



Town of Midland

Information for Candidates

2024 Council Vacancy

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Part A - Introduction

Thank you for your interest in serving the public as part of Municipal Council.

You are applying to serve the public in the capacity of Councillor that will require a three (3) year commitment of considerable time and energy. This package has been provided to assist you through the candidate selection process.

The *Municipal Act*, 2001 details the requirements to be met when filling a Council vacancy. The Town of Midland Council adopted a Council Vacancy Policy that outlines the requirements under the *Municipal Act* as well as the eligibility requirements in accordance with the *Municipal Elections Act*, 1996 and the available options to fill a vacant seat. This policy has been provided as part of your package.

The *Municipal Elections Act*, 1996 sets out in detail the requirements to be met by candidates for office. These requirements have been summarized for your convenience. We urge you to obtain your own updated copy of the *Municipal Elections Act* which can be downloaded from the Ministry's website at www.e-laws.gov.on.ca or purchased from the Ontario Government Bookstore.

The contents of this package are intended only as a guide to certain provisions of relevant legislation and do not purport to recite all applicable statutory references.

You are advised to read the enclosed material carefully. It is important that you are aware of your responsibilities. Please do not hesitate to contact the Clerk's Department with any questions you may have about the process.

Sherri Edgar
Town Clerk
Town of Midland
705-526-4275 Ext. 2210
sedgar@midland.ca

Sarah Cathcart
Deputy Clerk
Town of Midland
705-526-4275 Ext. 2208
scathcart@midland.ca

Catherine LeMesurier
Coordinator, Clerk's Department
Town of Midland
705-526-4275 Ext. 2212
clemesurier@midland.ca

Part B - Frequently Asked Questions

Important Dates

**February 15, 2024
to March 8, 2024**

Applications/Nominations may be filed **in person only** - an appointment must be scheduled with the Clerk or Deputy Clerk or Coordinator for this purpose.

March 8, 2024

Nomination Day (Deadline to submit requisite forms or to withdraw previously submitted forms)

Nominations accepted until **2:00 p.m.**

Nominations to be certified or rejected by the Clerk.

March 13, 2024

Official List of Candidates to be posted on the Town website by 4:30 p.m.

March 27, 2024

Special Council Meeting (to be held during business hours – time to be determined by the Clerk upon the close of nominations) - Council to interview the Certified Candidates and vote to fill the vacancy. Successful candidate to be appointed by By-law at the conclusion of voting. Oath of Office to be administered by the Clerk at that same meeting.

April 10, 2024

Regular Meeting of Council (6:00 p.m. provided there is no Closed Session) – New Councillor assumes their seat at Council Dais.

What is the Term of Office?

As you will be filling a vacancy on Municipal Council, your term starts on March 27, 2024, when you take your Declaration of Office and ends November 14, 2026.

Who can be a Candidate?

Candidates for the office of Councillor must meet the same criteria as eligible voters or electors.

You must be:

- A resident of the Town of Midland, or an owner or tenant of land in the Town of Midland, or the spouse or same sex partner of such an owner or tenant;
- A Canadian citizen;
- At least 18 years old; and
- Not prohibited from voting by law.

In order to be considered for declaration as a legally qualified municipal candidate, you must file a Nomination Application Form, Declaration of Qualification, Information Release Form, Declaration of Confidentiality and an Endorsement of Nomination – Form 2 (25 signatures). In addition, candidates must provide identification that proves their identity and qualifying address to the satisfaction of the Clerk or designate.

Candidates may submit to the Clerk a personal statement of qualification for consideration of Council. Personal statements must be typewritten in a 12-point font size on letter size (8 1/2" by 11") paper and shall not exceed two (2) pages in length and will include the Candidate's name and address. Statements that do not meet these requirements shall not be included in any Council meeting agenda or provided to Council by the Clerk.

Candidates should be aware that the submitted personal statements shall appear on the public meeting agenda for the Regular Council Meeting for which the candidate selection will occur.

What are the responsibilities?

Council is made up of the Mayor, Deputy Mayor and seven (7) Councillors that are the primary decision-making body for the Town.

Council relies on reports from its Staff and the recommendations of its Committees to make decisions. The role of Council is to develop policies and adopt By-laws or resolutions based on these policies.

What is the time commitment?

The time commitment varies from individual to individual and can depend upon the Member's employment circumstances. A Member can expect to devote time for a

minimum of 3 hours for Council meetings that are scheduled every three weeks on Wednesdays, along with various duties on outside Committees as appointed by Council. This would include:

- Council Meetings (every three weeks on Wednesdays @ 6:00 p.m.)
2024 Council Schedule attached
- Attendance at Advisory Committees of Council as appointed, and Special Council Meetings (i.e., Budget).
- Telephone calls, emails and contact with Staff and residents.
- Reading and research time.
- Special Community Events (i.e., ceremonies, parades, etc.).

