

WEKWEÈTÌ COMMUNITY GOVERNMENT
BY-LAW #001/05

**BEING A BY-LAW OF THE COMMUNITY GOVERNMENT OF WEKWEÈTÌ, A
TlichO COMMUNITY GOVERNMENT IN THE NORTHWEST TERRITORIES,
TO REGULATE THE PROCEEDINGS OF COUNCIL**

WHEREAS the *TlichO Community Government Act*, S.N.W.T. 2004, c.7, s. 27, requires that Council make rules of procedure for Council meetings; and

WHEREAS, council desires to establish rules of procedures respecting:

- a) the calling of meetings of council and its committees;
- b) the procedures of council;
- c) the attendance of council members at meetings or its committees;
- d) the conduct of meetings by electronic means;
- e) the procedures for voting at meetings of council or its committees;
- f) the behaviour of council members and other persons present at meetings of council or its committees;
- g) the establishment, appointment and duties of committees of council; and
- h) the general transaction of its business.

NOW THEREFORE BE IT RESOLVED that the Community Government Council of Wekweèti in session duly assembled enacts as follows:

SHORT TITLE:

This bylaw may be cited as the **Council Procedures Bylaw.**

DEFINITIONS:

"Acting Chief" means a Councillor who is a TlichO Citizen appointed by at least half of the councillors to perform the duties and exercise the powers of the Chief when the Chief is absent.

"Chief " means the Chief of the Community Government of Wekweèti and sworn to hold office.

"Council" means the Council of the Community Government of Wekweèti and sworn to hold office.

"Councillor" means a member of Council, other than the Chief and sworn to hold office.

"Community Government" means the Community Government of Wekweèti established under s. 7 of the *TlichO Community Government Act*.

"Member" means a member or members of Council, inclusive of the Chief.

"Municipality" means the Community Government of Wekweèti.

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"Senior Administrative Officer" means the Senior Administrative Officer for the municipality appointed by resolution and by-law of Council.

"Officer" means the Senior Administrative Officer, or an employee of the Community Government appointed as an Officer pursuant to the *Tlicho Community Government Act* of the Northwest Territories.

"Presiding Officer" means the Chief or Acting Chief or any Councillor who may be presiding over a meeting of Council or a Committee appointed by Council.

MEETINGS

1. All regular meetings of Council shall be held on the first and third Wednesday of each month beginning at 7:00 p.m. and terminating at 9:00 p.m. Council may, by resolution, extend the time limit for any meeting with a unanimous vote in favour of the resolution.
2. All regular meetings of Council shall be held in the council chambers except where location is changed by resolution of Council.

NOTICE

3. Notice of all regular Council meetings will be posted at the Community Government office and on all public notice boards at least 72 hours in advance or by giving public notice of a schedule of regular meetings to be held during the year.
4. The Senior Administrative Officer shall, at least 48 hours in advance, give each Council member notice of the time and place of the special meeting and the nature of business to be transacted, and shall at the same time give public notice of that information.

AGENDA

5. An agenda for regular meetings of Council as outlined in Schedule "A" attached to and forming part of this bylaw shall be made available to the public at least three days in advance of the meeting.

QUORUM

6. A quorum of regular and special meetings is a majority of members except in the case of an emergency meeting under the *Civil Emergency Measures Act*, whereby those members of Council present constitute a quorum.

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PARTICIPATION IN MEETINGS BY ELECTRONIC MEANS

7. A member(s) who participates in a meeting by electronic communication must be able to hear and be heard by all the members and the public attending the meeting of Council. A member attending the meeting by electronic meetings cannot be the Presiding Officer.

CALL TO ORDER

8. If a quorum is present, the Presiding Officer shall take the Chair and call the Council to order. If a quorum is not present thirty (30) minutes past the hour set for the meeting, the Senior Administrative Officer will record the names of those present and the Presiding Officer will adjourn the meeting and announce the time and place of the next council meeting.
9. A record of attendance of members of Council shall be maintained during each calendar year.

WHERE MEMBER ABSENT WITHOUT CONSENT

10. Where a member of Council is absent, without prior notification or approval of Council for more than three (3) consecutive regular Council meetings, the member of Council is deemed to have resigned. Council may, by resolution, consent to a member of Council's absence for more than five (5) consecutive regular Council meetings.

CHIEF AND ACTING-CHIEF

11. The Chief shall preside over all meetings of Council and shall maintain order and decorum and decide on all questions of order subject to appeal to the Council members present.
12. In the absence of the Chief, the Council may appoint a Tlicho member of Council to be the acting Chief with agreement of at least one half of the councillors.

