

CORPORATION OF THE TOWNSHIP OF MELANCTHON

The Council of the Corporation of the Township of Melancthon held a Special Emergency electronic meeting on the 23rd day of February, 2022 at 2:00 p.m. to discuss in Closed Session, a Notice of Libel that was served on the Township on February 17, 2022. Mayor Darren White, Deputy Mayor Dave Besley and Councillor James McLean were present. Councillor Mercer was absent with prior notice given. Denise Holmes, CAO/Clerk and Sarah Culshaw, Treasurer/Deputy Clerk were also present. Grant Ferguson, Berlach, LLP was also present. Mayor White presided and called the meeting to order.

Land Acknowledgement Statement

Deputy Mayor Besley shared the Land Acknowledgement Statement, as Mayor White was attending the meeting via his cellular phone and did not have the Agenda in front of him.

Approval of Agenda

Moved by McLean, Seconded by Besley that Council approve the Agenda as circulated.

Mayor White provided information to Council regarding Section 7 of the Municipal Conflict of Interest Act regarding Lack of Quorum.

Mayor White asked Mr. Ferguson a question if there would be a conflict of interest for him to provide advice to the Township, as well as himself, and Mr. Ferguson advised that there is no conflict for him to provide advice to both.

Declaration of Pecuniary Interest

Mayor White advised that disclosure of pecuniary interest can be declared at this time or anytime throughout the meeting by giving the general nature thereof and that declarations must be submitted to the Clerk in writing.

Mayor White declared a pecuniary interest for the reason that: I declare a conflict as Margaret Mercer has chosen to name me in a Notice of Libel in an attempt to silence myself and residents of the Township in violation of my Charter of Rights under Section 2B of the Canadian Charter of Rights and Freedoms.

Staff noted that Councillor Mercer had submitted a Declaration of Interest. Council suggested that Staff contact Councillor Mercer to advise her that she declare at the next meeting of Council, as per the Municipal Conflict of Interest Act due to her absence from the meeting.

Mayor White left the meeting and Deputy Mayor Besley assumed the Chair position for the rest of the meeting.

General Business

Moved by Besley, Seconded by McLean that Council move into a Closed Session Meeting at 2:06 p.m. pursuant to Section 239 of the Municipal Act, as amended for the following reasons: Litigation or potential litigation, including matters before an administrative tribunal, affecting the local board and the receiving of advice that is subject to Solicitor/Client Privilege, including communications necessary for that purposes regarding a Notice of Libel served on the Township on February 17, 2022. Carried.

Moved by McLean, Seconded by Besley that we rise from Closed Session at 3:20 p.m. with report. Carried.

Mayor White joined back into the meeting. He did not participate in the below motion/vote due to his declared conflict of interest.

Moved by McLean, Seconded by Besley that we retain the services of Grant Ferguson, Berlach, LLP as the Township Solicitor for the purposes of the Notice of Libel served on the Township on February 17, 2022. Carried.

Confirmation By-law

Moved by White, Seconded by McLean that leave be given to introduce a By-law to confirm the proceedings of the Council of the Corporation of the Township of Melancthon at its meeting held on February 23, 2022 and it be given the required number of readings and numbered 9-2022. Carried.

Adjournment

Moved by White, Seconded by Besley that we adjourn this Special Emergency Meeting of Council at 3:22 p.m. Carried.

MAYOR

CLERK