

Midland Police Services Board

By-Law 2019-01

A By-Law to Govern Proceedings of the
Midland Police Services Board.

THE MIDLAND POLICE SERVICES BOARD HEREBY ENACTS AS FOLLOWS:

1. SHORT TITLE

1.1 By-law – Cited

This By-law may be cited as the “Board’s Procedural By-law.” In the text of the By-law, it is referred to as “this By-law.”

2. DEFINITIONS

2.1 For the purposes of this By-law:

- a) “**Act**” shall mean the *Police Services Act*, R.S.O. 1990, c. P.15, as amended, and any successor legislation.
- b) “**Agenda**” shall mean a list of all items to be considered by the Board at the meeting for which the agenda was prepared.
- c) “**Board**” shall mean the Midland Police Services Board.
- d) “**Chair**” shall mean a member elected or appointed by the Board to preside at the meeting(s) of the Midland Police Services Board.
- e) “**Town**” shall mean The Corporation of the Town of Midland.
- f) “**Town Centre**” shall mean the Administration Office of the Corporation of the Town of Midland located at 575 Dominion Avenue, Midland, ON L4R 1R2.
- g) “**Closed Session**” shall mean the portion of a meeting that is closed to the public in accordance the Act.
- h) “**Committee**” shall mean an advisory, ad hoc or other committee or sub-committee composed of Board members.
- i) “**Council**” shall mean the Council of The Corporation of the Town of Midland.
- j) “**Days**” shall mean calendar days exclusive of Saturdays, Sundays and Statutory holidays, except as otherwise provided.
- k) “**Deputation**” shall mean the presentation of a petition, brief or request by an individual or organization.
- l) “**Member**” shall mean a member of the Midland Police Services Board and includes the Chair.

Midland Police Services Board By-Law 2019-01

- m) **“Motion”** shall mean the manner by which a matter is formally brought before the Board.
- n) **“Resolution”** shall mean an adopted decision as expressed formally by the Board.
- o) **“Secretary”** shall mean the recording secretary for proceedings of the Board.
- p) **“Vice-Chair”** shall mean a member appointed by the Board to preside at the meetings of the Board, in the Chair’s absence.
- q) **“Website”** shall mean the Midland Police Services Board web page on the Town of Midland domain named www.midland.ca and includes any successor website.

2.2 By-law – Interpretation

In the interpretation of this By-law, words in the singular include the plural and vice-versa, words in one gender include all genders, and "person" includes an individual, body corporate, partnership, trust and unincorporated organization.

3. COMPOSITION OF THE BOARD

- 3.1 The membership of the Board shall be established In accordance with the Act.

4. SELECTION OF CHAIR

4.1 Election – Chair – Procedure

The members of the Board shall, in the first meeting held in January of each year, elect a Member to be the Chair of the Midland Police Services Board for the year.

4.2 Election – Procedure

The following procedure shall be followed for elections of the Board Chair:

- a) The Secretary shall chair the meeting during the conduct of the election.
- b) The floor is opened for nominations.
- c) Candidates are nominated by a member stating “I nominate (name) for election to the position of Chair.”
- d) A nomination does not require a seconder.
- e) The Secretary will request acceptance of the nomination by stating “(name) has been nominated, are they willing to be nominated?”
- f) The Secretary will then ask three times if there are any other nominations.

Midland Police Services Board By-Law 2019-01

- g) The Secretary will then declare nominations closed.
- h) The Secretary will call for a vote by a show of hands.
- i) If there is a tie, lots are drawn by choosing at random, a name “out of the hat”.
- j) The Secretary shall declare the member elected. The newly-elected Chair assumes the office upon being declared elected.

5. SELECTION OF VICE-CHAIR

5.1 Election – Vice-Chair – Procedure

The members of the Board shall, in the first meeting held in January of each year, elect a member to be the Vice-Chair of the Midland Police Services Board for the year.

5.2 Election – Procedure

The procedure for the election of Board Vice-Chair shall be the same as the procedure for the election of Board Chair as outlined in Section 4.2.

