



*The Corporation of*

**THE TOWNSHIP OF MELANCTHON**

*157101 Highway 10, Melancthon, Ontario, L9V 2E6*

## **COUNCIL VACANCY APPOINTMENT PROCEDURE**

### **Notice of Vacancy**

The Clerk shall post a Council Vacancy Notice on the Township website under Public Notices, in the local newspaper (Dundalk Herald and Shelburne Free Press) and send it out through the Township's Mailchimp platform and post it on the Township's Facebook page following Council's decision to fill the vacancy by appointment. The procedure was approved at the Council meeting held on Thursday, February 17, 2022. The ad will appear in the Dundalk Herald on March 2, 2022 and the Shelburne Free Press on March 3, 2022 due to the Family Day Holiday on February 21<sup>st</sup>, and not being able to meet paper deadlines. The notice shall indicate Council's intention to appoint an individual to fill a vacancy and shall outline the process to apply.

A vote to fill a vacancy on Council by appointment shall occur at a **Special Electronic Closed Session Council Meeting on Thursday, March 24, 2022 at 5:00 p.m.** and the successful candidate will be sworn in to Council by the Clerk on Thursday, April 7, 2022 at 9:00 a.m.

### **Nominations**

Any individual wishing to be considered for appointment to the vacancy shall:

1. Complete and sign a Council Vacancy Application Form, a Council Vacancy Declaration of Qualification Form and a Consent to Provide Candidate Contact Information Form and submit all forms by 2:00 p.m on Thursday, March 10, 2022.
  - a) Applications must be on the Council Vacancy Application Form provided by the Township.
  - b) All candidates must attend the Municipal Office in person to file their Council Vacancy Application Form and provide the Clerk with one piece of government issued identification (i.e. Driver's License or Passport) and proof of eligibility within the municipality.
  - c) The surname on the application and the surname on the identification must be the same. Some flexibility will be given to first names (e.g. Nick for Nicholas), subject to approval of the Clerk.
  - d) Applications will be reviewed for completeness when filed and will be certified on or before 4:00 p.m on Friday, March 11, 2022.
  - e) An unofficial list of persons who have submitted application forms will be prepared and updated as soon as practical after receipt of the required forms. The list will be posted on the Township website.

- f) An official list of nominated personal shall be posted in the same manner as specified in Section 1(e) once nomination forms have been certified and the nomination period has expired.
  - g) A candidate may withdraw their nomination by filing a written withdrawal on the prescribed form in the Clerk's Office before 2:00 p.m. on Friday, March 11, 2022. The candidate shall appear in person with identification in order to withdraw the nomination.
2. Submit to the Clerk, a personal statement of qualification and an explanation on why they would like to serve on Council, for consideration of Council. The statement to be attached to their Council Vacancy Application Form.
- a) Personal statements to be typewritten on letter size (8.5" x 11") paper and shall not exceed two (2) pages in length, and will include the Candidate(s) name and address.

Statements and applications that do not meet these requirements shall not be included in any Council meeting agenda or provided to Council by the Clerk.

Statements and applications are public documents and will form part of the Agenda package for the Council.

### **Council Meeting**

At the Regular Council meeting on Thursday, March 17, 2022 at 7:00 p.m., the following shall take place:

- a) The Mayor will make a short statement of the purpose of the meeting and the general order of proceedings to be followed.
- b) The Clerk will provide the Mayor with a list of the names of those individuals who have indicated, in writing, their interest in being appointed to the vacancy and the Mayor will call for a motion from Council in the following form:

"THAT the following individuals, who have signified in writing that they are legally qualified to hold office and consented to accept the office if they are appointed to fill the vacancy, be considered for appointment to fill such vacancy."
- c) Each of the candidates shall be afforded the opportunity to address Council for a period of not more than five (5) minutes. **(Note – the timing may be reduced depending on the number of candidates that apply).** The order of speaking will be determined by lot. The Clerk shall place the names of all candidates in a container and randomly draw the names and provide them to the Mayor ahead of the Council meeting. **Note: Candidates will be timed.**
- d) Each member of Council will be permitted to ask two (2) questions to each candidate. Candidates have two (2) minutes to answer each question. Candidates will be sequestered in the "waiting room" on Zoom until it is their

time to answer the questions posed by Council. Once a candidate has answered the questions, they will be returned to the "waiting room" and the next candidate will be brought in, and so on.

- e) Council will allow questions from the Public – one question per person to a maximum of 30 minutes.

### **Special Electronic Closed Session Council Meeting**

A Special Electronic Closed Session Council meeting will be held on **Thursday, March 24, 2022 at 5:00 p.m.** for Council to review the information compiled from the Council Meeting held on March 17, 2022, for Council to determine the appropriate candidate to be selected to fill the vacancy on Council.

Council will proceed to rank the candidates in order of preference. Each member of Council is to rank each candidate using a sample ballot attached. Scores will be given to the candidates based on ranking. For example, if there are five candidates running, 4 points are given for appearing in the first rank position, 3 points to a second rank position, 2 points to a third rank position, 1 point for a fourth rank position, and 0 points for a fifth rank position. The ballots are to be marked by the individual Council members, the ballots will be provided to the Clerk and Treasurer and the points will be tallied by the Clerk and Treasurer. Ballots will not be revealed – only the final points results for each candidate. In the event of a tie between candidates for most points received, a second round of voting will occur between the candidates that are tied. All other candidates will be dismissed and removed from the process. After the second round of voting if there is still a tie in points allotted to the candidates, the Clerk will determine the successful candidate using a draw by lot method. The Clerk shall place the names of the tied candidates in a container and randomly draw one name to determine the successful candidate.

Council will rise from Closed Session and the successful candidate will be announced.

### **Appointment**

The appointment of the candidate shall be made by By-law at the conclusion of the Special Council meeting. A By-law confirming the appointment shall be enacted by Council and shall direct the Clerk how to proceed further.

### **Oath of Office**

The Clerk will administer the Declaration of Office required by subsection 232(1) of the Act at the regular meeting scheduled for Thursday, April 7, 2022 at 9:00 a.m.

### **Additional Notes**

Where a situation occurs that is not otherwise accounted for in these procedures, the Clerk shall recommend an alternate process to Council, which Council may adopt by simple majority vote.