

4.1.ii. Guidelines

LOCAL TRUST COMMITTEE MEETING GUIDELINES

Trust Council: December 9, 1994

Amended: September 14, 2001

Amended: December 5, 2003

A: PURPOSE:

1. To supplement the statutory rules and procedure bylaw requirements applicable to regular and special LTC meetings.

B: REFERENCES:

1. Model LTC Meeting Procedure Bylaw (4.1.iii.)
2. Statutory Rules of Conduct (2.1.i.)

C: GUIDELINES:

1. Meetings

- 1.1 Any gathering of a quorum of local trust committee members at which the business of the local trust committee is advanced in a material way constitutes a meeting for the purposes of the “open meeting” rule in the *Community Charter*. The purpose of the open meeting rule is to ensure that the local trust committee’s business is conducted in an open forum, except where the nature of the business comes within one of the statutory exceptions to the rule and the business may lawfully be conducted in the absence of the public. The fact that a particular discussion may be occurring via telephone or e-mail does not prevent it from constituting a “meeting” for the purposes of the open meeting rule.
- 1.2 The fact that two persons may constitute a quorum of the local trust committee presents particular difficulties in the application of the open meeting rule. Local trustees need not avoid one another in social situations or impose other artificial constraints on their interaction as members of an island community. Discussions of administrative and logistical matters connected to the local trust committee’s business agenda are unlikely to violate the open meeting rule. Trustees should ask themselves, in determining whether a particular discussion or other interaction should be avoided outside the forum of a trust committee meeting, whether the fact that the discussion or interaction has already occurred would enable the committee to get through a forthcoming meeting agenda more quickly as a result of the trustees having already exchanged views on the matter.

If the answer is yes, then the discussion or interaction should not occur outside the context of an actual meeting.

- 1.3. Resolutions without meeting are statutory exceptions to the “open meeting” rule, with the result that the interaction that occurs in the course of the taking of a vote under that procedure cannot in law constitute a meeting.

2. Rules of order

- 2.1. Every member of the trust committee wishing to speak to a question or motion shall address himself or herself to the chairperson. A member of the trust committee may speak only after the chairperson has recognized the member. If two or more members indicate at the same time a desire to speak, the chairperson may designate the order in which each is to speak. If the chairperson wishes to speak in a meeting, the chairperson need only address the meeting at the time they wish to do so.
- 2.2. A member must address the chairperson as "Mr. Chairperson" or "Madam Chairperson", as the case may be.
- 2.3. Except as otherwise resolved by the trust committee, a member may:
 - i. speak only to a matter being debated by the trust committee.
 - ii. speak only once to a matter, but a member may speak more than once to a matter to:
 1. explain a material part of his or her speech which may have been misunderstood; or
 2. ask a question.
 - iii. speak for no more than 15 minutes at a time.
 - iv. not speak to a matter already dealt with by the trust committee.
 - v. not speak when called to order by the chairperson.
- 2.4. No member may interrupt a member who is speaking except to raise a point of order. No member may cause a disturbance at or disrupt a meeting.
- 2.5. A member may debate any motion other than a motion to table a matter.
- 2.6. Any person attending a meeting may address the trust committee on any item of business on the agenda, but only if the trust committee resolves to allow that person to address it.

- 2.7. At the time any ruling is made by the chairperson on a point of order, the chairperson must inform the trust committee of the ground or grounds on which the ruling is made.
- 2.8. Every motion shall be presented in concise form, beginning with the phrase "I move that..." and the member making the motion shall not speak to the motion until the motion has been seconded.
- 2.9. On a vote being taken, the members present shall indicate their vote by a show of hands. When it has been requested that the members be polled, the chairperson shall individually call the name of each member present who shall state whether he or she votes in the affirmative or the negative.
- 2.10. When a member so requests, the names of those who vote for and those who vote against a question must be recorded in the minutes of the meeting.
- 2.11. When the question under consideration contains distinct propositions, the vote on each proposition shall be taken separately, should any member so request.