

**SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 125, 2022**

A bylaw to establish procedures for meetings of the Local Trust Committee

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The South Pender Island Local Trust Committee, being the local trust committee having jurisdiction in respect of the South Pender Island local trust area under the *Islands Trust Act*, enacts as follows:

**SHORT TITLE**

1. This bylaw may be cited as “South Pender Island Local Trust Committee Meeting Procedure Bylaw No. 125, 2022”.

**MEETINGS AND NOTICE OF MEETINGS**

2. The first regular meeting of the Local Trust Committee shall be held on a date to be determined by the Local Trust Committee by Resolution Without Meeting following a general local election.
3. At the first regular meeting and at the last regular meeting of each of the first, second, and third years following a general election, or by Resolution Without Meeting, the Local Trust Committee shall establish a schedule of the date, time and place of regular Local Trust Committee meetings for the following calendar year, of which there shall be at least two held in-person and the schedule shall be posted on a bulletin board on island that is accessible to the public and at the Office of the Islands Trust.
4. Public notice of the availability of the regular meeting schedule at the place specified in Section 3 shall be given at least once a year by publication in a newspaper circulating in the local trust area.
5. Advance public notice of a regular or special meeting that is to be conducted by means of electronic or other communication facilities shall include the way in which the meeting is to be conducted by means of electronic or other communication facilities and the place where the public may attend to hear, or watch and hear, the proceedings that are open to the public and shall be posted at the places specified in Section 3 and delivered to trustees in accordance with Section 6. Notice of a special meeting which is to be conducted by means of electronic or other communication facilities shall be delivered to the trustee in accordance with Section 7.
6. Each local trustee shall provide to the Secretary of the Islands Trust a telephone number and mailing address for the purpose of receiving notices of Local Trust Committee meetings, and notice shall be deemed to have been sufficiently given to the local trustee if the notice is delivered to the trustee’s mailing address or given to the trustee in person.
7. Any two members of the Local Trust Committee may call a special meeting by giving notice of the day, time, place and purpose of the meeting to the third member of the Committee by telephone or written notice delivered to the trustee at least 48 hours before the time of the meeting, and by posting the notice at the places specified in Section 3, except that notice to Local Trust Committee members may be waived by unanimous vote.
8. If the Chairperson is not one of the members calling the special meeting, the members calling the special meeting shall, prior to doing so, advise the Chairperson of the calling of the meeting and consider the Chairperson’s representations, if any, regarding the calling of the meeting.

9. Regular and special meetings of the Local Trust Committee shall be open to the public, except where the Committee has stated by resolution in open meeting that the meeting or portion of the meeting is to be closed to the public, and has stated the statutory basis on which it is to be closed.
10. A quorum of the Local Trust Committee is two members.
11. In the event that neither the Chairperson nor the alternate member of the Local Trust Committee appointed by the Chair of the Trust Council is present within one half hour of the scheduled time of a regular or special meeting, the Director of Local Planning Services, or his or her designate, shall call the meeting to order and the remaining trustees shall determine which of them shall act as Chairperson.

## **MINUTES**

12. The Director of Local Planning Services or his or her designate shall legibly record the minutes of the meetings of the Local Trust Committee, and shall record any resolutions without meeting. After the minutes of a meeting have been adopted, the Director or his or her designate shall certify the minutes as correct and the Chairperson or other trustee who presided at the meeting shall sign the minutes.
13. The minutes shall record every resolution of the Committee, and the mover, including every resolution closing a meeting to the public, the reading and adoption of every bylaw, and every declaration made in relation to a conflict of interest.

