



SIX NATIONS ELECTED COUNCIL PROCEDURE REGULATIONS

Approved By: GC#354/05/13/2014

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1. Purpose

The purpose of this regulation is to establish the procedural rules governing Council and Committee Meetings.

2. Policy Statement

Members of Council shall adhere to the terms and conditions of this regulation during all Council and Committee Meetings.

3. Definitions

3.1 The following terms shall for the purposes of these regulations have the following respective meanings:

(a) **Committee Meetings** – means the following meetings:

- (i) Committee of the Whole
- (ii) Human Services;
- (iii) Physical and Economic Development;
- (iv) Corporate and Emergency Services; and
- (v) Any Ad-Hoc Committees of Council

(b) **Members of Council** – means the elected Chief and Councillors

(c) **Council Meetings** – means the following meetings:

- (i) General Council;
- (ii) Special Council Meetings

(d) **Council Secretary** – means the individual assigned to take the minutes of a Council or Committee Meeting

(e) **Election Code** – means the *Six Nations of the Grand River Elections Code* as amended from time to time

- (f) ***Six Nations Elected Council*** – means the entire Six Nations Elected Council organization including Council and the Administration.

4. Scope

- 4.1 This policy applies to proceedings of all Council Meetings.
- 4.2 Except where expressly noted, the terms and conditions of these regulations shall also govern the proceedings of all Committee Meetings.

5. General Rules

- 5.1 Any proceedings not specifically governed by the provisions of these regulations shall adhere to ***Robert's Rules of Order*** as amended from time to time.
- 5.2 Any provision of these regulations may be suspended by a resolution of two-thirds of the members present. No resolution may suspend any provision of these regulations beyond the adjournment of the Meeting in which the resolution was passed.

6. Calling Meetings

- 6.1 The first Council Meeting shall be held according to the Election Code or not later than one month after a general election has been held, whichever is earlier, with such notice being posted in a conspicuous place in the community for at least two weeks before such meeting; stating the day, hour and place of such meeting; such meeting shall be held on the Territory.
- 6.2 After the first meeting, and thereafter Council Meetings shall be held at least twice every month for the business of Council or affairs of the membership.
- 6.3 At least two meetings of Council shall be made open to the public every month.
- 6.4 Meetings shall usually be scheduled at a regular time each month.
- 6.5 Financial matters of Council shall be dealt with at least once a month.

7. Special and Emergency Meetings

- 7.1 A special meeting may be summoned at anytime by the Chief or when a majority of Council has requested such meeting, provided that forty-eight hours notice of the date, time and place of the meeting has been provided to every Member of Council.

7.2 An emergency meeting may be held to address an emergency situation without forty-eight hours notice provided that an attempt has been made by the Council Secretary to contact all the Members of Council in the most expedient manner possible. No business except business dealing directly with the emergency situation may be discussed at an emergency meeting.

8. Members of the Public

8.1 Except as provided in the ***In-Camera Meeting Policy*** all Meetings will be open to the public. Matters which are of a confidential nature shall not be discussed at meetings open to the public.

8.2 Meetings not declared In-Camera shall be open to members of the public and no one shall be excluded except for improper conduct. The Chairperson may expel or exclude from any meeting any person who causes a disturbance at the meeting.

8.3 Individuals or Groups making a presentation shall be limited to a maximum of 30 minutes, including questions from Members of Council. Any additional time must be approved by a majority of Council.

9. Agendas

9.1 The Council Secretary in conjunction with the Chairperson shall prepare the agenda for the meetings. The agenda shall consist of the following order of business:

- a) Call to order
- b) Changes /additions and adoption of the agenda
- c) Scheduled Delegations
- d) Reading (corrections if any) and adoption of the Minutes of the previous meeting
- e) Business arising from minutes
- f) Presentation and consideration of reports of Committees and Directors
- g) New business
- h) Scheduling of meetings
- i) Adjournment

9.2 The agenda package including the minutes and any relevant material shall be made available to Members of Council a minimum 2 business days prior to the Meeting.

10. The Chairperson

10.1 The Chairperson is responsible for ensuring that these regulations are followed.

10.2 The Chairperson shall preside over the meeting, maintain order and rule on all questions of procedure according to established rules or, if no rules are established, according to past practices or ***Roberts Rules of Order*** as amended from time to time.