6. DUTIES AND RESPONSIBILITIES OF THE BOARD

6.1 Duties – Responsibilities – Board

The Board shall carry out the responsibilities assigned to it by the Act. Without limiting the generality of the foregoing, Section 10(9) of the Act currently provides that the Board shall advise the Ontario Provincial Police Detachment Commander assigned to the municipality, or his or her designate, with respect to police services in the municipality and shall:

- a) participate in the selection of the Detachment Commander of the detachment assigned to the municipality;
- b) generally, determine objectives and priorities for police services, after consultation with the Detachment Commander or his/her designate;
- c) establish, after consultation with the Detachment Commander or his/her designate, any local policies with respect to police services (in accordance with provincial policies of the Ontario Provincial Police with respect to police services);
- d) monitor the performance of the Detachment Commander;
- e) receive regular reports from the Detachment Commander or his/her designate on disclosures and decisions made under Section 49 (secondary activities) of the Act;
- f) review the Detachment Commander’s administration of the complaints system under Part V of the Act and receive regular reports from the Detachment

Midland Police Services Board By-Law 2019-01

Commander or his/her designate on his/her administration of the complaints system.

7. **DUTIES AND RESPONSIBILITIES OF THE CHAIR**

7.1 Duties – Responsibilities – Chair

It shall be the duty of the Chair to:

- a) In consultation with the Town Solicitor, act as the sole spokesperson for the Board;
- b) represent and support the Board, declaring its will and implicitly obeying its decision in all matters;
- c) set the agenda for all meetings;
- d) open the meetings of the Board by taking the Chair and calling the members to order, as soon as quorum is present;
- e) announce the business before the Board and the order in which it is to be acted upon;
- f) vote with the other members of the Board on all motions;
- g) speak to all business of the Board as a member;
- h) receive and submit, in the proper manner, all motions presented by the members;
- i) put to vote all motions which are regularly moved and seconded or necessarily arise in the course of the proceedings, and to announce the result thereof;
- j) decline to put to vote motions which infringe upon the rules of procedure or which are beyond the jurisdiction of the Board;
- k) restrain the members when engaged in debate within the rules or order;
- l) do all things necessary to permit the meetings to proceed in an orderly and efficient manner;
- m) enforce on all occasions the rules of procedure and the observance of order and decorum among the members;
- n) adjourn the meeting without question, or, put or suspend the meeting for a time to be named by the Chair, when considered necessary because of unruly behaviour of any of the members of the board or members of the public;
- o) permit any question to be asked, through the Chair, of the Detachment Commander, or a person designated by the Detachment Commander, in order to provide information to assist any debate when the Chair deems it proper;
- p) adjourn the meeting when the business is completed or upon a motion to adjourn;
- q) authenticate by signature, when necessary, all by-laws, resolutions, agreements and minutes, which have been authorized by the Board;

Midland Police Services Board By-Law 2019-01

- r) conduct and direct the daily business of the Board and, as necessary, give guidance and /or direction to the Board Secretary;
- s) ensure the implementation of the decisions and wishes of the Board, as carried by resolution; and
- t) be a member, ex officio, of all committees of the Board and shall be entitled to vote on all questions, unless disqualified from voting.

8. DUTIES AND RESPONSIBILITIES OF THE VICE-CHAIR

8.1 Duties – Responsibilities – Vice-Chair

The Vice-Chair shall act in the absence of the Chair and shall have the same authority while presiding at the meetings as the Chair would have if present, in accordance with the “Duties and Responsibilities of the Chair” as identified in Section 7.1 of this By-law.

9. DUTIES AND RESPONSIBILITIES OF THE BOARD MEMBERS

9.1 Speaking – Motion under Debate – Only

When recognized by the Chair, members shall speak only with regard to the subject matter of the motion under debate.

9.2 Criticism – Decisions – Exemption

Members shall not reflect upon any vote of the Board, except for the purpose of moving a motion for reconsideration in accordance with the provisions of Section 17.8 of this By-law.

