



**Date:** 13/09/2021

**To:** Chair and Directors, Cariboo Regional District Board

**And To:** John MacLean, Chief Administrative Officer

**From:** Alice Johnston, Manager of Corporate Services/Deputy CAO

**Date of Meeting:** Cariboo Regional District Board\_Oct01\_2021

**File:** 3900-20-5070

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## Short Summary:

Review of Board's Procedure Bylaw

## Voting:

Corporate Vote - Unweighted

## Memorandum:

Since June 2020, local governments have been operating under Ministerial Order M192, which allows all meetings and public hearings to be conducted electronically during the COVID-19 pandemic. This authority expires on September 28, 2021; on the 29<sup>th</sup>, new authorities for electronic regular and committee meetings will be brought into force. Local governments have been encouraged to initiate a review of their current procedure bylaw and consider whether any amendments are required or desired in preparation for when the authority to hold electronic meetings under M192 ends. The new authority will give local governments the ability to conduct **electronic meetings** (where all members may participate electronically) and allow **electronic participation** (allows for a hybrid meeting where some members attend in person and some attend by electronic means).

## Considerations:

Currently, the Board's procedure bylaw allows members to attend a meeting electronically up to two meetings per year, only if they are ill/injured at the time; the weather/roads are bad; or they are physically away from the Regional District while conducting CRD business. Note: The Chair may not participate electronically in the current bylaw, and no more than two Directors at one time may participate electronically unless the Chair authorizes it.

The Board will have to decide if it wishes to include authorization for electronic meetings in its amended procedure bylaw, and if so, under what circumstances. For clarification, the Board will still have the ability to conduct a Special Vote for urgent matters under BC Regulation 41/91 (not for 2<sup>nd</sup> and 3<sup>rd</sup> reading of annual budget bylaws, zoning bylaws, OCP or rural land use bylaws). In addition, the Board will want to discuss the issue of electronic participation in a

meeting; whether you wish to maintain the current restrictions in the bylaw or expand them in any way.

Other issues for the Board to consider when updating the bylaw:

- 1) Does the Board wish to formalize the acknowledgement of meeting on Indigenous traditional territories in its bylaw? If so, will this extend to all meetings of CRD committees as well? Will it be a requirement or an option?
- 2) Staff will update the in-camera portion of the bylaw to reflect that most in-camera agendas will be distributed electronically rather than hard copy format. A requirement to delete them will be included.
- 3) Staff suggest that the minutes only reflect whether a resolution is carried or defeated, rather than carried unanimously, carried, or defeated. The software system we use for agenda and minutes creation is based on this premise, so it is inefficient for every set of minutes to add the word “unanimously”. Experts on Robert’s Rules of Order and meeting management suggest that how a resolution passes is not what should be focused on; the Board as a whole either defeats or carries the resolution and that is what the minutes should reflect. However, a public statement that the resolution “passed unanimously” is sometimes portrayed as having more significance than “the Board passed a resolution...”.

Should this change be implemented, a member strongly in opposition would still have the ability to request that their opposing vote be recorded in the minutes.

- 4) Is there a need to include electronic meeting etiquette? How do we know if a member attending electronically has actually removed themselves after declaring a Conflict of Interest?

Should members attending electronically be required to verbally announce if they have to leave the phone temporarily?

- 5) Does the Board wish to clarify whether a non-voting member is allowed to second a motion? Can they move to defer? It may be helpful to have this clarification in the bylaw, especially for new members as regional district voting can be complicated and regional districts throughout the province handle it differently.

**Attachments:**

Bylaw No. 5070 (Current procedure bylaw)

**Financial Implications:**

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**Policy Implications:**

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### **Alignment with Strategic Plan:**

- Communication:** Facilitate communication strategies throughout the entire Cariboo Regional District that meet the needs of residents, community stakeholders, and other levels of government.
- Planning:** Intentionally plan services and activities of the CRD to prepare for future needs of residents and community stakeholders.
- Economic Sustainability:** Foster an environment to ensure the economic sustainability of CRD communities and the region.
- Governance:** Ensure that CRD governance policy and practices are intentional, transparent, and respectful.

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### **CAO Comments:**

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### **Options:**

- 1) Receipt and provide direction to staff on desired amendments;
- 2) Defer.

### **Recommendation:**

That the agenda item summary from Alice Johnston, Manager of Corporate Services/Deputy CAO, dated September 13, 2021, regarding a review of the Board's Procedure Bylaw, be received. Further, that the Board provide staff with direction on what changes it wishes to see in the updated bylaw.