10.3 The Chief shall serve as the Chairperson for all Council Meetings.

10.4 If the Chief or the Committee Chairperson is unavailable or late, another Member shall be appointed by resolution to serve as the Chairperson until the Chief or Committee Chairperson is present.

11. Commencement of Meetings

11.1 A majority of the Members of Council or a Committee constitutes a quorum for their respective meetings. For example, Council Meetings require seven Members of Council, including a Chairperson, to have a quorum present.

11.2 At the time set for the Meeting, if a quorum is present the Chairperson shall take the chair and call the meeting to order.

11.3 If no quorum is present within one half hour after the time appointed for the meeting, the Council Secretary shall take the names of the members present and the Meeting shall adjourn until the next Meeting.

12. Rules of Decorum

12.1 Members shall conduct themselves with a professional demeanour. Members shall interact with other persons in a tactful and respectful manner.

12.2 No Member shall:

- (a) Use indecent, offensive, or insulting language;
- (b) Speak on any subject matter other than the subject under debate;
- (c) Disturb the Meeting by any disorderly conduct; or
- (d) Interrupt another Member who is speaking, except to raise a point of order or a question of privilege.

12.3 Members shall not disobey a decision of the Chairperson or of the Council on points of order or on an interpretation of the rules of procedure.

12.4 In the event that a Member has been called to order by the Chairperson and the Member continues to breach these regulations, the Chairperson may order the Member of Council to leave his/her seat for the duration of the Meeting.

12.5 If the Member apologizes for their conduct, the Chairperson may ask Council or the Committee "Shall the Member be permitted to resume his/her seat?" The decision of a majority of Council shall be final.

13. Rules of Debate

13.1 Each resolution shall be moved by a Member of Council and seconded immediately thereafter by another Member of Council; and if seconded the Chairperson shall place the motion before Council for discussion and debate.

13.2 The Chairperson shall not permit discussion or debate on an issue unless a motion that has been properly moved and seconded is before Council.

13.3 After a resolution has been placed before Council by the Chairperson it shall be deemed in possession of the Council, but may be withdrawn at the request of the mover with consent of a majority of Council.

13.4 Any member may require the question or resolution under discussion to be read for his or her information at any time of the debate but not so as to interrupt a member who is speaking.

13.5 When any member desires to speak they shall be recognized by the Chairperson before speaking and shall address their remarks to the Chairperson and confine themselves to the topic before the Council.

13.6 In the event more than one Member of Council wishes to speak at one time, the Chairperson shall determine the order of the speakers.

14. Voting

14.1 All questions before the Council shall be decided by a majority vote of the Councillors present, unless otherwise stated in this Regulation.

14.2 The Council Secretary shall read the proposed resolution to Council in full context before voting occurs.

14.3 The Chairperson shall not vote except in the case of a tie vote, the Chairperson shall cast the deciding vote.

14.4 Every Member present, when a question is put to Council, shall vote unless the member is in a conflict of interest.

14.5 If a Member who is not in a conflict of interest refuses to vote they shall be deemed to have voted in the affirmative.

14.6 Whenever Council is voting on any issue, each Member present shall indicate his/her vote on the question openly and individually by a show of hands when prompted by the Chairperson.

14.7 Whenever required by a Member the Council Secretary shall record the results of each Member's vote.

15. Points of Order and Questions of Privilege

15.1 The Chairperson is responsible for enforcing the rules and ensuring decorum. However, any Member may call the attention of the Chairperson to these issues through a Point of Order or a Question of Privilege.

15.2 Any Member may interrupt another Member to raise a Question of Privilege. Questions of Privilege must be urgent issues that are affecting the rights of Council or a Member (e.g. noise level, or the introduction of a confidential issue during an open session).

15.3 Any Member may interrupt another Member to raise a Point of Order. Points of Order must be related to a specific rule violation.

15.4 If a Member raises a Point of Order or a Question of Privilege, debate shall stop and the Chairperson shall recognize the Member. The Member shall briefly explain their issue without addressing any other topic. The Chairperson shall then make a ruling on the Point of Order or a Question of Privilege.

15.5 Any member may appeal the Chairperson's decision to Council or the Committee by immediately after the Chairperson's ruling saying "I appeal the decision from the Chairperson." An appeal must be seconded by another Member. Each Member may speak only once on the appeal. Then the Chairperson shall put the question to Council or the Committee "Shall the decision of the Chairperson be upheld?"