9.3 Comply– Rules

Members shall comply with the rules of the Board, or a decision of the Chair, on a question of order or practice or upon the interpretation of the rules of the Board.

9.4 Speaking – Disrespectfully – Prohibited

A member shall not use profane or offensive language or speak in a disrespectful or insulting manner.

9.5 Vote – Exception

Members shall vote on questions in accordance with the provisions of Section 16.2 of this By-law unless disqualified from voting.

9.6 Disobedience – Member Ordered to Leave – Apology

If any member disobeys the rules of the Board, the member may be ordered by the Chair to leave his or her seat for the duration of the meeting; but, in the case of an apology being made by the offender, he or she may, by consensus of the members present, be permitted forthwith to retake his or her seat.

Midland Police Services Board By-Law 2019-01

9.7 Legal Proceedings

Board members shall advise the Board Chair of any legal proceedings involving Board matters to which they are subpoenaed. Board members will be provided access to the Board's legal counsel if required.

9.8 Public/Media Inquiries

Any media or public inquiries received by members shall be forwarded to the Chair for response.

10. DUTIES AND RESPONSIBILITIES OF THE SECRETARY

10.1 Duties – Responsibilities –Secretary

It shall be the duty of the Secretary to:

a) act as Recording Secretary to the Board and to:

- (i) attend all public, closed session and special meetings of the Board and record the minutes, orders and requests of all meetings;
- (ii) produce minutes, without note or comment, for all regular, special, and closed session meetings of the Board in formal session. The minutes shall be copied to the Clerk for the Corporation of the Town of Midland for circulation to Council. The minutes of a meeting shall record:
 1. the time, date, and location of the Board meeting;
 2. the record of attendance of the members;
 3. the, presentation, any correction and adoption of the minutes of prior meetings;
 4. all the other proceedings of the meeting;
 5. an accurate record of the decisions (made by way of formal motions) of the Board;
 6. the reason for the Board to retire into a closed session meeting noting the subject discussed and any direction by the Board; and
 7. the Chair's verbal report on the status of closed session items during the open session portion of the meeting and the formal adoption of any recommendations arising from the closed session.
- (iii) arrange meetings for the Board by soliciting items for the agenda, prepare the agenda for distribution in consultation with the Chair, and ensure the distribution to the Board members, at the email address

Midland Police Services Board By-Law 2019-01

specified by each member, within three business days preceding the meeting, unless otherwise directed by the Chair;

11. COMMITTEES OF THE BOARD

11.1 Committees – Establishment and Size

From time to time, the Board may determine a need to establish committees or sub-committees to inquire into any matter within the jurisdiction of the Board, and, will appoint by motion at that time two (2) or more members of the Board to the committee.

12. MEETINGS OF THE BOARD

12.1 Meetings – Not to Conflict – Corporation of the Town of Midland

Meetings of the Board shall not be set for a date and time which conflicts with meetings scheduled for Council.

12.2 Meetings – Location

Unless otherwise determined by way of a resolution of the Board, all Regular and Special Meetings of the Board shall be held at the Municipal Offices of the Town of Midland in the Council Chambers located at 575 Dominion Avenue, Midland

12.3 First Meeting – Newly Appointed

The first regular meeting of the newly appointed Board shall be held in the month following Council's appointment of any new members to the Board.

12.4 First Meeting – Agenda – Responsibility

The past Chair (if available) or the Mayor together with the Detachment Commander and the Secretary, shall be responsible for the content of the agenda for the first meeting of the year.

12.5 Schedule of Meetings – Decided at First Meeting

At the first regular meeting in each year, the Board shall establish, by resolution, the regular meeting dates, times and locations of the Board for the year. At the final meeting for the year the Secretary will present a meeting schedule based upon the established meeting cycle for the upcoming year.

12.6 Special Meeting – Summoned by Chair – At Any Time

The Chair may, at any time, summon a special meeting of the Board, and it shall be his/her duty to summon a special meeting whenever requested in writing by a majority of the members of the Board, providing at least twenty-four hours' notice in each case, but a majority of all Board members may, in writing, waive the requirement for such notice. At that time, the location of the special meeting will be determined.

