

Preparation of Meeting Minutes

Municipal Affairs, Government of Alberta
June 2020
Preparation of Meeting Minutes for Council

The contents of this publication are intended to provide general information. Readers should not rely on the contents herein to the exclusion of independent legal advice.

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Introduction

Minutes are important and vital documents. The minutes of a council or council committee meeting form the legal record of council actions, and provide the authorization for administration to implement decisions. As a public record, minutes also provide an open and transparent disclosure of council actions to the municipal residents and stakeholders. The minutes of council meetings provide a basis for the accountability of councils to their electors, and promote public confidence and trust in the leadership and governance of the local government.

This guide provides some suggested procedures that have proven to be effective in municipalities for developing a record of meeting activities and legislative actions. Also, the Appendices to this document include the relevant sections of the *Municipal Government Act* (MGA) that relate to minutes, a sample minute document and suggested forms for special meeting notification.

Legislated Requirements

Section 208 of the MGA places the responsibility for the minutes of council and council committee meetings with the Chief Administrative Officer (CAO).

Minutes are to be recorded in the English language and must include the names of the councillors present. The CAO is also required to ensure the minutes are adopted at a subsequent meeting and that the minutes of council meetings be kept safe.

Section 213 of the MGA addresses the signing requirements for municipal documents. Council minutes and council committee meeting minutes must be signed at a subsequent meeting by the person presiding at the meeting and a designated officer. This is normally the mayor/reeve and CAO.

Quorum

A quorum is necessary to transact business at a municipal council or council committee meeting. Section 167 of the MGA defines a quorum as “the majority of all the councillors that comprise the council under section 143 of the MGA”, unless there is a vacancy on council and council is not required to hold a by-election.

If a member arrives late, their arrival time should be recorded in the minutes at the precise location of the order of business as well as in the attendance summary in the heading. Early departures should be recorded in the same manner.

By recording these activities, the minutes provide evidence that quorum has been maintained as required by legislation.

Resolutions / Motions

Despite the broad authorities provided to councils under the MGA, a council may act only by resolution or bylaw that is passed at a public meeting. In this sense, minutes are the critical link between the policy direction of council and the practical operation of the municipality. Well-crafted resolutions and bylaws provide clear direction and maximize the likelihood of accomplishing the intended result.

Resolutions - their proposal, discussion, amendments, and final passing - are probably the most important tasks undertaken by any municipal council. The resolution is legislated and the basis for all action exercised by a council. Direction given without a resolution has no legal validity.

Resolutions are usually structured to stand on their own and answer the “who, what, where, when and why” questions. If the resolution involves financial implications, it should also answer the questions “how much?” and “where will the funds will come from?” As the basis for establishing the actions of the municipality, each resolution should provide administration with clear direction that can be implemented without having to interpret or guess as to the intent. In order to facilitate the development of clear and complete resolutions, recommendations on decision items that are prepared by administration and included in the council agenda packages should set out or suggest the anticipated resolution.

A best practice is to display the resolutions on a screen or to read back the resolution so that everyone understands and agrees with what is being recorded.

It is also recommended that each municipality devise a numbering scheme to identify their resolutions. A common practice is to start at the beginning of the year with the day, month and year and number each one sequentially. This is helpful in two ways: 1) you can tell when the decision was made and 2) you only have to quote the number when referring to the resolution in the future.

It is recommended that every resolution be followed by a clear indication as to whether it is “carried” or “defeated”. It is not necessary to indicate that resolutions were carried unanimously, except in limited circumstances such as consenting to consideration for 3rd reading of a bylaw that can receive all three readings at the same meeting or if the procedural bylaw imposes other conditions.

For example:

Res. No. 187-17-12-20 MOVED by Councillor Bucks that Bylaw 03-20 be given second reading.

CARRIED

Res. No. 188-17-12-20 MOVED by Councillor Nospend that Bylaw 03-20 be considered for third reading.

CARRIED UNANIMOUSLY

Contents

Minutes should be structured to facilitate ease of reference by recording a simple form of sequential events. For every heading on the agenda, the minutes should have a corresponding entry.