15.6 The decision of Council or the Committee shall be final.

16. Second Reading

16.1 Each motion must be approved by a majority of Council on two separate occasions.

16.2 A motion shall be considered to pass second reading upon approval of the minutes of the initial meeting at which the motion was originally approved.

16.3 In order to waive second reading a Member must move "that second reading on the previous resolution be waived." This motion must be seconded and approved by a two-thirds majority of the Members present.

17. Amendments

17.1 Amendments must be moved, seconded and voted on. A motion to amend must:

- (a) Be open to debate;
- (b) Not propose a direct negative to the main motion where voting in favour of the amendment would have the same effect as voting against the main Motion; and
- (c) Be relevant to the main Motion.

17.2 If the amendment is defeated the original motion is put to a vote.

17.3 If the amendment is passed the original motion also passes as amended.

18. Closing the Debate

18.1 In order to end the debate on a motion a Member must move “that the question be called.” A Motion to call the question (close the debate):

- (a) May not interrupt the speaker;
- (b) Shall be seconded;
- (c) Shall not be debated; and
- (d) Must be approved by a majority of the Members present.

18.2 If a Motion to call the question is approved by the majority of the Members present, then the preceding Motion or amendment shall be voted on immediately without further debate or comment.

19. Committees

19.1 The Minutes from all Committees shall be forwarded to Council to be received as information.

19.2 Notwithstanding sections 13.1 and 13.2 of this regulation, Committees may discuss and debate an issue without having a motion on the floor.

19.3 Council shall have four Committees being:

- (a) Committee of the Whole;
- (b) Human Services;
- (c) Physical and Economic Development; and
- (d) Corporate and Emergency Services.

19.4 The Committee of the Whole shall be comprised of all the Members of Council.

- 19.5 The Human Services, Physical and Economic Development, and Corporate and Emergency Services Committees (standing committees) shall be comprised of four (4) Councillors and the Chief.
- 19.6 The Chief shall be a member of each Committee and is entitled to vote on all recommendations.
- 19.7 Every Member of Council shall serve on at least one Committee.
- 19.8 Each Committee is responsible for drafting and recommending complete motions to Council in accordance with the Committee's mandate as outlined in **Appendix A** of this Regulation.
- 19.9 Every Councillor may attend a Committee to which they are not a member, but shall not be entitled to a vote, and may not move or second a recommendation.
- 19.10 The Committee member who moved the recommendation at the Committee level will be responsible for moving the Committee's recommendation and explaining the intent at a General Council meeting. If the mover is not present at, or serving as the Chairperson for the next General Council meeting, any Member of Council may move the recommendation.
- 19.11 Council shall appoint Members of Council to the Committees at the initial meeting following the election.
- 19.12 Council may create ad-hoc committees in order to address specific issues not addressed by another committee.
- 19.13 The minutes of the meeting shall be recorded in writing and shall include the date, time, attendance, topic, discussion/debate, and decision of the Committee and record of the vote.
- 19.14 A quorum of any three (3) members, which may include the Chief, shall be in attendance for a meeting to proceed for the purpose of carrying out the business of a Committee.
- 19.15 A quorum of any seven (7) members, which may include the Chief, shall be in attendance for a meeting for the purpose of carrying out the Committee's business of the Committee of the Whole.
- 19.16 It shall be the responsibility of the members of each Committee to select a Chairperson for their respective Committee. Any member of a Committee, including the Chief, may be selected as the Chairperson.
- 19.17 The Chairpersons of the Committees shall:

- (a) Ensure that Council refers all issues within the mandate of the Committee to the Committee for their consideration/recommendation prior to Council taking a decision on the matter;
- (b) Ensure that the duties of the Committee listed in the mandate are carried out; and
- (c) Preside over Committee meetings in accordance with section 10 of this Regulation.

19.18 If no quorum is reached within thirty minutes of the scheduled starting time then the meeting shall revert to being used to update members and no decisions shall be made.

19.19 Special Committee meetings may be held at the call of the Chairperson or a majority of members.

19.20 Committee members shall ensure they attend meetings regularly. If Committee members are unable to attend a meeting they are required to notify the Committee Secretary at least one day in advance.

19.21 Committee members unable to attend a Committee meeting may request another Member of Council attend in their place as an alternate with full voting privileges. Committee Members must notify the Committee Secretary which Member of Council will be attending as their alternate at least one day in advance of the Committee meeting.