Midland Police Services Board By-Law 2019-01

- 12.7 Special Meeting – Summoned by Chair – Upon Receipt of Petition
Upon receipt of a petition of a majority of members of the Board, the Secretary shall prepare for a special meeting for the purpose and at the time mentioned in the petition.
- 12.8 Schedule of Meetings – Municipality – Available to Public
The Secretary shall inform the Clerk of the Town of Midland of the dates, times and locations of all regular, special, or sub-committee meetings of the Board, whenever possible at least seven days preceding the meeting. The provision of an annual calendar to the Clerk shall be considered appropriate notice under the provisions of this by-law.
- 12.9 Meetings – Electronic – Not Permitted
Meetings of the Board are not permitted to be conducted electronically or by e-mail or by any other electronic means. Notwithstanding the foregoing, members who are not present at a meeting are permitted to make submissions to the meeting by electronic means but not to vote on any matter.
- 12.10 Provision of Public Notice
The provision of a schedule of regular and special Board meetings posted by the Office of the Clerk and the posting of the schedule by the Secretary on the Midland Police Services Board website shall constitute public notice of meetings.
- 12.11 Meetings – Open to Public – Exception – Closed Session
All Board meetings, including any regular, special, committee or other meetings of the Board, shall be open to the public. However, the Board may exclude the public and media from all or part of a meeting when permitted to do so by the Act.
- 12.12 Deputation – Notice – Information – Requirements
Any person wishing to appear as a deputation before the Board at a regular meeting, must give notice in writing, including the subject matter of the deputation, to the Secretary not later than eight days prior to the regular Board meeting so that such deputation may be reflected on the agenda for the Board meeting.
- 12.13 Deputation – Procedure
The following procedure shall be followed for deputations:
- a) Deputations shall be scheduled at the beginning of the meeting.
 - b) A maximum of three (3) speakers shall be permitted per deputation, and each deputation shall be limited to a maximum of fifteen (15) minutes.
 - c) Members shall not interrupt a deputant while they are speaking, except on a point of order.
 - d) Members may ask questions of deputants following completion of the deputation but shall not enter into debate with deputants.

Midland Police Services Board By-Law 2019-01

- e) The Chair shall consider all grant deputation requests, and subject to his/her discretion, shall permit the deputation provided the subject matter of the deputation falls within the Board's mandate.
- f) Requests from deputants who have previously addressed the Board on a topic shall not be granted unless they can prove that they have new information to present.
- g) The Secretary shall confirm, in writing, to the deputant, the time and place at which the deputation will be heard by the Board; and, such written confirmation shall include the rules and procedures relating to deputations.
- h) The Secretary shall inform the members of any requests which are not granted.
- i) No more than two deputations shall be scheduled for any Board meeting, subject to the necessity to deal with matters of an urgent nature.
- j) All persons initiating an application to the Board shall be heard first, then any deputations in opposition of the subject matter shall be heard; and, the Chair may grant limited time, to the original deputant, for a reply on the subject matter.

13. QUORUM

13.1 Quorum – Majority of Members

A majority of the Board members shall constitute a quorum.

13.2 Quorum – Present – Call to Order

As soon as a quorum is present after the scheduled commencement of the meeting, the Chair shall call the meeting to order.

13.3 Quorum – Not Present – Names Recorded – Adjournment

If no quorum is present within thirty (30) minutes after the scheduled commencement of the meeting, the Secretary shall record the names of the members present, for attendance purposes, and the meeting shall stand adjourned until the next regular meeting, subject to the provisions of Sections 12.5 and 12.6.

13.4 Quorum – Chair and Vice-Chair – Absent

If the Chair and Vice-Chair are not present within thirty (30) minutes after the time appointed for the meeting, and no notice of their imminent attendance has been received, the Secretary shall call the members to order and, if a quorum is present, a Chair shall be chosen to preside during the meeting until the arrival of the Chair and/or Vice-Chair.

