

**MOUNT LORNE LOCAL ADVISORY COUNCIL**  
**HAMLET OF MOUNT LORNE**

Policy 00-3 Operating Policy

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**Operating Policy**

WHEREAS the Mount Lorne Local Advisory Council wishes to make rules for calling meetings, governing in proceedings, the conduct of its members and generally for the transaction of the business.

NOW THEREFORE: The Mount Lorne Local Advisory Council in open meeting assembled, thereby adopts the following:

**GENERAL**

1. This Policy shall be called the Operating Policy.
2. The procedures of Council shall be governed by the provisions of the Municipal Act and this Policy.
3. The Municipal Act takes precedence over this policy and nothing in this policy is intended to contradict or alter the provisions of the Municipal Act.
4. Whenever the singular, masculine or feminine is used in the policy it shall be considered as if plural, feminine or masculine has been used where the context of the policy so requires.

**DEFINITIONS**

5. In this policy:
  - a) "Act" means the Yukon Municipal Act, effective January 15, 1999
  - b) "Administration or Administrative Assistant" means the secretary and/or any other people as may be retained by the Council.
  - c) "Chair" means the chairperson of the Local Advisory Council.
  - d) "Committee" means a committee appointed by Council.
  - e) "Council" means the Local Advisory Council of the community.
  - f) "Councillor" means an elected, acclaimed or appointed. Member of Council who continues to hold office.
  - g) "Permanent Delegate" means a representative of a governmental organization that has direct interest in the Hamlet of Mount Lorne. i.e. Sitting Member of the Legislative Assembly (MLA), First Nation Governments (FNG).
  - h) "Delegation" means any individual or group that wishes to make a presentation to Council at a regular Council meeting.

- i) "Community" means Hamlet of Mount Lorne.
- j) "In Camera" means a meeting or portion of a meeting that may be closed to the public for the purposes of discussing confidential matters.
- k) "Meeting" means a regular or special meeting of Council open to the public.
- l) "Motion" means the same as "resolution" and is a statement used to bring matters before Council for a vote
- m) "Secretary" means the administrative support person appointed by Council.
- n) "M.L.A.C" means Mount Lorne Advisory Council.
- o) "Committee, Working or Operational Meetings of Council" means internal face to face meetings of council members and telephone or email exchanges between council members to conduct business discuss issues and draft responses. Such meetings are generally not open to the public.

### **APPLICATION**

- 6. The following rules and regulations shall be observed for the conduct of Council members and council business in all regular, special, in-camera, and committee meetings of Council.
- 7. Where the rules of this policy do not provide direction, the Municipal Act may apply, and in matters of meeting protocol, Roberts's Rules of Order shall be followed.

### **COUNCIL DUTIES**

- 8. The Chair shall establish agendas, preside over meetings of Council, and liaise with Yukon Government officials (both bureaucrats and politicians") and other Local Advisory Councils. The Chair shall draft and sign responses as required, on decisions made at council meetings. The Chair may appoint a Deputy Chair as required.
- 9. Councilors shall attend meetings, hear concerns of residents and other interested parties, and address issues fairly.
- 10. The Administrative Assistant shall be responsible for:
  - a) Keeping the accounts of the Community, pay bills, balance accounts, and liaise with accountants as directed by the Chair
  - b) Checking the M.L.A.C. mailbox and picking up the mail at least once per week.
  - c) Opening and reviewing the M.L.A.C.'s mail, except for mail that is directed to specific Councilors, and then the administrative assistant shall ensure that such mail is appropriately delivered

- d) Ensuring that mail is brought to meetings of council for review by all council members.

### **DISQUALIFICATION OF COUNCIL MEMBERS**

11.

- a) A member who ceases to be eligible as an elector in the community.
- b) A member who is under sentence of an indictable offence.
- c) A member of council who is appointed or elected as:
  - 1) A judge of a court.
  - 2) A member of Parliament or Legislative Assembly
  - 3) A chief or councilor of a First Nation
  - 4) Where a member of council is continually absent (except for illness or with leave of council) from the meetings of the council for a period of 3 consecutive months he/she is disqualified from holding office for the remainder of her/his term of office.