## **MEETING PROCEDURE, RESOLUTIONS AND BYLAWS**

14. Any question of meeting procedure that is not provided for in this Bylaw, the *Islands Trust Act*, the *Local Government Act*, the *Community Charter*, or regulations under either of those statutes, shall be resolved in accordance with the most current edition of *Robert's Rules of Order*.
15. Resolutions shall be in writing, and may be moved by any member of the Local Trust Committee.
16. Bylaws shall be in writing, may be read by title only, provided that each member of the Local Trust Committee is in possession of a complete copy of the proposed bylaw at the meeting, and may be adopted on a motion to that effect at a regular or special meeting. Bylaws may be read a first time, and may be adopted, by resolution without meeting.
17. The Chairperson of the Local Trust Committee or other trustee who presided at the meeting at which it was adopted, and the Secretary of the Islands Trust shall sign every bylaw adopted by the Local Trust Committee, and the Secretary shall keep a certified copy of the bylaw at the principal office of the Islands Trust.

## **ELECTRONIC MEETINGS**

18. Regular or special meetings of the Local Trust Committee beyond the minimum number of in-person physical meetings identified in Section 3 may be conducted entirely by means of electronic or other communication facilities if a majority of the members of the Local Trust Committee have agreed by resolution that the meeting may be conducted in this way and provided the Deputy Secretary has received sufficient notice and can make the necessary arrangements.
19. An individual Local Trust Committee member who is unable to attend at the physical location of a Local Trust Committee meeting that is held in-person may choose to participate by means of electronic or

other communication facilities, provided the Deputy Secretary has received sufficient notice and can make the necessary arrangements.

20. Not more than one Local Trust Committee member may participate by means of electronic or other facilities when the meeting has been scheduled for an in-person meeting.
21. An individual member of the Local Trust Committee may not participate by means of electronic or other communication facilities in two consecutive regular Local Trust Committee meetings that are held in-person.
22. The Local Trust Committee may waive the restrictions in sections 43 and 44 by unanimous resolution, of the Local Trust Committee.
23. Local Trust Committee members who use electronic or other communication facilities to participate in a meeting conducted in accordance with this bylaw are deemed present at the meeting.
24. Members of the Local Trust Committee may begin participation in a meeting by electronic communication facilities after the meeting has been called to order.
25. Where members of the Local Trust Committee are participating in a meeting through electronic or other communication facilities, the facilities must enable all meeting participants to hear, or watch and hear, each other and must provide notice when participants join or leave the meeting.
26. Where members of the Local Trust Committee are participating in a meeting through electronic communication facilities, the facilities must enable the public to hear, or watch and hear, all meeting participants at a place specified in the meeting notice, unless the meeting has been properly closed to the public.
27. For the duration of a Local Trust Committee meeting conducted by electronic or other communication means that is open to the public, a designated staff member shall be in attendance at the place specified in the meeting notice for the public to hear, or watch and hear, the meeting.
28. If communication is lost to one or more electronic participants during the meeting:
  - 28.1 the participant affected will attempt to reestablish the link and, in the interim, will be deemed to have left the meeting and this will be recorded in the minutes;
  - 28.2 if there is not a quorum, the Local Trust Committee Chair or person presiding will call a recess until the link is reestablished; and,
  - 28.3 if, after 15 minutes, a link cannot be reestablished and there is not a quorum of Local Trust Committee members, the meeting will be deemed adjourned and the item under discussion at the time of loss of communication will be added to the next agenda.

## EXECUTION OF DOCUMENTS

29. The Chairperson and one other member of the Local Trust Committee may execute any document on behalf of the Local Trust Committee once the Committee has authorized the execution of the document.
30. "South Pender Island Local Trust Committee Meeting Procedures Bylaw No. 93, 2004" is repealed.

READ A FIRST TIME THIS 20<sup>TH</sup> DAY OF JANUARY, 2022.

READ A SECOND TIME THIS 20<sup>TH</sup> DAY OF JANUARY, 2022.

READ A THIRD TIME THIS 20<sup>TH</sup> DAY OF JANUARY, 2022.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS  
24<sup>TH</sup> DAY OF JANUARY, 2022.

ADOPTED THIS 28<sup>TH</sup> DAY OF JANUARY, 2022.

CHAIRPERSON

DEPUTY SECRETARY