



## BRACEBRIDGE PUBLIC LIBRARY POLICIES AND PROCEDURES

CATEGORY: Board By-laws #2

POLICY REPLACING: Board By-laws #2 – Meetings May 13, 2014

SUBJECT: Meetings

BOARD APPROVAL DATE: March 14, 2017

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### RATIONALE:

To establish meeting procedures in accordance with the Ontario Public Libraries Act RSO 1990 C. 44 using Bourinot's Rules of Order.

### POLICY STATEMENT:

#### **Organizational Meeting:**

The first meeting of the Board at the commencement of a term shall be designated as the organizational meeting.

1. The CEO shall call for nominations for the Office of Chair for the coming term. Any Board member may nominate any other Board member for this office. A seconder and an acceptance of the nomination is required.
2. Nominations shall remain open for a period of at least one minute following the receipt of the last nomination. The CEO shall then declare the nominations closed.
3. A nominee may indicate to the CEO a desire to speak before the vote is taken, and shall then be invited to address the Board for a period not exceeding five minutes.
4. A member receiving a clear majority of votes cast by all members present shall be elected. Should no member receive a clear majority of votes, the CEO shall announce the member receiving the fewest number of votes shall be dropped and the voting shall continue until a majority of votes shall be in favour of one person. The CEO will declare that member the Chair.
5. The CEO shall then turn the meeting over to the Chair.

#### **Regular Meetings of the Board:**

Regular meetings of the Board shall be held on the second Tuesday of each month, except during the months of July and August.

The Board is required by the Public Libraries Act 1984 (Chapter 57) to hold a minimum of ten regular meetings per year.

The agenda and supporting information shall be available for each member of the Board at least 48 hours before the meeting.

Notice of cancellation of a meeting will be provided at the earliest possible opportunity.

#### **Special Meetings of the Board:**

Special meetings of the Board may be held at the call of the Chair, or on written request of two members of the Board to a member of the Chair or CEO.



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Notice of special meetings of the Board shall be given at least 24 hours before the meeting. Any such notice will include the business to be considered and/or transacted. No other business shall be considered.

### **Meetings of the Board in Private Session:**

The meetings of the Board shall be open to the public and no person shall be excluded from a meeting, except for improper conduct.

A meeting of the Board may be closed to the public when the subject matter under consideration involves:

1. The security of the property of the Board;
2. The disclosure of intimate, personal or financial information pertaining to a member of the Board, an employee of the Board, or a patron of the Library;
3. Decisions pertaining to negotiations with employees of the Board.

### **Place and Time of Meeting:**

All meetings of the Board shall be held at the Bracebridge Public Library unless a resolution changing the place of the meeting has been passed at a previous meeting,

All meetings of the board shall be held at 7:00 pm unless a resolution changing the time of the meeting has been passed at a previous meeting.

A resolution to cancel a future meeting may be approved at any regular meeting of the Board.

### **Ad Hoc Committees:**

The Board may appoint, or instruct the Chair to appoint, an Ad Hoc Committee for a specific purpose.

Minutes and/or Reports will be presented to the Board for approval.

The Chair shall be an ex-officio member of all Ad Hoc Committees, and the CEO or his/her delegate shall attend all meetings of the Ad Hoc Committees.

A Quorum shall be a majority of the appointed members.

Meetings of the Ad Hoc Committees shall be held in private session.



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### **Resignations from Ad Hoc Committees:**

In the event of a resignation by a member of an Ad Hoc Committee, the Board shall fill the vacant position if required.

### **Chair of the Board**

The Chair, or in the Chair's absence, the Acting Chair, shall preside at all regular meetings of the Board.

The Chair shall call the meeting to order at the hour appointed, preserve order and decorum, decide upon all questions of order, and cause the Recording Secretary to record in the minutes the names of absent members and the times of arrival and departure of members not attending the entire meeting.

In the case of the absence of the Chair for five minutes after the appointed hour, the CEO or his/her delegate, shall call the meeting to order and the Board shall select an Acting Chair.

In the event of the Chairship becoming vacant for any reason, a new Officer shall be elected in the same manner as at the organizational meeting.

### **Quorum**

At all meetings of the Board, the presence of a majority of all the members shall be necessary to form a quorum.

Should there be no quorum present within fifteen minutes after the appointed time for the meeting, the CEO/Secretary shall record the names of those present and the Board shall stand adjourned until the next regular meeting,

When a quorum is no longer in attendance, no business can legally be conducted, and it shall be the responsibility of the Chair and CEO/Secretary to note the lack of a quorum and have the fact recorded in the minutes. The Chair will then adjourn the meeting.

### **Delegations to the Board**

Either an individual or a group may be a delegation to the Board.

A delegation shall notify the CEO of its request to appear before the Board.

The CEO in consultation with the Chair, will inform the delegation of the date of the meeting and the time when the presentation will be heard.

A delegation shall submit its presentation in writing to the CEO at least six days prior to the meeting and at that time shall indicate who their spokesperson will be.



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A delegation appearing before the Board will be welcomed by the Chair. The spokesperson will be told how much time is available and will be permitted to make the presentation without interruption.