As a municipal best practice, the minutes of all council meetings should contain:

- The full corporate name of the municipality, - “Municipality of Anywhere.”
- The type of council meeting – Regular, Special, Organizational, or Committee
- The date, hour and place of the meeting.
- The names of all council members or committee members in attendance.
- The name of the presiding officer.
- The names of the attending secretary, administrator, or other person who is the official in charge of recording the minutes, and any other appointed officials in attendance, including each person’s title.
- The method of notice of the meeting if other than a Regular Meeting.
- An item that corresponds with every item on the agenda for that meeting.
- A resolution for every item.
- A record of the time(s) a councillor left and returned to the meeting and any recesses/breaks.
- Signatures of the presiding official and a designated officer.

The meeting should be conducted in the same order as presented on the agenda for the meeting. The municipality’s procedure bylaw normally outlines the order of business preferred by council. Please see the publication [The Procedure Bylaw and the Agenda](#) for more information.

The first item is always Call to Order. A council meeting should be called to order at the time advertised. The next item would be the approval of the agenda as it stands. Any urgent business

would be added to the agenda by resolution and then the agenda would be approved as amended. A best practice is to define what constitutes urgent business in the procedure bylaw.

Adoption of Minutes

It is recommended that the previous meeting's minutes be distributed with the agenda package for the next meeting. This gives council members an opportunity to review the contents well in advance. After reviewing the previous minutes, councillors may ask for an amendment. A way to avoid amendments is to display the resolutions on a screen or to read back the resolution so that everyone agrees with what is being recorded.

If any errors or omissions are found in the minutes of the previous meeting, the amendments would be recorded in the minutes of this meeting, and the minutes would be approved as follows.

Res. No. 181-19-12-19 MOVED by Councillor Bucks that the minutes of the regular meeting of council held on December 8, 2019, be approved with the following amendment:

Add the words "and posted to Alberta Purchasing Connection" to Res. No. 173-8-12-2019.

CARRIED

The original minutes document would be updated to reflect the amendment(s) and signed.

The most appropriate time for signing minutes is immediately following the adjournment of the meeting. To ensure the integrity of the original document, it is suggested that the presiding officer and designated officer initial all pages of the minutes.

Delegations

Although a record of council discussions on meeting topics presented by delegations might be informative, the record of discussions would also be subjective because not all aspects of the discussion could be captured practically or given equal weight. A council should have a policy outlining the requirements for a delegation to council which should require providing comments in writing that would be included in the agenda package. This could also be part of the procedure bylaw.

If a lawyer, developer, etc. is scheduled to provide information to council in a closed portion of the meeting, they would normally be heard early in the meeting as a courtesy to the public. A closed meeting requires a resolution to move into the closed portion and another resolution to return to the open meeting. See the publication [Closed Meetings of Council](#) for more information.

Public Hearings

Section 230 of the MGA outlines the processes for a public hearing. 230(1) states that a public hearing must be held before second reading of a bylaw or before council votes on the resolution. 230(2) indicates that council must give notice of the hearing in accordance with section 606 of the MGA and conduct the hearing during a regular or special meeting of council.

The section also includes that a council may pass a bylaw to establish procedures for the hearing and who must be heard. A resolution is required to move into a Public Hearing. The resolution should provide some identifying information as to why the hearing is being held.

Section 230(5) indicates that after a public hearing 1) a council may pass the bylaw or resolution, 2) make any amendment to the bylaw or resolution it considers necessary and proceed to pass it without further advertisement or hearing, or 3) defeat the bylaw or resolution. Best practice is considered to be to pass a resolution moving the bylaw to the open meeting for consideration and then a resolution for one of the three options.

Public hearings are to be recorded to the extent directed by council. Public hearings do not have to follow section 208 requirements, but can be recorded as set out by council in the municipality's procedure bylaw. Best practice is to follow the same process used for recording council meeting minutes; however, providing more information when required.

