barbara Anne Haitse	X	
 RECORDED VOTE (SEE RIGHT)	Michael Reider	X	
.. PECUNIARY INTEREST DECLARED	Jim Rook	X	
.. WITHDRAWN	Nancy Wirtz	X	

20-389 BY JIM ROOK – JOHN DIMITRIJEVIC

BE IT RESOLVED THAT we adjourn the Special Meeting of Council held November 24th, 2020 at 6:28 P.M.

Resolution Result	Recorded Vote		
	Council Members	YES	NO
 CARRIED	Robert Campbell	X	
.. DEFEATED	John Dimitrijevic	X	
.. TABLED	Barbara Anne Haitse	X	
 RECORDED VOTE (SEE RIGHT)	Michael Reider	X	
.. PECUNIARY INTEREST DECLARED	Jim Rook	X	
.. WITHDRAWN	Nancy Wirtz	X	

ORIGINAL DOCUMENT SIGNED

.....
Nancy Wirtz, Mayor

ORIGINAL DOCUMENT SIGNED

.....
Candy Beauvais, Clerk-Treasurer