COMMITTEES

13. Annually, chairpersons and members of standing committees will be appointed by Council at first meeting (See Schedule "B") and
 - a) The Chief shall be an ex-officio member of all standing committees;
 - b) A standing committee shall be composed of at least two (2) members of Council, and one of these Councillors will serve as Chairman of the committee;
 - c) In any standing committee meeting, three (3) of its members shall be a quorum;

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- d) Every member of the standing committee has one vote for each item presented at a meeting of that committee provided the member is in attendance;
 - e) The meetings of the committee may be called whenever it is deemed necessary by the Chair, or as regularly scheduled by Council, with all members of Council being notified;
 - f) All minutes, reports and recommendations of the standing committees shall be presented to Council in writing; and
 - g) The Council shall determine the terms of reference for committee meetings.
14. Meetings of committees of Council may be held at any time and any place, provided that all members appointed to that committee have been notified in advance of the time and place of the meeting.
15. A committee of Council has no powers to pass any bylaw or resolution but can make recommendations to Council on any matter.
16. Council may, by resolution, appoint a special committee of Council to deal with any matter. Such a committee will cease to exist when Council, by resolution, decides that the special task is finished.
17. The Chief shall be an ex-officio member of all special committees.
18. Each special committee of Council will consist of a minimum of three (3) members appointed by Council with the chairperson of that committee being a Council member.
19. Council or a committee of Council may, by resolution approved by at least 2/3 of the Council members present, authorize its meetings to be closed to the public only under the conditions stated in section 21 (3) of the *Tlicho Community Government Act*.

OTHER AGENCIES

20. Council may, by bylaw, establish boards or commissions to carry out special operations or projects of Council.

COUNCIL ACTION

21. All council members shall sign and adhere to the Council Code of Conduct.
22. Council shall perform its actions by bylaw or resolution, depending on statutory requirements.

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23. A proposed resolution of Council requires a mover and a seconder and may be rescinded or altered by mutual consent of the mover and seconder after discussion but before voting.
24. A proposed resolution may be amended by another resolution before voting, in which case the amending resolution will be voted on first, then the original resolution.
25. A resolution is not valid unless a majority of the Council members, who are present and entitled to vote at a duly constituted meeting of Council, vote in favour of it.
26. All resolutions shall be in writing.
27. The vote on a resolution shall be recorded when a member of Council requests there be a recorded vote before the voting commences or when the vote requires more than a simple majority to pass.
28. The Chief or presiding council member shall have the same right to vote as a councillor.
29. No resolution may contravene any bylaw of Council, Tlicho law or any Territorial or Federal Act.
30. All resolutions of Council shall be numbered in order in each calendar year, and shall be recorded in a book of resolutions, including the minutes, number and date of the meeting held.
31. Bylaws and minutes of all meetings of Council and its committees must be open for public inspection once the bylaws are made or the minutes are adopted by Council. Any person may receive copies of all or any part of the bylaws or the minutes of a meeting of council on payment of a fee determined by bylaw.

BYLAWS

32. The Council is empowered to make bylaws under the provisions of the *Tlicho Community Government Act* and other enactments of the Northwest Territories.
33. Every bylaw must have three distinct and separate readings to be effective, and must meet the requirements listed in Section 71 of the *Tlicho Community Government Act*.
34. No Council shall give more than two readings to a bylaw at any one meeting of the Council, unless:
 - a) Public notice is given of the intention to pass a bylaw in one meeting, and

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- b) All Council members are present at the meeting prior to third reading, and they all agree by resolution to give the bylaw third reading at the same meeting.
- 35. All readings of a bylaw require a separate resolution of Council to introduce the Reading to the floor.
- 36. No bylaw may contravene any Tlicho, Territorial or Federal Act.

CONDUCT OF MEMBERS OF COUNCIL

- 37. Members of Council shall notify the Chief or Senior Administrative Officer if they are unable to attend a regular or special meeting of Council.
- 38. Members of Council shall at all times conduct themselves in a manner and with decorum suiting their office. Members of Council shall not, during a public meeting, demean or ridicule other members of Council, employees or the public nor use offensive language.
- 39. Members of Council shall observe conflict of interest in all meetings by:
 - a) Declaring that he/she has a personal/commercial interest in a matter before Council under the *Conflict of Interest Act S.N.W.T.*
 - b) Leave the Council chambers during the discussion of the matter and return when called back at the conclusion of the matter in question
 - c) Ensure the minutes reflect the member's declaration of interest.
 - d) Avoid informal or formal discussions of the matter with other members of Council with a view to influence the members.
- 40. Members of Council shall, when speaking, address the Chair and not individual members of the Council or the public.
- 41. Members of Council shall only speak after being recognized by the Chair.

