

THE CORPORATION OF THE TOWNSHIP OF HILTON

A G E N D A

Special Meeting to Discuss Identifiable Personnel

February 26, 2024 – 7:00 p.m.

Council Chamber - Hilton Township Municipal Building

1. Call the meeting to Order
2. Appoint Temporary Acting Clerk.
3. Declarations of Pecuniary Interest
4. Motion to accept Agenda for special meeting of February 26, 2024 as presented.
5. Memo from Clerk re Pecuniary Interest
6. Move to Closed Meeting

Council will enter into closed session in accordance with the provisions of the Municipal Act, Section 239(2) (b) personal matters about an identifiable individual, including municipal or local board employees and (d) labour relations or employee negotiations

7. Return to Open Meeting
8. Direction to Clerk
9. Confirmatory By-Law
7. Adjourn



MEMO

February 22, 2024

RE: Pecuniary Interest-FYI

I did some research on Pecuniary Interest after the last meeting and thought that it would help Council have a better understanding for future meetings. I have included the information on who it pertains to below. Anyone interested in reading the rest of the Act can visit the website link I have also included below.

Procedural B-Law 1274-20, Section 19. DISCLOSURE OF CONFLICT OF INTERES, 18.1; states, *"It is the responsibility of the Member to identify and disclose any interest ad complete a Declaration of Conflict of Interest Form to be filed with the Clerk prior to the meeting."*

The information below is taken from MUNICIPAL CONFLICT OF INTEREST ACT, R.S.O. 1990, C. M.50; E-Laws most recent currency date of November 23, 2022

E-Laws: <https://www.ontario.ca/laws/statute/90m50/v20>

Definition: "member" means a member of a council or of a local board; ("membre")

Indirect pecuniary interest

2 For the purposes of this Act, a member has an indirect pecuniary interest in any matter in which the council or local board, as the case may be, is concerned, if,

- (a) the member or his or her nominee,
 - (i) is a shareholder in, or a director or senior officer of, a corporation that does not offer its securities to the public,
 - (ii) has a controlling interest in or is a director or senior officer of, a corporation that offers its securities to the public, or
 - (iii) is a member of a body,

that has a pecuniary interest in the matter; or

- (b) the member is a partner of a person or is in the employment of a person or body that has a pecuniary interest in the matter.

R.S.O. 1990, c. M.50, s. 2.

Interest of certain persons deemed that of member

3 For the purposes of this Act, the pecuniary interest, direct or indirect, of a parent or the spouse or any child of the member shall, if known to the member, be deemed to be also the pecuniary interest of the member. R.S.O. 1990, c. M.50, s. 3; 1999, c. 6, s. 41 (2); 2005, c. 5, s. 45 (3); 2021, c. 4, Sched. 11, s. 23 (4).



EXCEPTIONS

Where ss. 5 and 5.2 do not apply

4 Sections 5 and 5.2 do not apply to a pecuniary interest in any matter that a member may have,

Note: On November 23, 2022, the day named by proclamation of the Lieutenant Governor, section 4 of the Act is amended by striking out “Sections 5 and 5.2” at the beginning of the portion before clause (a) and substituting “Sections 5, 5.2 and 5.3”. (See: 2022, c. 18, Sched. 3, s. 1)

- (a) as a user of any public utility service supplied to the member by the municipality or local board in like manner and subject to the like conditions as are applicable in the case of persons who are not members;
- (b) by reason of the member being entitled to receive on terms common to other persons any service or commodity or any subsidy, loan or other such benefit offered by the municipality or local board;
- (c) by reason of the member purchasing or owning a debenture of the municipality or local board;
- (d) by reason of the member having made a deposit with the municipality or local board, the whole or part of which is or may be returnable to the member in like manner as such a deposit is or may be returnable to all other electors;
- (e) by reason of having an interest in any property affected by a work under the *Drainage Act* or by a work under a regulation made under Part XII of the *Municipal Act, 2001* or Part IX of the *City of Toronto Act, 2006*, as the case may be, relating to local improvements;
- (f) by reason of having an interest in farm lands that are exempted from taxation for certain expenditures under the *Assessment Act*;
- (g) by reason of the member being eligible for election or appointment to fill a vacancy, office or position in the council or local board when the council or local board is empowered or required by any general or special Act to fill such vacancy, office or position;
- (h) by reason only of the member being a director or senior officer of a corporation incorporated for the purpose of carrying on business for and on behalf of the municipality or local board or by reason only of the member being a member of a board, commission, or other body as an appointee of a council or local board;
- (i) in respect of an allowance for attendance at meetings, or any other allowance, honorarium, remuneration, salary or benefit to which the member may be entitled by reason of being a member or as a member of a volunteer fire brigade, as the case may be;
- (j) by reason of the member having a pecuniary interest which is an interest in common with electors generally; or
- (k) by reason only of an interest of the member which is so remote or insignificant in its nature that it cannot reasonably be regarded as likely to influence the member. R.S.O. 1990, c. M.50, s. 4; 2002, c. 17, Sched. F, Table; 2006, c. 32, Sched. C, s. 33 (1); 2017, c. 10, Sched. 3, s. 2.