

<b>By-Law #3</b>	<b>Calling of and Proceedings at Meetings</b>
Section	Board of Health
Lead	Board of Health
Approval Level	Board of Health
Original Approval	2024-JAN-02
Reviewed/Revised	
Next Review	2026-JAN-02
Reference	<i>Health Protection and Promotion Act (HPPA)</i> Public Health Funding and Accountability Agreement (PHFAA) Ontario Public Health Standards: Requirements for Programs and Services, and Accountability (Standards)

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Pursuant to Section 56 (1) (c) of the Ontario *Health Protection and Promotion Act*, RSO 1990, Chapter H7, the Board of Health shall pass a bylaw respecting calling and proceedings of meetings.

1. In this by-law:

“Act” means the Ontario *Health Protection and Promotion Act*, RSO 1990, Chapter H7;

“Board” means the Board of Health for Haliburton Kawartha Northumberland Peterborough Health Unit;

“Chair” means the Chair of the Board elected pursuant to the Act, or in the absence of the Chair of the Board, it means the person designated to act on their behalf with respect to meetings of the Board;

“committee” means two or more members appointed by the Board to meet and transact business on behalf of the Board;

“Councils” means the municipal councils of the Corporations of:

- a. County of Haliburton;
- b. City of Kawartha Lakes;
- c. County of Northumberland;
- d. City of Peterborough; and
- e. County of Peterborough;

And First Nation Councils where Section 50 agreements are in place.

“Business Administrator” means the business administrator of the Board;

“Employee” means an employee of the Board;

“Health Unit” means Haliburton Kawartha Northumberland Peterborough Health Unit;

“In-Camera” means a part of a Board meeting or committee meeting that is closed to the public;

“Medical Officer of Health” means the Medical Officer of Health of the Board as defined under the Act and its regulations;

“meeting” means an official gathering of members of the Board or a committee to transact business;

“member” means a member of the Board who is appointed by a Council (inclusive of First Nation Councils where Section 50 agreements are in place) or the Lieutenant Governor-in-Council or a person who is appointed to a committee by the Board;

“motion” means a formal proposal by a member in a meeting that the Board or a committee take certain action;

“Municipal Act” means the Ontario *Municipal Act, 2001*, SO 2001 c25;

“quorum” means a majority of the members;

“resolution” means a motion that is carried at a meeting by a majority vote of the voting members; and

“Vice-Chair” means the Vice-Chair of the Board elected pursuant to the Act.

## **2. General**

2.1. The rules in this By-law shall be observed in the calling of and the proceedings at all meetings of the Board and committees.

2.2. Except as herein provided, the most recent edition of Robert's Rules of Order shall be followed for governing the calling of and proceedings of meetings of the Board and committees.

2.3. In the event that a committee is struck where following sections 2.1 and 2.2 above would not be culturally appropriate, procedural rules that are better aligned with those

cultural practices will be incorporated into its terms of reference that are approved by the Board.

- 2.4. No persons shall consume alcohol, tobacco products, cannabis, or non-prescription drugs at a meeting.
- 2.5. In accordance with the *Municipal Act*, electronic participation is permitted for all meetings of the Board and committees. A member who participates through electronic means (e.g., video/audio teleconference or through an electronic meeting platform such as Zoom or Microsoft Teams) must be able to communicate adequately with all other participants and to participate fully in such meeting. A person participating through electronic means is deemed to be present and counted for the purpose of establishing quorum, and will be entitled to fully participate in the meeting, including exercising their applicable voting rights.
- 2.6. Meetings of the Board and committees are open to the general public, unless there are matters to be considered in in-camera session. In instances where physical attendance of the public cannot be accommodated due to health and safety concerns, or in the event that an emergency has been declared to exist in all or part of a municipality within the Health Unit pursuant to the *Emergency Management and Civil Protection Act*, electronic means (e.g. video/audio teleconference) may be employed to facilitate the participation of members of the public.

### **3. Convening of Meetings**

- 3.1 The first meeting of the Board shall take place on or before January 31 of each year following the members' appointment to the Board where possible.
- 3.2 The Medical Officer of Health shall call the meeting to order and preside over the election of the Chair for the current year. Upon election, the new Chair shall complete the election of Board officers as necessary and preside over the remainder of the agenda.
- 3.3 At the first meeting of each year, the Board shall:
  - 3.3.1 elect the Chair and the Vice-Chair;
  - 3.3.2 appoint members to its committees;
  - 3.3.3 fix, by resolution, the date and time of regular meetings; and,
  - 3.3.4 establish the honourarium paid to each member eligible for compensation in accordance with the Act.
- 3.4 The Board shall determine the schedule of regular meetings for the year.