14. DISCLOSURE OF INTEREST

14.1 Members – Responsibility – Disclosure of Interest

Board members are governed by the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M. 50, and the agenda shall include provision for members to declare

Midland Police Services Board By-Law 2019-01

pecuniary interests, and the general nature thereof. The Secretary shall record the disclosure of interest in the Board's official minutes.

15. RULES OF DEBATE

15.1 Speaking – Recognition from Chair

Every member, before speaking to a question or motion, shall first be recognized by the Chair and then the member shall address the Chair.

15.2 Speaking – Order – Determination

When two or more members indicate their intention to speak, the Chair shall recognize the member who, in the Chair's opinion, first indicated an intention to speak, and that member may speak to the question or motion first.

15.3 Speaking – Order – Interruptions

When a member is speaking, no other member may interrupt that member except to raise a point of order. A member can raise a point of order when the member considers that:

- a) there has been a breach of the rules of order of the Board;
- b) a meeting is not properly constituted;
- c) improper, offensive, or abusive language has been used;
- d) the matter under discussion is not within the scope of the resolution; or
- e) there has been any other irregularity in the proceedings of the Board.

15.4 Point of Order – Stated

When a member raises a point of order, they shall ask leave of the Chair to raise a point of order and, after leave is granted, shall state the point of order to the Chair and then remain silent until the Chair has decided the point of order.

15.5 Point of Order – Appeal – Chair's Decision

Thereafter, a member shall only address the Chair for the purpose of appealing the Chair's decision.

15.6 Point of Order – Appeal – Members' Decision

The members, if appealed to, shall decide the question without debate and their decision shall be final.

15.7 Point of Order – No Appeal

If no member appeals the Chair's decision, then the decision of the Chair shall be final.

Midland Police Services Board By-Law 2019-01

15.8 Personal Privilege

When a member considers that his/her integrity or the integrity of the Board as a whole, has been impugned, the member may, as a matter of personal privilege, rise at any time, with the consent of the Chair, for the purpose of drawing the attention of the Board to the matter.

15.9 Speaking – Reply – Maximum Duration – Five Minutes

A member shall be required to seek leave of the Board, in the event the member wishes to speak again to the same question, or when permitted to reply, speaks for more than five minutes.

15.10 Question Called – Disturbance – Prohibited

When the Chair is calling a question, members shall maintain decorum and not make any noise or disturbance; likewise, similar decorum is required when a member is speaking, unless another member is seeking to raise a point of order.

15.11 Reading – Question – Motion – Under Debate – At Any Time

Any member may require the question or motion under discussion to be read at any time during the debate, but not so as to interrupt a member while speaking.

16. VOTING ON MOTION

16.1 Non-Vote Deemed Negative – Exception

Every member who is present when a question is called shall vote unless the member has a pecuniary interest in the motion. In such case, the member shall not vote. If any member present persists in refusing to vote for any other reason, that member shall be deemed as voting in the negative on the motion before the Board.

16.2 Method of Voting

The manner of determining the decision of the Board on a motion during the regular business shall be by a show of hands, or in the case of a request for a recorded vote by indicating “Yea/Yes or Nay/No” to the motion when the Member’s name is called by the Secretary.

16.3 Recorded Vote – When Used

A recorded vote shall be entered in the minutes when any member requests a recorded vote.

16.4 Recorded Vote – Minutes

In the case of a recorded vote, the Secretary shall record the names of those members who voted for and the names of those members who voted against the matter in the minutes and announce the results upon the conclusion of the vote.

16.5 Equality of Votes – Deemed Lost

Any motion on which there is an equality of votes shall be deemed to be lost.

Midland Police Services Board By-Law 2019-01

17. MOTIONS

17.1 Motion – Seconded – Before Debate – In Writing

All motions shall be moved and seconded and placed before the Chair prior to being debated, and shall be in writing, except motions which may be made verbally to:

- a) adjourn;
- b) approve the minutes;
- c) approve the agenda;
- d) appeal the decision of the Chair; or
- e) postpone.