Please note that the Town of Midland's agendas are produced electronically, and Council is provided with a laptop to access their agendas, email, etc. as well as participate in electronic meetings.

Nominations

Any individual wishing to be considered for appointment to the vacancy shall complete, sign, and submit the following forms, **in person**, to the Clerk or designate:

- Council Vacancy Application Form
- Declaration of Qualifications
- Candidate's Consent to Release Personal Information
- Declaration of Confidentiality - Council Vacancy Interview Process
- Endorsement of Nomination Form (25 signatures)
- Personal Statement of Qualifications (optional). As noted above, any submitted personal statements shall appear on the public meeting agenda for the Open Council Meeting for which the candidate selection will occur.

by **Friday, March 8, 2024, at 2:00 p.m.**

- i. Applications must be on the required form.
- ii. When filing, all candidates wishing to be considered for appointment to fill the Council vacancy shall be required to provide government issued identification to prove their identity and qualifying address to the satisfaction of the Clerk or designate.
- iii. 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. Bob for Robert), subject to approval of the Clerk.

- iv. Applications will be reviewed for completeness when filed and will be certified on or before 4:30 p.m. on Wednesday, March 13, 2024.
- v. 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 Town's website.
- vi. An official list of candidates shall be posted once nomination forms have been certified and the nomination period has expired.
- vii. A candidate may withdraw their nomination by filing a written withdrawal on the prescribed form in the Clerk's Office before **Friday, March 8, 2024, at 2:00 p.m.** The candidate shall appear in person with identification in order to withdraw the nomination.

When would I be sworn in (Oath of Office)?

If you are the successful candidate, you will be appointed by By-law at the Special Meeting of Council on Wednesday, March 27, 2024. You will be sworn in and take your Oath of Office at that Special Meeting of Council on March 27, 2024.

How do I contact the Clerk's Department?

For more information or questions, please contact the Town of Midland's Clerk's Department:

Sherri Edgar
Town Clerk
Town of Midland
705-526-4275 Ext. 2210
sedgar@midland.ca

Sarah Cathcart
Deputy Clerk
Town of Midland
705-526-4275 Ext. 2208
scathcart@midland.ca

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clemesurier@midland.ca

Attachment: 2024 Council Schedule

The Corporation of the Town of Midland

2024 Meeting Schedule - Council

2024		JANUARY			2024
Monday	Tuesday	Wednesday	Thursday	Friday	
1 HOLIDAY	2 OFFICE OPENS	3	4	5	
8	9	10 Special Meeting of Council 4pm	11	12	
15	16	17 Council 6:00 pm (PM for Budget)	18	19	
22	23	24	25	26	
29	30 Council Budget Deliberations 9am-4pm	31 Council Budget Deliberations 9am-4pm			

2024		FEBRUARY			2024
Monday	Tuesday	Wednesday	Thursday	Friday	
			1 Council Budget Deliberations 9am-4pm	2	
5	6	7	8	9	
12	13	14 Council 6:00 pm	15	16	
19 HOLIDAY	20	21	22	23	
26	28	28 Council 6:00 pm	29		

2024		MARCH			2024
Monday	Tuesday	Wednesday	Thursday	Friday	
				1	
4	5	6	7	8	
11	12	13	14	15	
18	19	20 Council 6:00 pm	21	22	
25	26	27	28	29 HOLIDAY Good Friday	

2024		APRIL			2024
Monday	Tuesday	Wednesday	Thursday	Friday	
1 HOLIDAY Easter Monday	2	3	4	5	
8	9	10 Council 6:00 pm	11	12	
15	16	17	18	19	
22	23	24	25	26	
29	30				

2024 Meeting Schedule - Council

2024 **MAY** **2024**

Monday	Tuesday	Wednesday	Thursday	Friday
		1 Council 6:00 pm	2	3
6	7	8	9	10
13	14	15	16	17
20 HOLIDAY	21	22 Council 6:00 pm	23	24
27	28	29	30	31

2024 **JUNE** **2024**

Monday	Tuesday	Wednesday	Thursday	Friday
3	4	5	6	7
10	11	12 Council 6:00 pm	13	14
17	18	19	20	21
24	25	26	27	28

2024 **JULY** **2024**

Monday	Tuesday	Wednesday	Thursday	Friday
1 HOLIDAY	2	3	4	5
8	9	10 **Council 6:00 pm (call of the Chair) **	11	12
15	16	17	18	19
22	23	24	25	26
29	30	31		