## HALIBURTON KAWARTHA NORTHUMBERLAND PETERBOROUGH (HKNP) HEALTH UNIT

- 3.5 The Chair may call special meetings with the provision of 48 hours' notice. The Chair shall call a special meeting at the written request of a majority of the members.
- 3.6 Meetings, as determined by the Chair and the Medical Officer of Health, may take place virtually or via teleconference. Members attending virtually or via teleconference will be counted as quorum per Subsection 238 (3.1) of the *Municipal Act*. Ratification of any decisions made during a special meeting shall take place at the next Board meeting.
- 3.7 The Medical Officer of Health shall:
  - 3.7.1 Give notice of each regular and special meeting;
  - 3.7.2 Ensure that the notice accompanies the posting of the agenda and any other matter, so far as known, to be brought before the meeting; and
  - 3.7.3 Ensure that the notice be electronically delivered to the residence or place of business of each member or by email or telephone so as to be received not later than three working days prior to the meeting.
- 3.8 The lack of receipt of notice shall not affect the validity of the holding of the meeting or any action taken at such meeting.
- 3.9 In the absence of the Chair, the Vice-Chair shall perform the duties of the Chair. In the absence of both the Chair and Vice-Chair, the Medical Officer of Health shall convene the meeting and the members shall elect a presiding officer for that meeting.
- 3.10 A meeting may be rescheduled or cancelled due to the following circumstances:
  - 3.10.1 in the event that an emergency has been declared by the Medical Officer of Health;
  - 3.10.2 if there is indication from members in advance of the meeting that quorum will not be achievable; or
  - 3.10.3 if upon consultation with the Medical Officer of Health, the Chair determines there is insufficient business to be considered.

In all instances, the Chair will poll members to obtain consensus to proceed with a cancellation. If approval is obtained through a majority vote, members will be notified and a public notice will be issued.

- 3.11 No business other than that stated in the notice of a special meeting shall be considered at such meeting except with the unanimous consent of the members present.

#### **4. Quorum**

- 4.1 A quorum of the Board shall be a simple majority of appointed members.
- 4.2 If there is no quorum within ten minutes after the time appointed for the meeting, the Secretary of the meeting shall call the roll and record the names of the members present, and the meeting shall adjourn until the next meeting.
- 4.3 If a quorum is present at the opening of a meeting and during the meeting the attendance decreases below quorum, the members present may not proceed with the business of the meeting and must adjourn the meeting until the day and time fixed for the next meeting.

#### **5. Attendance**

- 5.1 Members will advise the Secretary of their non-attendance prior to the meeting.
- 5.2 Roll call for meetings shall be taken verbally at meetings held virtually or via teleconference and duly recorded to ensure members of the Board of Health are recognized as in attendance and are able to hear and be heard.
- 5.3 Members participating electronically must notify the Chair of their departure (either temporary or permanent) from the meeting before absenting themselves.
- 5.4 Three consecutive meeting absences by a member will be reviewed by the Board. The Board will decide if a discussion with the absent member is necessary. Any such discussion will require the presence of the absent member, the Chair and the Vice-Chair.
- 5.5 Where the member is unable to fulfill the responsibilities of membership on the Board, correspondence from the Chair will be forwarded to the appropriate Council, or Public Appointments Branch of the Ministry of Health, requesting the appointment of such member be terminated and a new member appointed.
- 5.6 A member who attends 50 percent of annual meetings or less for any reason, shall be brought to the attention of the appointing body via correspondence from the Chair.
- 5.7 In the event that a Board virtual or teleconference meeting is encountering interference and/or disruption caused by public participants, the Chair shall warn the participant the first time, advise them a second time that any further disturbance/interference will result in them being disconnected, and upon

further disturbance/interference, direct the site monitor to shut off the participant' electronic access.

## **6. Agenda**

- 6.1 The Medical Officer of Health shall have an agenda prepared for each regular meeting that should generally include:
  - 6.1.1 Call to Order
  - 6.1.2 Land Acknowledgement
  - 6.1.3 Declaration of Conflict of Interest
  - 6.1.4 Adoption of the Agenda
  - 6.1.5 Adoption of Regular Minutes
  - 6.1.6 Business Arising
  - 6.1.7 Consent Items to be Considered Separately
  - 6.1.8 Medical Officer of Health Updates
  - 6.1.9 Reports
  - 6.1.10 Consent Items
  - 6.1.11 New Business (including Business from Board Members)
  - 6.1.12 Correspondence
  - 6.1.13 In-Camera Session (Declaration of Conflict of Interest, Adoption of In-Camera Minutes, and any subject matter as outlined in this By-Law)
  - 6.1.14 Motions from In-Camera Session
  - 6.1.15 Date, time and place of next meeting
  - 6.1.16 Adjournment
- 6.2 Any item not included on the prepared agenda may be added by resolution.