17.2 Motion – Seconded – Read – Stated Verbally

When a verbal motion is moved and seconded, it shall be read by the Chair.

17.3 Motion – Read – In Possession of Board – Withdrawal

After a motion is read or stated by the Chair, it shall be deemed to be in possession of the Board, but may, by consensus of the Board, be withdrawn at any time before a decision or amendment is made.

17.4 Question – Under Debate – Motion Permitted – Set Out

When a question is under debate, no motion shall be received unless to read it, to amend it, to postpone it, to move that the vote be taken, or to extend the time for adjournment.

17.5 Motion to Postpone

A motion to postpone indefinitely or to postpone to a certain time shall not be received and stated by the Chair until the Chair has determined that sufficient discussion has taken place on the pending question.

17.6 Amendment – In Writing – Decided – Withdrawn

Every amendment shall be germane to the main question, submitted in writing, and decided or withdrawn before the main question is called for the vote.

17.7 Reconsideration – Authority – Main Question

- a) A motion for reconsideration shall not be in order when the motion has been implemented and has resulted in legally binding commitments before the motion for reconsideration. This provision is not intended to limit the Board's general power to re-examine issues, to pass by-laws and to exercise its powers under the Act. This provision only applies to reconsideration of specific Board actions and does not limit reconsideration of Board policies.

Midland Police Services Board By-Law 2019-01

- a) A motion to reconsider may be moved by any member.
 - b) A motion to reconsider a specific substantive resolution shall only be permitted once every 12 months
- 17.8 Question – Taken Separately – Upon Request
When the question under consideration contains distinct propositions, upon the request of any member the vote upon each proposition shall be taken separately.
- 17.9 Question – Finally Called – Speaking – Other Motion
When the Chair determines that sufficient discussion of the question has occurred, the Chair shall curtail debate and call the question.
- 17.10 Rules – Contravened – Member Apprised
Whenever the Chair is of the opinion that a motion is contrary to the rules and privileges of the Board, the Chair shall apprise the members immediately before calling the question and shall cite the rule of authority applicable to the case.
- 17.11 Point of Personal Privilege – Consideration – Immediate
Whenever any matter of privilege arises, it shall be immediately taken into consideration.
- 18. READING OF BY-LAW – PROCEEDING**
- 18.1 Introduction – In Blank – Imperfect Shape – Prohibited
By-laws shall only be introduced for purpose of consideration in their complete form.
- 18.2 By-law – Open – Debate
All by-laws may be open for debate.
- 18.3 Readings – Three in One Meeting – Permitted
All by-laws at a meeting may be introduced and read a first, second and third time by one motion unless a member of the Board or specific legislation requires a by-law to be introduced separately.
- 18.4 By-Law - Signed
Every by-law shall be signed by the Chair and the Secretary in attendance at that meeting.
- 18.5 Minutes – Resolution Number – Requirements
There shall be attached to every resolution of the proceedings of the Board, a progressive resolution number.

Midland Police Services Board By-Law 2019-01

19. AGENDA

19.1 Agenda – Deadline – Material Submission

The deadline for receipt of written material by the Secretary to be included in the agenda shall be eight days prior to the meeting.

19.2 Agenda – Unlisted Additions

The Secretary shall, at the request of or with the consent of the Chair, add such items to the agenda after the print deadline that are of an urgent nature or are items of importance or relevance to items on the agenda, and such items shall be listed on an “Addendum to Agenda” sheet which shall be made available to the Board and the public at the start of the meeting and which shall be considered part of the regular agenda for the named date. Late agenda items may be added as Other Business as determined by the Chair.