2024 **AUGUST** **2024**

Monday	Tuesday	Wednesday	Thursday	Friday
			1	2
5 HOLIDAY	6	7 **Council 6:00 pm (call of the Chair) **	8	9
12	13	14	15	16
19	20	21	22	23
26	27	28	29	30

2024 Meeting Schedule - Council

2024		SEPTEMBER			2024
Monday	Tuesday	Wednesday	Thursday	Friday	
2 HOLIDAY	3	4 Council 6:00 pm	5	6	
9	10	11	12	13	
16	17	18	19	20	
23	24	25 Council 6:00 pm	26	27	
30					

2024		OCTOBER			2024
Monday	Tuesday	Wednesday	Thursday	Friday	
	1	2	3	4	
7	8	9	10	11	
14 HOLIDAY	15	16 Council 6:00 pm	17	18	
21	22	23	24	25	
28	29	30	31		

2024		NOVEMBER			2024
Monday	Tuesday	Wednesday	Thursday	Friday	
				1	
4	5	6 Council 6:00 pm	7	8	
11 HOLIDAY	12	13	14	15	
18	19	20	21	22	
25	26	27	28	29	

2024		DECEMBER			2024
Monday	Tuesday	Wednesday	Thursday	Friday	
2	3	4 Council 6:00 pm	5	6	
9	10	11	12	13	
16	17	18	19	20	
23	24 OFFICE CLOSED AT NOON	25 OFFICE CLOSED	26 OFFICE CLOSED	27 OFFICE CLOSED	
30 OFFICE CLOSED	31 OFFICE CLOSED to January 2, 2025				



**THE CORPORATION OF THE
TOWN OF MIDLAND**

575 Dominion Avenue
Midland, ON L4R 1R2
Phone: 526-4275
Fax: 526-9971
info@midland.ca

<p>NOTE</p> <ul style="list-style-type: none"> • A Council Vacancy Application may only be filed in person; it may <u>not</u> be faxed or e-mailed • It is the responsibility of the person applying to file a complete and accurate application 		<p>Council Vacancy Application Form</p>	
<p>Council Vacancy Application of a person to be a candidate for appointment to the position of COUNCILLOR for the Town of Midland</p>			
Candidate Full Name:		For the Office of: COUNCILLOR	
Candidate's full qualifying address within the municipality			
Street Number:		Street Name:	
Municipality	Province	Postal Code	
Candidate's full mailing address (if different from qualifying address above)			
Street Number:		Street Name:	
Municipality	Province	Postal Code	
Declaration of Qualification and Consent			
<p>I _____ the applicant mentioned in this form, declare that I am presently legally qualified to be appointed to hold the office of Councillor, and I consent to accept the appointment to that office, if appointed. I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.</p>			
Declared before me at the Town of Midland in the County of Simcoe this _____ day of _____, 2024. _____ Signature of Clerk or Commissioner, etc.		_____ Signature of Applicant	
Date Filed (yyyy/mm/dd)	Time Filed	Signature of Clerk or Designate	
Certification by Clerk or Designate			
<p>I the undersigned clerk of this municipality do hereby certify that I have examined the application of the aforesaid applicant filed with me and am satisfied that the nominee is qualified to be appointed and that the appointment complies with the Act.</p>			
Signature		Date Filed (yyyy/mm/dd)	



Form EL18(A)

DECLARATION OF QUALIFICATIONS – COUNCIL

Municipal Elections Act, 1996

**DECLARATION OF QUALIFICATIONS FOR THE TOWN OF MIDLAND - COUNCIL
VACANCY CANDIDATES**

I, _____, a nominated candidate for the
office of:

- Mayor
 Deputy Mayor
 Councillor

Do Solemnly Declare That:

1. I am qualified pursuant to the *Municipal Elections Act, 1996* and the *Municipal Act, 2001* to be elected to and to hold the office of:

- Mayor
 Deputy Mayor
 Councillor

2. Without limiting the generality of paragraph 1, I am at least eighteen years of age, a Canadian citizen, a resident of the Town of Midland or the owner or tenant of land in the Town of Midland or the spouse of such owner or tenant.

3. I am not ineligible or disqualified under the *Municipal Elections Act, 1996*, the *Municipal Act, 2001*, the Municipal Conflict of Interest Act or any other Act to be elected to or hold the above-mentioned office.

4. Without limiting the generality of paragraph 3,

- I am not an employee of the Town of Midland, or if I am an employee of the Town of Midland, I am on an unpaid leave of absence as provided for by section 30 of the *Municipal Elections Act, 1996*.
- I am not a judge of any court.
- I am not a member of the Assembly as provided in the Legislative Assembly Act or of the Senate or House of Commons of Canada or, if I am such a person, I will provide proof of my resignation in a form satisfactory to the Clerk of the Town of Midland prior to 2:00 p.m. on (INSERT DATE). I understand that the

Clerk of the Town of Midland will reject my nomination for the above-mentioned office if I fail to provide proof of resignation by this deadline.