19.22 If a meeting is cancelled or postponed, the Committee Secretary shall notify Committee members before the meeting date.

19.23 Attendance of Committee members and guests shall be recorded in the meeting minutes and confirmed by a signed attendance sheet.

20. New Business

20.1 Members shall not utilize the new business portion of meetings to bypass agenda deadlines as provided in the ***Procedures for Agendas***.

20.2 New business shall only include:

- (a) Updates;
- (b) Emerging community issues;
- (c) Relevant announcements;
- (d) Time sensitive items; and
- (e) Unscheduled guests.

20.3 All items raised for new business shall only be discussed if approved by a majority of Council.

20.4 To ensure due diligence, when an issue or delegation is presented to Council as new business, Council shall not make any decision on the issue except to:

- (a) Accept the issue as information;
- (b) Refer the issue to the Administration for investigation;
- (c) Refer the issue to an appropriate Committee for investigation; or
- (d) Table the issue on a future Council Meeting agenda for a resolution.

21. Procedures

21.1 The Senior Administrative Officer is authorized to enact any procedures he/she determines are necessary to ensure any administrative aspects of these Regulations are carried out.

22. Authorization

22.1 This Regulation was approved by Six Nations Elected Council at the General Council meeting held on May 13, 2014 by resolution No. GC#354/05/13/2014 to be effective on May 20, 2014.

22.2 Amendments to these Regulations must be approved by a Council Resolution.

22.3 These Regulations shall repeal and replace any previous regulations, policies and resolutions on Six Nations Council Procedure Regulations.

22.4 These regulations shall be reviewed once per term of Council.

Appendix A: Committee Mandates

Committee of the Whole

The Committee of the Whole is responsible for reviewing, interpreting, and considering issues pertaining to:

- (a) Annual Budget
- (b) Departmental Budgets
- (c) Audit
- (d) Litigation
- (e) Lands and Resources
- (f) Strategic Planning
- (g) Intergovernmental Relations
- (h) Governance
- (i) SAO performance and review
- (j) Any issues that do not fall under the mandate of another standing committee or fall under the mandate of more than one standing committee
- (k) Any other issues referred to it by Council or another Committee.

Specific duties of the COTW include:

- (a) To review and monitor the development of the strategic plan;
- (b) To consider and recommend to Council on matters relating to budgets including budget monitoring and re-assessment;
- (c) To consider and recommend to Council all audit matters, including promoting an appropriate environment for the management of public funds and the economy, efficiency and effectiveness of operations and a high level of accountability;
- (d) To review all new initiatives and budgets to ensure that community priorities are addressed;
- (e) To recommend the allocation of all discretionary funding and direction on all revenue and expenditures;
- (f) To receive and monitor quarterly financial statements and progress reports to ensure that the terms of current contribution agreements are met and that cash flows are protected;
- (g) To review and make recommendations on all funding and contributions agreements;
- (h) To receive briefings on legal matters involving the Six Nations Council and community and give direction on litigation matters;
- (i) To receive delegations from the public and conduct public hearings as required by statute and Council;
- (j) To review and recommend agreements and policy on issues related to the land and resources of Six Nations;

- (k) To conduct an annual review of the performance of the SAO;
- (l) To liaise with other First Nations' political organizations
- (m) To receive delegations from the public and conduct public hearings when required on matters within its mandate;
- (n) To advocate with outside parties, agencies and governments on matters within its mandate; and
- (o) To examine substantive political matters relevant to the Committee and make recommendations to Council for consideration and approval.

Corporate and Emergency Services Committee

The Corporate and Emergency Services Committee (CESC) is responsible for reviewing, interpreting, and consider issues pertaining to:

- (a) Fire
- (b) Police Services
- (c) Emergency Management
- (d) Employment Policies
- (e) Financial Policies
- (f) Health and Safety
- (g) Communications
- (h) Information Services
- (i) Lands and Membership/Environment
- (j) Education
- (k) Any other issues referred to it by Council

Specific duties of the CESC include:

- (a) To plan, develop, implement and evaluate political and policy matters affecting Six Nations Fire Department, Six Nations Emergency Management, Six Nations Police Commission, and any related issues pertinent to the Six Nations of the Grand River community;
- (b) To work on securing funds for the purchase of necessary capitol;
- (c) To support council by advocating for initiatives on bylaw development and enforcement for fire protection and prevention services;
- (d) To review Departmental and Incident Specific Emergency plans and recommend to Council for approval.
- (e) To review corporate and program objectives and performance measures and make recommendations to Council;
- (f) To consider and make recommendations on matters of policy involving communications issues;
- (g) To review and make recommendations on matters of policy and oversight involving financial management, investment, reserves, debt, procurement and risk management;