## **7. Minutes**

- 7.1 The Medical Officer of Health shall ensure that minutes are recorded of the proceedings of all meeting including a text of the bylaws and the resolutions passed by the Board.

## **8. Delegations and Debate**

- 8.1 Requests for delegations to the Board must be submitted in writing to the Chair or the Medical Officer of Health, no fewer than six business days prior to a regular meeting.
- 8.2 Requests for delegations to the Board submitted fewer than six days prior to a regular meeting will be considered for the subsequent Board meeting.
- 8.3 The Chair, in consultation with the Medical Officer of Health, will determine if the request is appropriate.

- 8.4 The Medical Officer of Health or designate will advise the requestor of the Board's decision with respect to the delegation, and the date, time, and location of the meeting and allotted time (10-minute maximum, plus question period) for the delegation.
- 8.5 The Chair shall give due consideration to the length of the agenda and the number of delegation requests received, and may limit the number of delegations per meeting.
- 8.6 Unless otherwise directed by resolution, no action respecting a delegation will be taken until the Board has had an opportunity to discuss the delegation and to receive advice from the Medical Officer of Health.
- 8.7 The Board will be informed of all requests from delegations and the disposition of such requests and, upon review, the Board may reverse the decision of the Chair of the Board by resolution.
- 8.8 If the Chair of the Board wishes to leave the chair for the purpose of taking part in the debate or otherwise, the Chair shall call upon the Vice-Chair, or in the Vice-Chair's absence, on another member, to fill their place until they resume the chair.

## **9. Motions**

- 9.1 Every motion shall be verbal unless the Chair requests that the motion be submitted in writing.
- 9.2 A motion relating to a matter not within the jurisdiction of the Board shall not be in order.
- 9.3 Debate on a debatable motion shall not proceed unless it has been seconded.
- 9.4 Every motion shall be deemed to be in possession of the Board for debate after it has been presented by the Chairperson, but may, with permission of the members who moved and seconded a motion, be withdrawn at any time before amendment or decision.
- 9.5 A main motion before the Board shall receive disposition before another main motion can be received except a motion:
  - 9.5.1 to adjourn;
  - 9.5.2 to recess;
  - 9.5.3 to raise a question of privilege;
  - 9.5.4 to lay on the table;

- 9.5.5 to order the previous question (close debate);
- 9.5.6 to limit or extend limits of debate;
- 9.5.7 to postpone definitely (defer);
- 9.5.8 to commit or refer;
- 9.5.9 to postpone indefinitely (withdraw); or
- 9.5.10 to amend;

which have been listed in order of precedence.

- 9.6 When a motion that the vote be taken is presented, it shall be put to a vote without debate, and if carried by resolution, the motion and any amendments under debate shall be put forthwith without further debate.
- 9.7 A motion to adjourn a meeting or debate shall be in order, except:
  - 9.7.1 when a member has the floor;
  - 9.7.2 when it has been decided that the vote be now taken; or
  - 9.7.3 during the taking of a vote;

and when rejected, shall not be moved again on the same item.

## **10. Voting**

- 10.1 A main motion may be divided by resolution and each division shall be voted on separately.
- 10.2 Only one primary amendment at a time can be presented to a main motion and only one secondary amendment can be presented to a primary amendment, but when the secondary amendment has been disposed of, another may be introduced, and when a primary amendment has been decided, another may be introduced.
- 10.3 A secondary amendment, if any, shall be voted on first, and, if no other secondary amendment is presented, the primary amendment shall be voted on next, and if no other primary amendment is presented, or if any amendment has been carried, the main motion as amended shall be put to a vote.
- 10.4 Members shall not speak after the Chair calls for a vote.
- 10.5 Every member present at a meeting shall vote when a vote is taken unless prohibited by statute.
- 10.6 Votes that are refused to be taken shall be deemed negative.
- 10.7 The Chair shall call the result of the vote.



- 10.8 If a member disagrees with the declaration by the Chair of the result of any vote, the member may object immediately and require that the vote be retaken and recorded.
- 10.9 Any member may require that a recorded vote be taken.

