

2.4.ii. Policy & Procedure

EXECUTIVE COMMITTEE & TRUST FUND BOARD RESOLUTIONS WITHOUT MEETING

Trust Council: September 22, 1992
Trust Fund Board: September 22, 1992
Amended: March 30, 1994

A: PURPOSE:

1. To make provision for the Executive Committee and the Trust Fund Board to obtain and count votes of members on urgent issues and for passing resolutions and adopting bylaws on those issues without the necessity of holding a regular or special meeting.

B: REFERENCES:

1. *Municipal Act*: Sections 793 (8) and (9)
2. B.C. Regulation 189/92
3. Schedule Islands Trust Special Voting Regulation
4. Legislative Requirements for Executive and Trust Fund Board Resolutions Without Meeting

C: BACKGROUND:

1. The Order in Council to give the Executive Committee and the Trust Fund Board authorization for voting by resolution without meeting was approved on May 29, 1992. Subsequently, the Islands Trust Special Voting Regulation and Ministerial Order were approved by the Minister of Municipal Affairs, Recreation and Housing, on May 29, 1992 and are currently in effect.

D: POLICY:

1. LEGISLATIVE REQUIREMENTS

- 1.1. A special vote may be taken by the Executive Committee and the Trust Fund Board only when the Chairperson and one other member considers that the issue to be voted on is urgent, and where calling a regular or special meeting to conduct the voting is impractical. Urgent is defined as when the issue in question is requiring immediate action as a result of unforeseen circumstances.
- 1.2. The special vote may be conducted by the Secretary of the Islands Trust, meaning the member delegated as Secretary by the Executive Committee or the Trust Fund Board. If the Secretary is absent, ill or otherwise disabled, the Chairperson may appoint another staff person to conduct the voting.

- 1.3. The vote may be conducted by telephone, by delivery, by facsimile transmission, or by other means of electronic transmission. All reasonable attempts shall be made to ensure that each member entitled to vote has the opportunity to do so.
- 1.4. Once the vote has been conducted, the Chairperson shall be informed of the results, and the Chairperson shall declare the vote to have passed or failed in accordance with those results. The vote shall be recorded as a resolution without meeting of the Executive Committee or the Trust Fund Board.

2. ISSUES WHERE VOTING IS RESTRICTED

2.1. Executive Committee

There are no specific restrictions on issues which can be voted upon, unless the Executive Committee is acting as a Local Trust Committee. If this is the case, the Executive Committee must abide by Sections 26 (3) and (4) of the Islands Trust Act. Specifically, if the Executive Committee is acting as a Local Trust Committee, members entitled to vote cannot vote by resolution without meeting for second or third readings of bylaws.

2.2. Trust Fund Board

There are no specific limitations on issues which can be voted upon.

E: PROCEDURE:

1. REQUIREMENTS TO ALLOW A RESOLUTION WITHOUT MEETING VOTE

- 1.1. Chairperson and one other member must establish if the issue is urgent (requiring immediate action as a result of unforeseen circumstances).
- 1.2. Chairperson and one other member must consider that calling a regular or special meeting to conduct the vote on the urgent issue is impractical.

2. BACKGROUND MATERIAL

Members must receive relevant background information on the issue before a resolution without meeting vote is conducted.

3. RESOLUTION WITHOUT MEETING FORM (Attachment 1.)

- 3.1. Part 1 of the resolution without meeting form must state the reasons why the issue is being considered by resolution without meeting and which members considered that the matter must be dealt with by resolution without meeting.
- 3.2. Part 2 of the resolution without meeting form shall state the Mover and the Seconder, along with the resolution to be considered.

- 3.3. Part 3 of the resolution without meeting form shall show the members' names, their approval or disapproval of the resolution, and the dates and times of each members' vote.
- 3.4. Part 4 of the resolution without meeting form shall show the Chairperson's signature, and the date the resolution without meeting was declared passed or failed.
- 3.5. Part 5 of the resolution without meeting form shall show the signature of the Secretary or staff delegate who conducted the vote.

4. HOW THE RESOLUTION WITHOUT MEETING VOTE IS TO BE CONDUCTED

- 4.1. The Secretary or staff person delegated to conduct the vote must make all reasonable attempts to ensure that each member is contacted.
- 4.2. Each member is to be contacted by either
 - i. telephone or other means of telecommunication; or
 - ii. delivery, including by delivery in writing, by facsimile transmission or other means of electronic transmission or other means by delivery in electronic form.
- 4.3. Each member shall vote by informing the Secretary or staff delegate of their approval or disapproval of the resolution.
- 4.4. The Secretary or staff delegate shall record each members' vote, including the dates and times when the members' votes were attained.
- 4.5. After the Secretary or staff delegate has made all reasonable attempts to contact each member, the Chairperson shall be informed of the results, and shall declare the vote to have passed or failed in accordance with those results.
- 4.6. The completed resolution without meeting shall be logged and numbered, and placed, along with all background information, in the Executive Committee or Trust Fund Board Minutes Binder.
- 4.7. Each member shall receive a copy of the completed resolution without meeting form.

F: ATTACHMENTS:

1. Attachment 1.: **RESOLUTION WITHOUT MEETING**

(ISLANDS TRUST EXECUTIVE COMMITTEE)
OR
(TRUST FUND BOARD)

RESOLUTION WITHOUT MEETING

RESOLUTION WITHOUT MEETING NO. RWM- -98 (Staff to complete)

Chairperson _____ and Vice-Chairperson _____ of the (Executive Committee) or (Trust Fund Board) considers the following matter urgent because (state reason why matter is considered urgent), and that calling a regular or special meeting to conduct a vote on the matter would be impractical.

It was Moved by Trustee _____ and Seconded that;

(Motion)

Please vote on the above motion by completing the ballots below:

<input type="checkbox"/> IN FAVOUR	<input type="checkbox"/> IN FAVOUR	<input type="checkbox"/> IN FAVOUR
<input type="checkbox"/> OPPOSED	<input type="checkbox"/> OPPOSED	<input type="checkbox"/> OPPOSED

_____ Signature/Phone Approval	_____ Signature/Phone Approval	_____ Signature/Phone Approval
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_____ Date	_____ Date	_____ Date
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<input type="checkbox"/> IN FAVOUR
<input type="checkbox"/> OPPOSED

Signature/Phone Approval

Date

THE CHAIRPERSON DECLARED THE ABOVE NOTED RESOLUTION _____ IN ACCORDANCE WITH THE ISLANDS TRUST SPECIAL VOTING REGULATION THIS _____ DAY OF _____, 1998.

CHAIRPERSON'S SIGNATURE

RECEIVED BY ISLANDS TRUST SECRETARY THIS _____ DAY OF _____, 19____.

SECRETARY'S SIGNATURE

(Signature of Recorder)