

Appendix A - Report CS-2018-24

Council Vacancy Policy, CS-012

- 6.21 It is the Candidate(s) sole responsibility to meet any deadline or otherwise comply with any requirement of this policy, the *Act* or the *Municipal Elections Act*.
- 6.22 The Clerk will create a list of all Candidates and publicly post the Candidate Listing on the Town's website. The Listing will be updated as eligible Applications are received.
- 6.23 A Special Meeting of Council open to the public will be held for the purposes of allowing the Candidates to make submissions to Council and to allow Council to select a Candidate to fill the vacancy.
- 6.24 Notwithstanding the requirement of the Procedural By-law, the agenda for the meeting shall be set by the Clerk to allow for the orderly proceeding of selecting a Candidate. The agenda shall include the following:
- a. A certified list of all Candidates listed in alphabetical order by last name.
 - b. Any personal statement of qualification for consideration of Council.
- 6.25 At the meeting, the following shall take place:
- a. The Chair will make a short statement of the purpose of the meeting and the general order of proceedings to be followed.
 - b. The Clerk will provide to the Chair a list of the names of those individuals who have indicated, in writing, their interest in being appointed to the vacancy and the Chair will call for a motion from Council in the following form: "*THAT the following individuals, who have signified in writing that they are legally qualified to hold office and consented to accept the office if they are appointed to fill the vacancy, be considered for appointment to fill such vacancy.*"
 - c. Candidates will be sequestered in an adjacent room until it is their time to answer the questions posed by Council. Once a candidate has answered the questions, they may remain in the Council Chambers.
 - d. Each of the nominees shall be afforded the opportunity to address Council for a period of not more than five (5) minutes. The order of speaking will be determined alphabetically by last name.
 - e. Each member of Council will be permitted to ask not more than two (2) questions to each Candidate. Responses from the Candidates shall be limited to a maximum of two (2) minutes per question.
 - f. The Clerk shall be responsible for managing the time restrictions outlined in (d) and (e), above.
- 6.26 Upon hearing all the submissions of the Candidates, Council will proceed to vote as follows:

- a. Candidate names will be displayed in alphabetical order, in the Council Chambers by the Clerk.
 - b. Each Member of Council will be provided with a ballot by the Clerk with their name on it listing all Candidates in alphabetical order.
 - c. Each Member of Council will cast their vote on the ballot and sign their name.
 - d. Members of Council will cast their vote for one (1) Candidate only.
 - e. The Clerk will collect the ballots, place the ballots of all Members of Council in a container and randomly draw the completed ballots.
 - f. When a ballot is drawn, the Clerk will publicly announce the name of the Member of Council whose vote it is and announce the Candidate in which they voted for.
 - g. The Clerk will tabulate and announce the results.
 - h. If the Candidate receiving the greatest number of votes cast does not receive more than one-half the votes of all voting members of Council, the Candidate or Candidates who received the fewest number of votes will be excluded from further consideration. The vote will be taken again by the Clerk and, if necessary, more than once, excluding in each successive vote the Candidate or Candidates who receive the fewest number of votes. This process will be repeated until the Candidate receiving the greatest number of votes has also received more than one-half of the votes of the voting Members of Council.
 - i. Where the votes cast are equal for all remaining Candidates and if:
 - i. There are three or more Candidates remaining, the Clerk will by Lot select one such Candidate to be excluded from the subsequent voting.
 - ii. If only two (2) Candidates remain, the tie will be broken by selecting a Candidate by Lot, as conducted by the Clerk.
- 6.27 Upon conclusion of the voting, the Clerk will note the Candidate receiving the votes of more than one-half of the number of the voting Members of Council or the Candidate selected through Section 6.23 i) ii.
- 6.28 The appointment of the Candidate will be made by By-law. A By-law confirming the appointment will be enacted by Council at the next Council meeting.
- 6.29 The Clerk will administer the Declaration of Office required by subsection 232(1) of the *Act*, at the meeting where the By-law referred to in section 6.25 of this policy is enacted by Council, or as directed by Council.