### **MAIL AND CORRESPONDENCE**

12. The M.L.A.C can be contacted through the following means

Mailing Address

MOUNT LORNE ADVISORY COUNCIL  
Box 10009  
Whitehorse, Yukon  
Y1A 7A1

Email:

mtlorne@northwestel.net

Phone:

C/o Lorne Mountain Community Association 667-7803

or

The Chair of Council

13. The review of mail and drafting of correspondence may be scheduled for Operational Meetings of Council; however no final decisions may be made at these meetings without being duly presented through motion of Council at a regular meeting of Council.

## MEETINGS

14. Council may call meetings as required for the proper conduct of Community business.
  - a) Regular Meetings of Council shall be held on the First Tuesday of each month at 7:00 P.M. at a designated place and shall be open to the public. A change of meeting date can occur by the passing of a motion at any regular open meeting.
  - b) Special Meetings of Council may be called as required by the Chair, with public notice posted at least three (3) days in advance of the meeting. Special meetings shall be for the purpose of conducting normal Community business that cannot wait until the next regular Council meeting, and shall be open to the public. No business other than that stated in the public notice shall be transacted at the meeting unless all members of Council are present and a motion is passed unanimously.
  - c) In-camera meetings that are closed to the public may be called for the purpose of discussing confidential matters. A portion of a regular meeting may also be reserved for an in-camera discussion. Items that may be discussed in-camera include, but are not limited to personnel, employment, or legal matters. Council shall not pass motions at closed meetings.
  - d) Committee meetings may be scheduled as required and may or may not be open to the public. Committees do not pass motions and are advisory to Council only.
  - e) Operational meetings or “working” meetings, of Council may be called by the Chair as required for the purpose of reviewing, drafting, or working on business matters. Council shall not pass motions at these meetings, and any business finalized at operational meetings must be presented at a regular meeting of Council for formal adoption.
15. A quorum is required for regular and special meetings of Council and shall consist of a majority of the whole Council. If a quorum is not present within thirty (30) minutes after the time fixed for a meeting, Council shall stand adjourned until the next regular or special meeting, and the secretary shall so record in the minutes of the meeting.
16. If a Councillor arrives late at a regular or special meeting, no prior discussion shall be reviewed for that Councillor's benefit except with the unanimous consent of all members of Council present at the meeting.
17. The Chair shall declare every regular or special meeting held in the evenings adjourned at 10:30 P.M. unless, by unanimous vote of the Councillors present, it is determined otherwise.

## **CONDUCT OF COUNCIL**

18. At all meetings of Council, the Chair shall preside over the meeting and:
  - a) Shall maintain order and preserve the decorum of the meeting.
  - b) Shall decide points of order without debate or comment other than to state the rule governing.
  - c) Shall determine which Councillor has the right to speak
  - d) Shall rule when a motion is out of order.
  - e) May call a Councilor to order, and
  - f) May remove from the meeting any Councilor disrupting proceedings of Council.
19. Any Councilor wishing to speak to Council shall address the Chair and be recognized by the Chair before commencing to speak.
20. When a Councilor is addressing the Chair, every other Councilor shall remain quiet, shall not interrupt the speaker except on a point of order, and shall not carry on private conversation.
21. When a Councilor is addressing Council, the Councilor shall:
  - a) Obey the rules of procedure of the Council
  - b) Speak on the matter before Council only, and
  - c) Refrain from comment on any person, staff, or other member of Council
22. A Councilor called to order by the Chair shall immediately cease speaking.

## **PUBLIC INPUT**

23. All regular and special meetings of Council are open to the public for the purpose of permitting the public to witness Council's conduct of M.L.A.C business in an open public forum.
24. Members of the public are entitled to provide their comments to Council on any matter within Council's jurisdiction by the following means:
  - a) Delegation to Council, as provided for in Section 26 to 31
  - b) Questions directed to Council, on agenda matters only, during the scheduled Question Period of each regular Council meeting.
  - c) Written letters to Council.
25. Other than by formal delegation or during Question Period, members of public can speak at Council meetings only when permitted or invited by the Chair to do so.

26. Should the Chair permit or deny a member of the public the opportunity to speak at a Council meeting, Council members by the approval of a simple motion may deny or permit the person to speak.