Bylaws

The development of bylaws is dependent upon the passing of a series of resolutions. A proposed bylaw must not have more than two readings at the same council meeting unless the councillors present unanimously agree to consider a third reading, as stated in section 187(4) of the MGA. The minutes must show that the resolution to proceed to third reading is unanimously carried in order to verify the legislated process was followed. (See [Basic Principles of Bylaws](#) publication)

Business

This section deals with anything and everything that has arisen since the last council meeting. Anything that requires a decision of council should be accompanied with a request for decision (in the agenda package) providing information/options to council so an informed decision (resolution) could be made. Each item brought forward would be dealt with by a resolution.

Councillor Reports

Councillors sit on various committees and are involved in many things in the community. Again, the procedure bylaw could indicate that these reports are received in writing to be sent out with

the agenda. By handling them in this manner, the reports would be accepted as information freeing up valuable time.

Chief Administrative Officer (CAO) Report/Action list

The CAO should also provide a written report and action list (in the agenda package) about activities on the administration side since the last meeting. The action list provides a status report on implementation of previous decisions of council. If there are any items on the action list that council wishes to discuss or pass a further resolution on, then there may be more detail or another resolution in this area.

Financial Reports

Normally these reports are presented to council at least quarterly. At a minimum, they should include budget variance reports and updates on major capital projects, but could also include progress on the next budget and/or financial plans, reserve balances and projections, asset management or other items administration thinks council should be aware of or council requests. These reports would be included in the agenda package and accepted as information by resolution.

Correspondence

While legislation does not require that correspondence be listed in the minutes, it is recommended that this be done as a municipal best practice. In some municipalities, the process may be governed by the procedural bylaw. Any matter that receives the attention of council or the administration may be documented. Discretion may be used in regards to what correspondence items are included in council minutes. For example, routine administrative matters can be excluded if they are not relevant to the meeting agenda or do not influence the outcome of a council decision.

Confidential Items

As noted under delegations, there are specific processes for moving in and out of closed sessions. Section 197 of the MGA outlines the specific requirements for closing and reopening a meeting to the public. Council and council committees are required to record the part of the meeting that is to be closed and the basis for it. The public must be given time to return to the open meeting after the motion to return is made. These processes and the criteria in the *Freedom of Information and Protection of Privacy (FOIP) Act* must be used for every closed session.

CONFIDENTIAL ITEMS

Res. No. 203-19-12-19 MOVED by Councillor Nospend that council move to closed session at 9:00 pm to discuss the collapse of the retaining wall at 34 Street between 8th and 9th Avenue as per section 20, FOIP.

CARRIED

Res. No. 204-19-12-19 MOVED by Councillor Bucks that council return to open meeting at 9:35 pm.

CARRIED

9:36 pm – meeting recessed to allow return of public.

9:41 pm – meeting resumed with public present.

Res. No. 205-19-12-19 MOVED by Mayor Orderly that the municipal lawyer be briefed on the collapse of the retaining wall at 34 Street between 8th and 9th regarding implications.

CARRIED

It is considered a best practice to conduct most closed meeting sessions at the end of a council meeting, except when they involve professionals (lawyers, etc.). An example of an item that requires a closed session would be the CAO's performance review. This could be done at the end of the meeting as it only involves the council and the CAO as authorized by section 17 FOIP. Again, see the publication [Closed Meetings of Council](#) for more information.

Adjournment

When all of the items on the agenda are dealt with, the meeting is concluded. The time of adjournment should be recorded in the minutes. There is no need for a motion to adjourn.

Other Items of Note

Voting

Section 183(1) of the *MGA*, states that a councillor attending a council meeting must vote on a matter put to a vote at the meeting unless the councillor is required or permitted to abstain from voting under the *MGA* or any other enactment. Furthermore, the council must ensure that each abstention and the reasons for the abstention are recorded in the minutes of the meeting.

Recording of Votes

Section 185 of the *MGA* provides that “*Before a vote is taken by council, a councillor may request that the vote be recorded*”. The same section of the *MGA* requires that when a vote is recorded, the minutes must show the names of the councillors present and whether each councillor voted for or against the resolution. Votes are recorded only when requested, not on a regular basis.