19.3 Agenda – Heading – Order – Prepared – Printed

The Secretary shall have prepared and printed, for the use of members of the regular meetings of the Board, an agenda under the following headings:

1. **Call to Order**
2. **Approval of Agenda**
3. **Declarations of Pecuniary Interest**
4. **Deputations**
5. **Adoption of Minutes**
6. **Business Arising from the Minutes**
7. **Detachment Reports**
8. **Financial**
 - a. **Board Remuneration Report**
 - b. **Financial Statements**
9. **Correspondence**
10. **Other Business**
11. **Closed Session (If required)**
 - a. **Motion to Move Into Closed Session**
 - b. **Closed Session Items**
 - c. **Motion to Return to Open Session**
12. **Open Session**
 - a. **Motions Arising from Closed Session Discussions**
13. **Date of Next Meeting**
14. **Adjournment**

19.4 Agenda – Format – Special

At all special meetings of the Board, the agenda shall be prepared and printed when and as the Chair may direct and, in default of such direction, then as provided in Section 19.3.

Midland Police Services Board By-Law 2019-01

19.5 Business – Order – As Specified

The business shall, in all cases, be taken up in the order in which it stands upon the agenda unless otherwise decided by a motion of the Board.

19.6 Business – Not Disposed Of – Carried Forward

All items of business on a meeting agenda that are not disposed of shall be carried forward to the next regular meeting.

19.7 Agenda – Prepared –Deadline

For all regularly scheduled meetings of the Board, the Secretary shall have the agenda prepared and made available as follows, where possible:

- a) Seven days preceding the date of the meeting to Board members via email;
- b) Seven days preceding the date of the meeting posted to the website.

20. ORDER OF PROCEEDINGS IN CLOSED SESSION

20.1 Matters Considered – Closed Meeting

The Board may only consider subject matters at a closed session meeting:

- a) when permitted by the Act,
- b) that are determined to be matters within the mandate of the Board; and
- c) when reviewed and approved by the Chair.

20.2 Closed Session – Resolution at Open Meeting

For closed session matters listed on the agenda, the Board shall, in open session, pass a resolution which advises that the Board intends to move into closed session and states the general nature of the matter(s) to be considered.

20.3 Rules of Order – No Voting – Exception

There shall be no voting in a closed session meeting, unless it is for a procedural matter or for giving direction.

20.4 Motions – Open Session

Any motions arising as a result of closed session discussion will be presented in open session.

21. COMPLAINTS

21.1 Complaints – Administration

All complaints concerning the Ontario Provincial Police made by a member of the public, shall be made in accordance with the provisions of the Act and not otherwise.

Midland Police Services Board By-Law 2019-01

22. FINANCES

22.1 Budget – Preparation – Each Fiscal Year

The Board shall prepare a budget for each fiscal year, outlining the expenses for the Board's operations and submit same to the Town in accordance with the Town's budget timelines.

22.2 Budget – Reports

The Secretary shall provide financial reports at least quarterly prepared by the Town's Finance Department, showing authorized budget figures and actual expenditures, and shall include such reports on the next regular meeting agenda.

22.3 Payroll Services – Corporation of the Town of Midland – Finance Department

The Finance Department for the Town shall provide accounting and payroll services for the Board.

22.4 General Ledger Accounts

The Board shall, for accounting purposes, be handled as a Department of the Town in the Town's general ledger accounts and all Board expenses shall be paid by "The Corporation of the Town of Midland" cheques, or EFT, as specified by the vendor in question, out of the Town's general bank account, and such expenses shall be debited to the Board's general ledger accounts.

22.5 Revenues

All revenues of the Board shall be forwarded to the Town's Finance Department, along with the required details, including general ledger accounts to be credited on a form as prescribed by the Treasurer of the Town.

22.6 Expenses – Up to \$2,000

Any Vendor's original invoices received directly by the Board for budgeted purchases shall be verified against the approved purchase order for expenses up to a maximum of \$2,000, as authorized by the Chair, and forwarded with the approved purchase order and receiving slip to the Town's Finance Department for payment, accompanied by the Board's general ledger account number which is to be debited for the specific invoice.

22.7 Expenses – Exceeding \$2,000

Any vendor's original invoice received directly by the Board shall be verified against the approved purchase order for expenses exceeding \$2,000 and included on the next agenda for approval at the next Board meeting. The invoice with the approved purchase order and receiving slip is then directed to the Town's Finance Department for payment, accompanied by the Board's resolution of approval and the Board's general ledger account number which is to be debited for the specific invoice.

