

The Corporation of the Township of Huron-Kinloss



BY-LAW

2022-174

Being a By-Law to Appoint Jennifer White as Manager of Legislative Services / Deputy Clerk for the Township of Huron-Kinloss

WHEREAS the Council of the Corporation of the Township of Huron-Kinloss passed By-Law No. 2022-06 delegating the Chief Administrative Officer the authority to hire or dismiss any employee of the Township of Huron-Kinloss;

AND WHEREAS the Hiring Policy for the Township of Huron-Kinloss authorizes the Chief Administrative Officer to hire staff for the Township of Huron-Kinloss;

AND WHEREAS on September 27, 2022 the Chief Administrative Officer entered into an agreement to hire Jennifer White as Manager of Legislative Services / Clerk for the Township of Huron-Kinloss

AND WHEREAS the *Municipal Act S.O. 2001*, c 25, Section 228(1), provides that a municipality shall appoint a Clerk whose duty it is,

- (a) To record, without note or comment, all resolutions, decisions and other proceedings of the council;
- (b) If required by any member present at a vote, to record the name and vote of every member voting on any matter or question;
- (c) To keep the originals or copies of all by-law and of all minutes of the proceedings of council;
- (d) To perform the other duties required under this Act or under any other Act; and
- (e) To perform such other duties as are assigned by the municipality;

AND WHEREAS the Corporation of the Township of Huron-Kinloss deems it expedient to appoint a Clerk;

AND WHEREAS the Municipal Act S.O. 2001, c 25, Section 275 (3) restricts acts that a Council can take after Nomination Day and after Voting Day if the Council is in a restricted act position;

AND WHEREAS the restricted acts include:

- (a) the appointment or removal from office of any officer of the municipality;
- (b) the hiring or dismissal of any employee of the municipality;
- (c) the disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal; and
- (d) making any expenditures or incurring any other liability which exceeds \$50,000. 2001, c. 25, s. 275 (3); 2006, c. 32, Sched. A, s. 114 (1).

AND WHEREAS the Municipal Act S.O. 2001, c 25, Section 275 (6) states that nothing in this section prevents any person or body exercising authority of a municipality that is delegated to the person or body prior to nomination day for the election of the new Council;

AND WHEREAS the Municipal Act S.O. 2001, c 25, Section 23.3 (1) 1. Restricts the power to appoint or remove from office an officer of the municipality whose appointment is required by this Act;

AND WHEREAS Officers of the Municipal Act S.O. 2001, include the Clerk and the Treasurer;

AND WHEREAS the Municipal Act S.O. 2001, c 25, Section 228(2), provides that a municipality may appoint a Deputy Clerk who shall have all the powers and duties of the Clerk under the Municipal Act and any other Act;

AND WHEREAS The Council for The Corporation of the Township of Huron-Kinloss deems it expedient to appoint Jennifer White as Manager of Legislative Services / Deputy Clerk of Township of Huron-Kinloss;

NOW THEREFORE the Council of The Corporation of the Township of Huron-Kinloss enacts as follows:

- 1.0 That Council hereby appoints Jennifer White as Manager of Legislative Services / Deputy Clerk for the Township of Huron-Kinloss effective October 31, 2022.
- 2.0 That the agreement dated xx hiring Jennifer White as Manger of Legislative Services / Clerk is hereby confirmed.
- 3.0 That Council hereby delegate their powers and authorities to the Manager of Legislative Services / Deputy Clerk to act as Head of the municipality for the purpose of administering the Municipal Freedom of Information and Protection of Privacy Act and for decision made there under.
- 4.0 This By-law shall come into full force and effect upon final passage.
- 5.0 This By-law may be cited as the "Appoint White as Manager of Legislative Services / Deputy Clerk By-Law".

READ a FIRST and SECOND TIME this 17th day of October, 2022.

READ a THIRD TIME and FINALLY PASSED this 17th day of October, 2022.

Mitch Twolan, Mayor

Emily Dance, Clerk