- (h) To review and make recommendations on the *Employment Policy* and the *Health and Safety Policy* after receiving a recommendation from the appropriate staff committees.
- (i) To receive delegations from the public and conduct public hearings when required on matters within its mandate;
- (j) To receive reports and make recommendations to Council concerning lands and membership issues;
- (k) To liaise with the Six Nations Council representative on the Grand Erie District School Board (GEDSB) and the GEDSB Native Advisory Committee;
- (l) To promote and maintain community involvement in the development of an effective and proactive education system that includes the diversity of Six Nations culture, language, and history;
- (m) Shall advocate for all levels of education including elementary and secondary, post-secondary education and special education/needs;
- (n) To advocate with outside parties, agencies and governments on matters within its mandate; and
- (o) To examine substantive political matters relevant to the Committee and make recommendations to Council for consideration and approval.

Physical and Economic Development Committee

The Physical and Economic Development Committee (PEDC) is responsible for reviewing, interpreting, and consider issues pertaining to:

- (a) Public Works
- (b) Planning
- (c) Economic Development
- (d) Housing
- (e) Tourism
- (f) Any other issues referred to it by Council

Specific duties of the PEDC include:

- (a) To review and recommend policy regarding policy on public works issues including roads, water, sewage, and the landfill;
- (b) To review and recommend policy on environmental issues;
- (c) To work with the Community Planner to recommend housing development sites in accordance with the community plan;
- (d) Shall submit to Council for approval, the names of members who have defaulted on housing loans, to approve the final stage of foreclosure and approve the Transfer of Land to Six Nations of the Grand River in accordance with the Indian Act;
- (e) To consider and recommend to Council on all matters that rise in the administration, sale and acquisition of real property, and leases;

- (f) To consider and recommend to Council on matters such as community planning, urban design guidelines, and heritage policy.
- (g) To review and recommend policy on housing issues;
- (h) To review and recommend policy and action on Council owned vacant infrastructure;
- (i) To consider and recommend to Council on policy issues relating to economic development;
- (j) To liaise and work with external contacts including: Source Water, Natural Gas and Indian Oil and Gas to identify and respond to mutual political and policy concerns;
- (k) To receive delegations from the public and conduct public hearings when required on matters within its mandate;
- (l) To advocate with outside parties, agencies and governments on matters within its mandate; and
- (m) To examine substantive political matters relevant to the Committee and make recommendations to Council for consideration and approval.

Human Services Committee

The Human Services Committee (HSC) is responsible for reviewing, interpreting, and consider issues pertaining to:

- (a) Health
- (b) Social
- (c) Welfare
- (d) Parks and Recreation
- (e) Any other issues referred to it by Council

Specific duties of the HSC include:

- (a) To consider and recommend to Council on policy matters and emerging issues related to the public health;
- (b) To consider and recommend to Council the overall service levels in relation to the delivery of public health programs;
- (c) To consider the public health needs of the community and recommend advocacy by Council to address these needs;
- (d) To liaise with external committees including: Mohawk Chapel, Woodland Cultural Centre, Community Trust, Six Nations Public Library, the Gaming Commission, Elections Codes, Brownsfield Committee, Community Living Six Nations and Ganohkwasra to identify and respond to mutual political and policy concerns;
- (e) To promote and advance the Haudenosaunee culture, language and history;

- (f) To review and recommend criteria for reviewing applications for membership and entitlement either through Internal Transfers or Transfers from other Nations;
- (g) To review and revise the Senior's Relief Fund policy outlining eligibility criteria, categories and amount for the grants, the selection process, timeframes and other relevant policies;
- (h) To support, address and recommend any necessary action on matters concerning social services and welfare functions in the Six Nations community;
- (i) To review and recommend policy related to parks and recreation within the territory;
- (j) To receive delegations from the public and conduct public hearings when required on matters within its mandate;
- (k) To advocate with outside parties, agencies and governments on matters within its mandate; and
- (l) To examine substantive political matters relevant to the Committee and make recommendations to Council for consideration and approval.