IN CAMERA MEETING REQUIREMENTS

- 42. Council may move "in camera" to discuss any of the following:
 - a) commercial information, that, if made public, would likely cause a negative effect to the community government or the persons involved;
 - b) information received in confidence that, if made public would be prejudicial to the community government or the persons involved;
 - c) personal information, including personal information about employees,
 - d) the salary, benefits or performance record of an employee;
 - e) a matter still under consideration and on which council has not yet publicly announced a decision, if discussion in public would likely prejudice the community government's ability to carry out its activities or negotiations;

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- f) the acquisition or disposition of property by or on behalf of the community government;
 - g) the conduct of existing or anticipated legal proceedings;
 - h) the conduct of an investigation under, or enforcement of, an enactment or bylaw;
 - i) information, the disclosure of which could prejudice public security or the maintenance of law and order;
 - j) the security of documents or premises
43. No decision or motion may be made concerning the subject while "in camera" except a resolution to:
- a) give instructions to the community governments solicitors; or
 - b) provide direction on confidential personnel matters; or
 - c) to adjourn the closed meeting and revert back to the public meeting.

AUTHORITY OF COUNCIL

44. An individual member of council has no authority over individual staff members and may only give instruction through Council.
45. No councillor may leave the room during discussion of a resolution once moved and seconded but must wait until the resolution is voted on, unless the councillor has permission by the Chair or Presiding Officer or unless the councillor is in conflict of interest.

CONTRACTS

46. The Council may, by resolution or bylaw, make contracts for and on behalf of the Community Government for the provision of goods and/or services.
47. The Council may, by resolution or bylaw, make contracts for and on behalf of the Community Government for any projects or agreements with the Government of the Northwest Territories, Government of Canada, or the Tlicho Government and other municipal corporations or First Nations.
48. All contracts shall be signed as per stipulated in accordance to Council's Financial Procedures/Policy.

BANKING

49. The banking/signing authority for the Community Government shall be the Senior Administrative Officer and either the Chief or a Councillor designated by Council.

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ENACTMENT


50. In accordance with Section 166, of the *Tlicho Community Government Act* this bylaw shall be in full force and effect as of the date of adoption of the Tlicho Community Government of Wekweèti this 05 day of August 2005.



Chief Charlie Football

CERTIFICATION:

This bylaw has been made in accordance with the requirements of this Act and the bylaws of the community government.



Senior Administrative Officer

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SCHEDULE A

AGENDA FOR THE REGULAR MEETING OF COUNCIL

1. Call to Order / Prayer
2. Members Present
3. Adoption of Agenda
4. Declaration of Interest
5. Visitors / Delegations / Presentations
6. Adoption of Minutes of Previous Meeting
7. Business
 - Examples: - Staff Reports
 - Land Applications
 - Financial Statements
 - Correspondence
8. Next Meeting
9. Adjournment / Prayer

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SCHEDULE B

COMMITTEES OF COUNCIL

PURPOSE OF COMMITTEES:

1. To prepare, in cooperation with the Senior Administrative Officer, recommendations to Council for the formulation of policy and guidelines to ensure an efficient operation in and for the Community Government.
2. To thoroughly investigate all matters assigned to the committee from Council and to report back to Council through the respective chairperson in the form of resolution, a request for a resolution or preparation of a bylaw.

SPECIAL COMMITTEE OF COUNCIL:

1. Members are appointed by resolution of Council.
2. The area of responsibility is given by resolution of Council.
3. Recommend to Council on the specific matter given by Council.
4. A Committee is dissolved by resolution of Council.

STANDING COMMITTEES:

List standing committees here if required, Council should approve this schedule and its members annually.

Example: Finance Standing Committee:

The Chairperson and members of a Standing Finance Committee will be appointed by Council; and in addition to section 13 (a) – (g) of this bylaw:

The Standing Committee on Finance will operate under the following Terms of Reference:

- Auditors Report
- Budget Summary
- Capital Projects
- Conferences
- Council Remuneration
- Monthly Accounts Payables Lists
- Financial Reviews.