Equality of Votes

Section 186 of the *MGA* states “*If there is an equal number of votes for and against a resolution/motion or bylaw, the resolution or bylaw is defeated*”. Again, it is recommended that every resolution be followed by a clear indication as to whether it is “carried” or “defeated” for future reference.

Retention of Minutes

Council meeting minutes are a legal document that must be preserved indefinitely. They can only be destroyed if authorized by council and if the originals are recorded on microfiche or on an electronic system that will allow copies to be made. Therefore, it is highly recommended to have both electronic and paper files of the documents. It would be prudent to also consider having the paper copy on good quality bond paper, bound in a sturdy binder, and stored in a fireproof area, ideally a safe or a fire-rated cabinet.

Conclusion

Minutes are the official record of council’s business. Utilizing municipal best practices when preparing council meeting minutes is an important step in maintaining a reliable and useful document. The resulting minutes will continue to reflect each council’s unique approach to conducting municipal business. It may take some practice, but following these steps will help ensure the drafting of meeting minutes that will be useful and valid for years to come.

Sample Minutes

**MUNICIPALITY OF ANYWHERE
REGULAR COUNCIL MEETING
MINUTES**

Tuesday, December 19, 2019

The regular meeting of the council of the Municipality of ANYWHERE was held in council chambers in the municipal office on Tuesday, December 19, 2019, commencing at 6:30 pm.

IN ATTENDANCE

Mayor I. M. Orderly
Councillor Mini Bucks
Councillor Jack Nospend
Chief Administrative Officer, I. R. Organized

CALL TO ORDER

The meeting was called to order at 6:30 pm.

**ACCEPTANCE OF
AGENDA**

Res. No. 180-19-12-19

MOVED by Councillor Nospend that the agenda be adopted with the following addition:

Collapse of the retaining wall at 34 Street between 8th and 9th Avenue.

CARRIED

**APPROVAL OF
MINUTES**

Res. No. 181-19-12-19

MOVED by Councillor Bucks that the minutes of the regular meeting of council held on December 8, 2019, be approved with the following amendment:

Add the words “and posted to Alberta Purchasing Connection” to Res. No. 173-8-12-19.

CARRIED

PUBLIC HEARINGS

Res. No. 182-19-12-19

MOVED by Councillor Nospend to commence the Public Hearing for Bylaw 323 Land Use at 7:32 p.m.

CARRIED

Res. No. 183-19-12-19 MOVED by Councillor Bucks to move Bylaw 323 to the regular council meeting for discussion.

CARRIED

DELEGATIONS

Res. No. 184-19-12-19 MOVED by Councillor Nospend to accept the presentation from John Day regarding Recycling Techniques as information and schedule Mr. Day for the January, 2020 meeting.

CARRIED

Res. No. 185-19-12-19 MOVED by Councillor Nospend to accept the presentation from Ms. Dee Brief regarding the Youth Centre as information.

CARRIED

BYLAWS

Bylaw 03-19 Establish the Rental Rates

Res. No. 186-19-12-19 MOVED by Councillor Nospend that Bylaw 03-19 being the rental rates bylaw, be given first reading.

CARRIED

Res. No. 187-19-12-19 MOVED by Councillor Bucks that Bylaw 03-19 be given second reading.

CARRIED

Res. No. 188-19-12-19 MOVED by Councillor Nospend that Bylaw 03-19 be considered for third reading.

CARRIED UNANIMOUSLY

Res. No. 189-19-12-19 MOVED by Councillor Bucks that Bylaw 03-19 be given third reading.

CARRIED

Bylaw 04-19 Procedure Bylaw

Res. No. 190-19-12-19 MOVED by Councillor Nospend that Bylaw 04-19 being the procedure bylaw be given first reading.