- I am not a member of the Executive Council of Ontario or a federal Minister of the Crown.
 - I am not a Provincial Crown employee within the meaning of the *Public Service of Ontario Act, 2006*, or if I am a Crown employee, I have followed and will continue to follow all the relevant provisions of Part V of such Act.
 - I am not Federal employee within the meaning of the Public Service Employment Act, or if I am a Federal employee, I have followed and will continue to follow all the relevant provisions of Part 7 of such Act.
5. I am not prohibited from voting at the municipal election under subsection 17(3) of the *Municipal Elections Act, 1996*.
6. Without limiting the generality of paragraph 1,
- I am not a person who is serving a sentence of imprisonment in a penal or correctional institution.
7. I am not prohibited because of conviction of a corrupt practice described in s. 90(3) of the *Municipal Elections Act, 1996* from voting in a municipal election.
8. I am not a person who was convicted of a corrupt practice under the *Municipal Elections Act, 1996* or of an offence under the Criminal Code (Canada) in connection with an act or omission with respect to a municipal election during the last two regular elections prior to Monday, October 24, 2022.
9. I am not disqualified from being elected to or holding office by reason of any violations of the election campaign financial requirements or violations for not filing the financial statement pursuant to the *Municipal Elections Act, 1996*. AND I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

Declared before me at the Town of Midland

This _____ day of _____, 2024

(Signature of candidate)

(Signature of Clerk or designate)

Personal information on this form is collected under the authority of the *Municipal Elections Act (1996)* and will be used for the nomination process for office in the municipal election and will be available for public inspection in the Office of the Clerk, Town of Midland until the next municipal election. Questions about this collection of personal information should be directed to the Clerk, Town of Midland, 575 Dominion Avenue, Midland, Ontario L4R 1R2, (705) 426-4275 ext. 2210.



Council Vacancy

Candidate Information Release Form

I, _____, having applied for the position of Councillor in the Town of Midland do hereby consent to the Town of Midland using the personal information contained in my submission for the purpose of providing information to the public and the posting of the recruitment information.

Dated at the Town of Midland this _____ day of _____, 2024.

Signature of Candidate



**DECLARATION OF CONFIDENTIALITY
COUNCIL VACANCY PROCESS**

I, _____, a nominated candidate for the office
of Councillor:

Do Solemnly Declare That:

1. I solemnly swear to uphold the integrity of the Council Vacancy interview process for the vacant seat of Councillor by declaring that I, or any agent on my behalf, will not view the Zoom Feed of the meeting, or receive any messages via email, text or otherwise while the candidate interviews are in progress.

I, _____, make this solemn Declaration conscientiously to uphold
the integrity of the Council Vacancy selection process.

**Declared before me at the Town of Midland, in the County of Simcoe, in the Province
of Ontario this _____ day of _____, 2024.**

Signature of Candidate

Signature of Clerk or Designate

Instructions

- Candidates must obtain 25 original signatures.
- An individual providing an endorsement signature must be a Canadian citizen, aged 18 or older and have a qualifying address in the municipality. An individual may sign an endorsement for more than one person seeking nomination.
- The qualifying address provided must include the postal code.

Personal information collected on this form is obtained under the authority of sections 33 and 95 of the *Municipal Elections Act, 1996*. Under section 88 of the *Municipal Elections Act, 1996* (and despite anything in the *Municipal Freedom of Information and Protection of Privacy Act*) documents and materials filed with or prepared by the clerk or any other election official under the *Municipal Elections Act, 1996* are public records and, until their destruction, may be inspected by any person at the clerk's office at a time when the office is open.

Name of person seeking nomination

Last Name or Single Name

Given Name(s)

Endorsement signatures for the nomination of a person for an office in the municipality of

in the year

Name of person providing endorsement – 1

Last Name or Single Name

Given Name(s)

Qualifying Address

Suite/Unit Number

Street Number

Street Name

Municipality

Province

Postal Code

I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.

Signature

Date (yyyy/mm/dd)

Name of person providing endorsement – 2

Last Name or Single Name

Given Name(s)

Qualifying Address

Suite/Unit Number

Street Number

Street Name

Municipality

Province

Postal Code

I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.

Signature

Date (yyyy/mm/dd)

Instructions

- Candidates must obtain 25 original signatures.
- An individual providing an endorsement signature must be a Canadian citizen, aged 18 or older and have a qualifying address in the municipality. An individual may sign an endorsement for more than one person seeking nomination.
- The qualifying address provided must include the postal code.

Name of person providing endorsement – 3			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	

Name of person providing endorsement – 4			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	

Name of person providing endorsement – 5			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	