## **11. Committees**

- 11.1 The Board may strike committees and appoint Members to the committees to consider matters as directed by the Board.
- 11.2 The Chair of a committee shall:
  - 11.2.1 preside over all meetings of the committee;
  - 11.2.2 report on the deliberations and recommendations of the committee to the Board; and
  - 11.2.3 perform such other duties as may be determined from time to time by the Board or the committee.
- 11.3 The Board of Health shall approve all appointments of non-Board members to any committee.
- 11.4 The number of non-Board members of a committee shall not exceed the number of Board members of the same committee at any time, with the exception of the Indigenous Health Advisory Circle which relies on the lived experience and knowledge of Indigenous community members.
- 11.5 All committees shall be dissolved no later than immediately preceding the first meeting of each fiscal year.
- 11.6 The Board may dissolve, by resolution, any committee at any time.

## **12. In-Camera Sessions**

- 12.1 Notice of all meetings will be publicly posted. Meetings may be held in-camera where permitted by applicable legislation. If the meeting is to be held in-camera, this will be noted on the public posting and the general nature of the matter(s) to be considered will be noted.
- 12.2 The Board or committee requires a resolution that the Board or Committee go in-camera and state the general nature of the matter to be considered.
- 12.3 The prescribed script, as amended by the Board from time to time, should be used for notice regarding in-camera matters on the public agenda. The

corresponding exception should be listed based on the topic being addressed under section 239 of the *Municipal Act* and must include the general nature of the discussion, providing as much information as possible without compromising the matter.

- 12.4 A meeting may be closed if it is held for the purpose of educating or training the Members, so long as no Member discusses or otherwise deals with any matter during the closed meeting in a way that materially advances the business or decision-making of Board or committee (Section 239(3.1) of the *Municipal Act*).
- 12.5 The determination regarding whether a matter should be dealt with in-camera is the responsibility of the Chair, in consultation with the Medical Officer of Health and Secretary.
- 12.6 Whenever possible, agendas, minutes, reports and other information required for in-camera discussion or consideration shall be pre-circulated electronically to Board or committee members, as applicable, in a secure form. When pre-circulation is not practical or possible, printed documents will be provided to the Board or committee at the time of the meeting.
- 12.7 The rules governing the procedure of the Board in open session and the conduct of members shall be observed in-camera.
- 12.8 The Chair shall dispose the decisions taken in-camera in open session.
- 12.9 The Secretary must be present to record the proceedings of the in-camera meeting. They must be knowledgeable in the requirements for the taking of minutes as set out in Subsection 228(1) of the *Municipal Act*. The Chair of the board will determine which staff are required to be in attendance. Unless otherwise directed, attendance will be limited to the Medical Officer of Health and other executives of the Board.
- 12.10 Minutes of in-camera meetings will be kept securely by the Medical Officer of Health, without comment, recording all resolutions, decisions and other proceedings. Minutes of an in-camera meeting shall be brought forward for approval at the following in-camera session.
- 12.11 Voting in an in-camera meeting is permitted if the in-camera meeting is otherwise authorized and the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Board or of a committee of the Board; or to persons retained by or under a contract with the Board. No other voting can occur.

- 12.12 All members will ensure that confidential matters discussed in-camera are not disclosed unless disclosure is authorized by the Board.
- 12.13 After a closed meeting, the Chair of the Board should announce in open meeting that an in-camera meeting was held. The Chair should use the script and guidelines prescribed by the Board, as amended from time to time, to report, in a general manner, how the agenda items were dealt with.
- 12.14 Written material for an in-camera meeting should be limited to only that information which would qualify for discussion at an in-camera meeting.

### **13. Bylaws**

- 13.1 Every bylaw shall be introduced by motion, specifying the title of the bylaw.
- 13.2 Every bylaw shall have three readings prior to being passed.
- 13.3 Every bylaw enacted by the Board shall be numbered and dated and signed by the Chair and the Medical Officer of Health and affixed with the Corporate Seal.
- 13.4 Bylaws shall be retained by the Medical Officer of Health.
- 13.5 Bylaws shall be reviewed a minimum of every two years.

### **14. Corporate Seal**

- 14.1 The corporate seal of the Board shall be retained by the Business Administrator.
- 14.2 The corporate seal shall be used as directed by the Chair to seal any bylaw, contract, or obligation of the Board where required.

### **15. Severability**

- 15.1 The provisions of this bylaw are severable. If any question, section or word is held to be invalid or illegal, such invalidity or illegality shall not affect any of the remaining provisions, sections or words, and this bylaw shall be read and construed as if such illegal or invalid provision was omitted.

This By-law read a first, second and third and final time and passed this 2<sup>nd</sup> day of January, 2025.

***Original signed by***

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Chair, Board of Health  
Haliburton Kawartha Northumberland  
Peterborough Health Unit

***Original signed by***

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Deputy Medical Officer of Health  
Haliburton Kawartha Northumberland  
Peterborough Health Unit

***Original signed by***

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Deputy Medical Officer of Health  
Haliburton Kawartha Northumberland  
Peterborough Health Unit