

Report to Council

Report Title:	Saugeen Municipal Airport Commission By-Laws Review		
Prepared By:	Fiona Hamilton, Director of Legislative and Legal Services (Clerk)		
Department:	Clerk's		
Date:	August 13, 2024		
Report Number:	CLK2024-18	File Number:	C11CL
Attachments:	Saugeen Municipal Airport Commission By-Law No. 1 Procedural By-Law Saugeen Municipal Airport Commission By-Law No. 2 Corporate By-Law		

Recommendation:

That the Council of the Municipality of Brockton hereby receives Report Number CLK2024-18 - Saugeen Municipal Airport Commission By-Laws Review, prepared by Fiona Hamilton, Director of Legislative and Legal Services (Clerk) and in doing so approves the Saugeen Municipal Airport Commission By-law No. 1 Procedural By-Law and Saugeen Municipal Airport Commission By-law No. 2 Corporate By-Law.

Report:

Background:

Staff brought forward Report CLK2023-01 on January 10, 2023 regarding the Saugeen Municipal Airport (SMA) Commission's Corporate By-Laws. The Saugeen Municipal Airport Commission had the governing by-laws reviewed by a law firm, with drafts provided to the SMA in Fall 2022 and to Council in January 10, 2023. Council considered proposed revisions to the SMA By-Laws, and passed a resolution formally requesting the Saugeen Municipal Airport Commission consider formal comments from the member Municipalities (Municipality of Brockton, Town of Hanover, and Municipality of West Grey) prior to any approval by the Commission. Comments were provided to the SMA for incorporation during their process of updating these By-Laws.

The Saugeen Municipal Airport Commission has now completed their By-Law review. The final Procedural By-Law and Corporate By-Law were signed by the Commission on June 19, 2024. Both By-Laws are attached for Council's reference.

SMA's Procedural By-Law No. 1 outlines the procedures for calling meetings, roles within the Commission, order of business, conduct of meetings, rules of debate, process for motions, procedures for voting, committees of the Commission, technical requirements for meetings, and more.

SMA's Corporate By-Law No. 2 outlines the memberships, conduct and procedures for meetings, process for commissioners and meetings of commissioners, duties of officers, indemnities to commissioners and officers, procedure for notices, conflicts of interest, and the dispute resolution mechanism.

Analysis:

Section 129 of the Corporations Act, R.S.O. 1990, c. C.38 requires that By-Laws amended by the Directors be passed by the members.

Section 129 (2) A by-law passed under subsection (1) and a repeal, amendment or re-enactment thereof, unless in the meantime confirmed at a general meeting of the members duly called for that purpose, is effective only until the next annual meeting of the members unless confirmed thereat, and, in default of confirmation thereat, ceases to have effect at and from that time, and in that case no new by-law of the same or like substance has any effect until confirmed at a general meeting of the members.

As three of the members of the Saugeen Municipal Airport are the Municipality of Brockton, Town of Hanover, and Municipality of West Grey, the By-Laws must be approved by these municipalities.

Rather than holding a full Annual General Meeting, Section 298 (2) of the Corporations Act allows that any resolution signed by the members is valid as if it were passed at a meeting. By having all three member municipalities review the SMA By-Laws and pass resolutions approving the By-Laws, the Saugeen Municipal Airport Commission can proceed to finalize their updated Procedural and Corporate By-Laws.

Staff recommend that Council approve the Saugeen Municipal Airport Commission By-Law No. 1 Procedural By-Law and Saugeen Municipal Airport Commission By-Law No. 2 Corporate By-Law as presented.

Strategic Action Plan Checklist:

What aspect of the Brockton Strategic Action Plan does the content/recommendations in this report help advance?

- Recommendations help move the Municipality closer to its Vision Yes
- Recommendations contribute to achieving Heritage, Culture, and Community Yes
- Recommendations contribute to achieving Quality of Life Yes
- Recommendations contribute to achieving Land Use Planning and the Natural Environment N/A
- Recommendations contribute to achieving Economic Development Yes
- Recommendations contribute to achieving Municipal Governance Yes

Financial Impacts/Source of Funding:

- Do the recommendations represent a sound financial investment from a sustainability perspective?
N/A

Reviewed By:



Trish Serratore, Chief Financial Officer

Respectfully Submitted by:



Fiona Hamilton, Director of Legislative and Legal Services (Clerk)

Reviewed By:



Sonya Watson, Chief Administrative Officer