Except for questions of clarification as provided for in the next section, members of the Board or staff shall not enter into discussion with the spokesperson or any member of the delegation regarding the presentation.

Following the presentation, the Chair will ask all members of the Board if there are any points they wish clarified. As soon as the Chair is satisfied that all points have been clarified, the spokesperson of the delegation will be thanked and informed that the matter will be considered by the Board along with any additional pertinent information received in writing prior to its final decision.

No Board actions will be taken until the Board has had an opportunity to discuss the presentation.

The delegation will be informed, through the spokesperson or his/her delegate, of any action taken by the Board pertinent to the presentation.

Individuals or groups who appear at the Board meeting without making prior arrangements and who wish to speak may do so with the permission of the Chair and a majority vote of the members present at the meeting.

Any spokesperson deviating from his/her submission may be stopped at the discretion of the Chair.

### **Motions at Board Meetings**

A member may introduce a motion and speak to it before it is seconded.

No motion shall be debated or put to a vote unless it has been seconded.

When a member believes a conflict of interest exists, it shall be declared in accordance with the **Municipal Conflict of Interest Act**, and the member shall not participate in the discussion.

Any member may request that the motion under discussion be read at any time in the course of the debate, provided that such a request does not interrupt a member speaking to the question. The mover and seconder of a motion, with permission from the Chair, may alter or withdraw the motion.

No member shall speak longer than five minutes on the same question.

No member, unless with permission from the Chair, shall speak more than once upon a question or motion, except the mover of a motion who shall be permitted to reply.



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When the motion under consideration contains two or more distinct propositions, a member may request that the issues be considered and voted on separately.

Any member desiring to speak shall indicate so with an upraised hand. Upon recognition from the Chair, who will call the member by name, the member may then address the Chair.

If two or more members attempt to speak at the same time, the Chair shall name the member who is to speak.

Members shall confine themselves to the question in debate and shall avoid discourteous language.

No member shall be interrupted while speaking except to be called to order by a member on a matter of privilege, or a point of order. In such case, the member shall remain silent until the point of order has been decided by the Chair. A member so interrupting shall speak to the point of order in explanation only.

### **Voting**

No member of the Board shall have more than one vote either at Board meetings or on any committee.

Every member present at a Board meeting or at a committee meeting, excluding the CEO, shall vote on motions unless prevented by statute or excused by the Chair.

When a member believes that a conflict of interest exists, it shall be declared in accordance with the **Municipal Conflict of Interest Act**.

After the Chair has put the question to a vote, there shall be no further debate and no member shall walk across or out of the room or make any noises or disturbances. The decision of the Chair as to whether the question has been put to a vote shall be conclusive.

All ordinary votes at meetings shall be a show of hands and the result shall be declared by the Chair.

The Chair or acting Chair of a Board may vote with the other members of the Board upon questions, and any question on which there is an equality of votes shall be deemed to be negative. R.S.O. 1990, c. P. 44, s.16 (6)

The yeas and nays shall not be recorded on any motion unless requested by at least one member. Such a request must be made before the Chair calls upon the members to vote upon the same.

When it appears all members have not voted who are required to do so the Chair shall call for a recorded vote.



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For decisions that must be made prior to the next Board meeting, the Board has 2 options:

- 1) If further discussion is required, a special meeting will need to be called.
- 2) When minor clarification that will not change the wording of the motion is required and no further discussion need take place, the Board may pass a motion to authorize an email vote prior to the next formal Board meeting.

In the event of 2), a Board quorum must be reached to qualify as a valid vote. Each Board member must declare, using "REPLY ALL", being for or against the motion presented in the email. The motion and the minor clarification must be included in the vote email. The CEO will identify the response deadline in the email. The result of the vote will be recorded as an addendum to the minutes of the meeting at which the email vote was raised. All records of the email votes will be deleted.

### **Points of Order**

When the Chair is called to decide a point of order or practice, he/she will state the applicable rule(s) and/or reasons(s) for the decision.

The ruling of the Chair shall be final, subject only to an appeal to the Board by a member. The question whether the ruling of the Chair shall be sustained shall be put to the CEO and shall be decided without debate. To overrule a decision made by the Chair it is necessary that two - thirds of the members present vote in favour thereof.

A member called to order by the Chair may explain and appeal to the Board.

### **Miscellaneous Rules for Meetings of the Board**

In all cases not provided for by these rules, the rules and practices of **Bourinots' Rules of Order** shall govern as far as applicable.

All motions shall have a mover and a seconder.

A motion directly concerning the privilege of the Board and thereby affecting the rights and immunities of the Board collectively, or the position and conduct of members in their respective capacities shall take precedence over all other business and may be moved without notice.

When a motion is under debate, the only motion, in order shall be:

- 1) to adjourn;
- 2) to lay on the table;
- 3) to postpone;
- 4) to put the previous question ( close debate);
- 5) to refer;
- 6) to amend.

The above motions shall have precedence in the order named.



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The first, second and third shall be decided without debate.