Midland Police Services Board By-Law 2019-01

22.8 Procurement

Procurement for goods and services shall be made in accordance with the Town's Purchasing By-law and Procurement Processes Policy.

22.9 Budget Updates

The Secretary shall ensure that financial reports related to the Board and its operations, are provided to the Board when available from the Town from time to time.

23. MEETINGS, CONFERENCES AND TRAINING SEMINARS

23.1 Attendance – Determined by Board Resolution

The Board shall, from time to time, by resolution, determine the attendance of its Board members, and/or Secretary, at conferences, meetings, and educational seminars and other events related to their duties with the Board, and the payment of appropriate expenses necessarily incurred.

23.2 Attendance – Remuneration Policy

a) All Board members attending regular Board meetings, special Board meetings, and any other meeting for the purpose of conducting the Board's business operations, shall be receive the rate per day established by the approved Remuneration Policy of the Board.

b) The Remuneration Policy shall be reviewed on an annual basis.

23.3 Mileage

Where a private motor vehicle is used for travel to and from an event for Board purposes, a per kilometer reimbursement will be recoverable in accordance with the rate established for the Council of the Town of Midland.

23.4 Hotel Accommodation

When on Board business, at a standard double occupancy rate; original receipts required.

23.5 Meals

When on Board business, the maximum for meal expenses will be paid in accordance with the rates established for the Council of the Town of Midland.

23.6 Parking and Ground Transportation Charges

When on Board business; original receipt required.

23.7 Telephone Charges

When on Board business, reasonable telephone calls supported by receipts when the remuneration is not claimed and submitted when available.

Midland Police Services Board By-Law 2019-01

23.8 Vehicle Rental

Should a Board member feel it is necessary to rent a vehicle in order to attend a Board event, at the Chair's discretion the cost may be claimed as an expense; original receipt required.

23.9 Out of Country Medical Insurance

The cost of purchasing out-of-country medical insurance coverage to attend a Board event is an allowable expense provided receipts are submitted in evidence of the expense incurred. The maximum coverage will be the premium for single coverage for the actual number of days on business.

23.10 Written Report

Where a Board member, and/or the Secretary is paid to attend a meeting, conference, and/or training seminar, such individual(s) shall submit a written report relating to the event, upon request by the Board.

23.11 Submission of Expenses

All items to be reimbursed must be provided to the Secretary within a reasonable time following the event using the Town's current expense statement form, including all original receipts. The Chair will approve the payment request.

24. CASES NOT PROVIDED FOR

24.1 Cases Not Provided For – In By-law

In all cases not provided for in this By-law, the question shall be decided by the Chair of the Board based on practical and prudent consideration of the circumstances, using their best judgement

25. RULES

25.1 Rules – Regulations – Observed

The rules and regulations in this By-law shall be observed in all proceedings of the Board and shall be the rules and regulations for the order and dispatch of business of the Board.

25.2 Minutes – Preceding Meeting – Read – Corrected

The minutes of the preceding meeting or the relevant portion thereof, if required by any member of the Board present, shall be read by the Chair in order that any mistake may be corrected by the Board.

25.3 Adjournment – By Motion – Always in Order – Exception

Adjournments in all other cases than provided in Section 13.3 shall be made by motion and are always in order provided such motion be made so as not to interrupt a member while addressing the Chair and confining the member to the question in debate.

Midland Police Services Board By-Law 2019-01

25.4 Suspension of Rules – Permitted

Except as otherwise provided, any one or more of the provisions of this by-law may be temporarily suspended if a majority of the members present at the meeting vote to do so.

25.5 Waiver of Rules – Permitted

The Board may, by resolution or by-law, waive any and all provisions of this by-law.

26. ENACTMENT

26.1 Effective Date

By-law Number 01 shall come into force and take effect on November 18, 2019.

By-law read a first, second and third time and finally passed this 18th day of

November 2019.

Chair (G. Dixon)

Secretary (A. Grenier)