
MEMORANDUM

CL-C 128-2022

**Subject: Recorded Vote - Niagara Peninsula Conservation Authority (NPCA)
Board Representation**

Date: August 25, 2022

To: Regional Council

From: Ann-Marie Norio, Regional Clerk

Background:

Following the Regional Council meeting on July 21, 2022, it was determined that an error had been made in the declaration of a recorded vote on the amendment respecting representation on the Niagara Peninsula Conservation Authority (NPCA) Board.

The minutes on the Council agenda accurately reflect the recorded vote count, and also note the error.

Analysis:

At its meeting held on July 21, 2022, Regional Council considered the recommendation of its Corporate Services Committee with respect to representation on the NPCA Board. At that meeting a motion to amend the Corporate Services Committee recommendation to increase representation on the NPCA Board from six (6) members (comprised of four (4) Regional Councillors and two (2) public members) to eight (8) members (comprised of six (6) Regional Councillors and two (2) public members) was made. A recorded vote was requested on the amendment which was announced at the meeting as a tie; therefore, the Regional Chair was required to vote. The Regional Chair voted in favour of the amendment, which meant the amendment was carried. Council subsequently voted on the motion as amended, and that vote was also carried.

It was noted by Clerks staff after the meeting that based on the results of the recorded vote, the vote on the amendment was not a tie and was in fact defeated. The minutes of the July 21, 2022 meeting reflect the accurate count of the recorded vote and include a notation that a tie vote was announced in error (to explain why the amendment is shown

as carried when the vote results demonstrate otherwise). The minutes have the amendment reflected as carried (based on the vote result announced at the meeting) and Council proceeding to vote on the motion as amended. In accordance with the Municipal Act, 2001, the minutes are a record of the proceedings of Council and the announcement of the vote results reflect what occurred at the meeting.

Staff have examined Niagara Region's Procedural By-law and Bourinot's Rules of Order and can find no definitive guidance that dictates a required response to the present circumstances.

Accordingly staff recommend that Council adopt the minutes (as they represent what happened at the meeting) and thereby confirm Council's decision regarding the NPCA Board representation to be eight (8) members (comprised of six (6) Regional Councillors and two (2) public members); however in the alternative, if Council wishes to do so, this memorandum could be lifted for the purposes of having a new vote conducted on the motion as amended (to reflect eight (8) members (six Regional Councillors and two public members)).

Respectfully submitted and signed by

Ann-Marie Norio
Regional Clerk