### **Motion to Adjourn**

A motion to adjourn shall be in order, except when a member is speaking, when a vote is being taken or when the previous question has been called. A motion to adjourn shall not be open to amendment or debate, but, a motion to adjourn to a specified time may be amended and debated.

The Board shall not remain in session later than 10:00 pm unless two thirds of the members present agree by prior vote

### **Motion to Table or Postpone**

A motion to table shall be used to defer discussion until a later time at the same meeting.

A motion to postpone shall be used to defer discussion until a later meeting.

A motion to table or postpone is not debatable, but a motion to table or postpone with conditions is subject to debate and amendment.

When a question has been postponed, it shall not be taken up again at the same meeting, except by a vote in favour thereof by two-thirds of the members present,

### **Motion to Put the Question**

A motion to put the question shall preclude all further amendment or debate. If seconded, the Chair shall proceed to put the main question to a vote, first putting any amendments pending to a vote.

### **Motion to Amend**

After a motion is made and seconded, a motion to amend may be made, and a motion to amend the amendment may be made but, no further motion to amend shall be made until those have been decided.

An amendment modifying the subject of a motion shall be in order, but an amendment relating to a different subject shall not be in order.

All amendments shall be put in the reverse order in which they shall be moved.

Every amendment submitted shall be decided upon or withdrawn before the main question shall be put to a vote, and if the vote on the amendment is decided in the affirmative, the main question as amended shall be put to the vote.

### **Motion to Reconsider**

After a vote has been taken on any motion, only a member who has voted on the prevailing side may make a motion to reconsider.



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Such a vote may be reconsidered during the same meeting, if it has the consent of two thirds majority of the members present, and provided that the members constitute a quorum,.

A vote may be reconsidered with the consent of a majority of the members present at any meeting held thereafter, provided the member shall give notice to that effect in writing at any previous regular meeting. Such a notice of motion shall commence with the statement "having voted with the prevailing side, I intend to move that the following motion be reconsidered."

A motion to reconsider, being made after notice at a previous board meeting and decided in the negative shall not be entertained again during the current term of the board, or within a four month period whichever is the lesser, unless approved unanimously by a quorum of the board. When a member has moved for reconsideration of a previously decided motion, no discussion of the motion shall be allowed until the motion for reconsideration has been seconded and adopted.

### **Motion for Immediate Consideration**

Petitions and communications on any subject within the purview of a committee shall be referred by the Chair to the proper committee via the Board meeting agenda.

If two-thirds of the members present at the Board meeting vote in favour of immediately considering the matter, the communication need not be directed to the committee. No discussion of the main questions shall be allowed until the motion for immediate consideration has been decided in the affirmative.

### **Decorum at Board Meetings**

No person shall use abusive or offensive words at a meeting of the Board

No member shall reflect upon any vote of the Board except for the purpose of moving that such a vote be reconsidered.

Any member who resists the rules of the Board, disobeys the decisions of the Chair or of the Board on points of order, or makes any disorderly noise/disturbance may, unless he/she makes an apology, be ordered by the Chair to leave his/her seat for the remainder of the meeting and in the case of his/her refusal to do so, may be ordered by the Chair to be expelled from the Board room and Board Office.

Any person who interrupts or disrupts a meeting of the Board shall be expelled from the Board room.

### **Amendment to the By-Laws**

No amendment or addition to the By-Laws shall be made unless due notice, setting forth the proposed amendment or addition shall have been given in writing, at a meeting previous to that at which the same comes up for consideration.

### **Amendment to Board Policy and Board regulations**

Proposed amendments or additions to the Board policies shall be distributed to the Board members 1 week prior to the regularly scheduled Board meeting.





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### **ULTRA VIRES**

Should any provision of this constitution be found to be in contravention of Provincial Statutes, the Provincial Statutes shall take precedence.

### **Agenda:**

The agenda for each meeting shall be prepared by the CEO in consultation with the Chair, or in the Chair's absence, the Acting Chair.

One week prior to the scheduled meeting matters to be included on the agenda for information, consideration or action will be selected from the following sources:

1. Routine and special business from the CEO's files
2. Recommendations of Ad Hoc Committees
3. Board Member's requests (between meetings)
4. Correspondence
5. Items for future business from previous meetings

The Agenda for regular meeting shall be as follows

1. Call to order
2. Approval of the agenda
3. Delegations/Guests (can be omitted when not required)
4. Approval of the minutes of the previous meeting.
5. Business Arising from the previous meeting(s)
6. Correspondence
7. Acceptance of Ad Hoc Committee(s) minutes/reports
8. Acceptance of the CEO/Chief Librarian's monthly report
9. Receipt of Financial statement by the Finance Committee and approval of the quarterly financial statement
10. New Business
11. Date of the Next meeting
12. Adjournment

At any time during a meeting, the Chair may declare a recess.

### **RELATED DOCUMENTATION:**

Ontario Public Libraries Act RSO 1990 C. 44

Bourinot's Rules of Order

Municipal Conflict of Interest Act

<https://bracebridge.civicweb.net/Documents/DocumentDisplay.aspx?Id=1965>

### **PREVIOUS REVISIONS:**

1987

September 1993

May 2014