CARRIED

BUSINESS

Res. No. 191-19-12-19 AUMA Formula on Distribution of Funds
MOVED by Councillor Bucks that council support the AUMA proposed grant formula and forward the requested letter to the Premier.
Councillor Nospend requested a recorded vote.
IN FAVOUR - Mayor Orderly, Councillor Bucks
AGAINST – Councillor Nospend

CARRIED

Res. No. 192-19-12-19 Janitorial Services Contract
Councillor Bucks declared a pecuniary interest due to his son being one of the bidders for the contract and left the meeting at 8:10 p.m.
MOVED by Councillor Nospend that the Chief Administrative Officer be authorized to enter into a contract for janitorial services with Tyler Bucks at a rate of \$500.00 per month for a term of 3 years.

CARRIED

Councillor Bucks rejoined the meeting at 8:20 p.m.

Inspections Policy

Res. No. 193-19-12-19 MOVED by Councillor Bucks that the Chief Administrative Officer further enhance the draft Inspections Policy by including a map of traffic sign locations and all buildings be included as part of the policy for review at the next regular meeting of council

CARRIED

2020 Long Range Planning Meetings

Res. No. 194-19-12-19 MOVED by Councillor Nospend that council schedule Special Meetings for January 7 and 21, 2020 starting at 7:00 pm in Council chambers to prepare the proposed 2020 Long Range Planning Document.

CARRIED

COUNCILLOR REPORTS

Res. No. 195-19-12-19 MOVED by Councillor Bucks to accept the Councillor reports for information.

CARRIED

CHIEF ADMINISTRATIVE OFFICER (CAO) REPORT/ACTION LIST

Res. No. 196-19-12-19 MOVED by Mayor Orderly that the CAO report and Action List for the period December 3 – December 17, 2019 be accepted for information.

CARRIED

FINANCIAL

Bank Reconciliation

Res. No. 197-19-12-19 MOVED by Councillor Bucks that the Bank Reconciliation dated November 30 be accepted for information.

CARRIED

2020 Aged Trial Balance (before audit)

Res. No. 198-19-12-19 MOVED by Councillor Nospend that the preliminary 2020 aged trial balance report be accepted as information.

CARRIED

2019 Year-end Report (before audit)

Res. No. 199-19-12-19 MOVED by Councillor Nospend that the preliminary 2019 financial report be accepted for information.

CARRIED

CORRESPONDENCE

Res. No. 200-19-12-19 MOVED by Councillor Bucks that the following correspondence be received for information:

Alberta Association of Municipal Districts and Counties (AAMDC) Contact! Newsletter of December 2019.

2020 Small Communities Conference

CARRIED

CONFIDENTIAL ITEMS

Res. No. 201-19-12-19 MOVED by Councillor Nospend that council move to closed session at 9:15 pm to discuss the collapse of the retaining wall at 34 Street between 8th and 9th Avenues as per section 20, FOIP.

CARRIED

Res. No. 202-19-12-19 MOVED by Councillor Bucks that council return to open meeting at 9:35 pm.

CARRIED

9:36 pm – meeting recessed to allow return of public.

9:41 pm – meeting resumed with public present.

Res. No. 203-19-12-19 MOVED by Mayor Orderly that the municipal lawyer be briefed on the collapse of the retaining wall at 34 Street between 8th and 9th regarding implications.

CARRIED

ADJOURNMENT

The meeting adjourned at 9:40 pm.

These minutes approved this _____ day of _____, 2020.

Mayor Orderly

Chief Administrative Officer

DATE: _____

TOWN OF ANYWHERE

WAIVER OF NOTICE OF A SPECIAL MEETING OF COUNCIL CALLED

UNDER AUTHORITY OF SECTION 194 OF THE MUNICIPAL GOVERNMENT ACT

We, the undersigned members of the council of the Municipality of Anywhere, hereby waive notice of a special meeting of council to be held in the council chambers of the Municipality of Anywhere on Wednesday, May 15, 2020 , commencing at 8:00 p.m for the purpose of discussing and acting upon the following item(s):

1. _____

4. _____

2. _____

5. _____

SIGNED

NAME _____ DATE _____

NAME _____ DATE _____

NAME _____ DATE _____

NAME _____ DATE _____

NAME _____ DATE _____

NAME _____ DATE _____

Chief Administrative Officer, I. R. Organized

Municipality of Anywhere