### **DELEGATIONS**

27. Council shall permit any person or delegation wishing to appear before council the opportunity to do so provided that the person or delegation has give notice in writing, not less than 3 days (72 hrs.) prior to the meeting to the Chair of the Community Council or its representative.
28. The written "Notice of Delegation" shall state the following information:
  - a) The nature of the matter to be presented
  - b) The name address of the spokesperson(s), and
  - c) A signed declaration that applicant has received a copy of Council's Operating Policy and agrees to comply with the rules regarding Delegations.
29. Speakers before Council shall normally be limited to ten (10) minutes for their presentation.
30. Upon being recognized, councilors may direct questions to a delegate, and if the Chair permits, members of the public may direct questions to Council or the delegate, but at no time shall a Councillor, delegate or any person present enter into a direct personal debate.
31. Upon the request of the Chair, any person disrupting the proceedings of Council shall be removed from the meeting.
32. A delegation or a member of the public may be denied permission to address Council on any subject which is not within the jurisdiction of Council

### **PERMANENT DELEGATE**

33. Council shall permit a Permanent Delegate to sit with council at regular meetings and provide advice to council on matters before council that may have a direct concern of the organization that they represent.
34. The Permanent Delegate shall be required to adhere to conditions laid out under the section "Conduct of Council".
35. The Permanent Delegate is not granted voting rights on matters before council, similar to the elected councilors and may be denied permission to address Council on any subject which is not within the jurisdiction of Council.
36. The Council as a whole has the right to grant or revoke the status of Permanent Delegate by a motion at any regular open meeting.

## **AGENDAS**

37. The agenda for regular meetings of Council, unless amended by motion and with unanimous consent of Council, shall be as follows.
  - a) Call to Order
  - b) Adoption of agenda
  - c) Adoption of previous minutes
  - d) Delegations
  - e) Reports (Chair, Treasurer, Committees)
  - f) Correspondence
  - g) Old Business
  - h) New Business
  - i) Question Period
  - j) Adjournment
38. Agendas shall be posed in a public place and provided to Council members 48 hours prior to meetings.

## **MOTIONS**

39. All motions shall be numbered and recorded in the minutes of the meeting.
40. The Chair may call for a motion to be read out prior to a vote being taken and shall:
  - a) ask for any discussion on the motion, and following or failing such discussion,
  - b) ask for votes in favor of the motion,
  - c) ask for votes against the motion,
  - d) declare the motion defeated if a majority of those present vote against the motion passed if a majority of those present vote in favor of the motion
41. Council shall make all decisions in the form of a motion or resolution duly recorded in the minutes of the meeting.
42. Minutes of all regular and special meetings of Council shall be recorded in accordance with the Municipal Act.
43. At every regular meeting of Council, the minutes of the previous regular meeting and any special meeting(s) held more than 48 hours prior to the current meeting, shall be considered for adoption.
44. Once the minutes of the previous meeting(s) have been accepted and approved by motion of Council at a current meeting, the minutes shall be signed by the Chair and the recording secretary.

45. Copies of all minutes shall be deposited with Community Services Branch, Government of Yukon.

**POLICIES**

46. Council may adopt such policies as deemed appropriate, relating to, but not limited to, such things as recreation, honorariums, and secretarial support.

47. Copies of all policies and amendments thereto shall be deposited with Community Services Branch, Government of Yukon.

**ENACTMENT**

48. The provisions of this Policy shall come into effect on the final adoption of the Policy by Motion of Council.

49. This Policy may be amended at any time by motion of Council.

50. Council shall keep an updated, current copy of this policy available for reference and public inspection.

The Operating Policy is adopted by Motion #xx at a Regular Meeting of Council on this day \_\_\_\_\_

**Signed**

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Peter Percival, Chair  
Cowley Ward

\_\_\_\_\_  
Jan Aalt Van den Hoorn, Councillor  
Kookatsoon /CCC Road Ward

\_\_\_\_\_  
Dawn Lammer, Councillor  
Robinson Subdivision Ward

\_\_\_\_\_  
Andy Lera, Councillor  
The Meadows Ward

\_\_\_\_\_  
Al Foster, Councillor  
Annie Lake Road Ward