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**To:** Executive Committee                      **For the Meeting of:** October 6, 2021

**From:** Carmen Thiel, Legislative Services Manager                      **Date Prepared:** October 5, 2021

**SUBJECT:** Executive Committee and Electronic Meetings

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**PURPOSE:** To outline the options for electronic attendance of individual Executive Committee members at regular meetings for the duration of 2021.

**BACKGROUND:**

**Legislative Changes**

- On September 29, 2021 Ministerial Health Order 192 which allowed trust bodies, including Executive Committee, to conduct regular meetings electronically ceased to be in effect;
- Effective September 29, 2021 an amendment to *Islands Trust Electronic Meetings Regulation* (link below) was enacted which will allow regular meetings to be held electronically, in addition to special meetings;
- As of September 29<sup>th</sup> trust bodies can start amending their procedure bylaws if they want to hold some of their regular meetings electronically;
- For Executive Committee (EC), until these amendments to the Trust Council procedure bylaw are adopted, EC will return to in-person meetings as of September 29<sup>th</sup>. Any meetings after September 29<sup>th</sup> will require that an officer or staff person be physically present at a meeting location where the public can attend to hear or watch and hear the meeting proceedings that are open to the public;
- In the interim, until the above noted bylaw amendments are adopted by Trust Council, section 4 of the amended Regulation, and section 11.11 (b) – (e) of the Trust Council procedure bylaw provide that a member of EC who is unable to attend in person at a regular meeting may participate in the meeting by means of electronic or other communication facilities if:
  - the meeting is conducted in accordance with the procedure bylaw; and
  - the meeting place allows the meeting participants (trustees) and the public to hear, or watch and hear, the participation of the remote trustee(s);
- Currently, Trust Council procedure bylaw provides that:
  - 11.11(c) At a regular EC meeting, no more than two members, excluding the chair, may participate electronically;
  - 11.11 (d) An individual EC member may not participate electronically in two consecutive regular meetings; or more than half the regular EC meetings in any one calendar year;
  - 11.11 (e) EC may waive the restrictions in 11.11 (c) and (d) by unanimous resolution provided the waiver doesn't conflict with provincial legislation and regulation that enables electronic meetings.

## Options

Option 1: Both the amended Regulation and the current version of the Trust Council procedure bylaw allow for the limited electronic participation of individual EC members at regular meetings, with some restrictions as referenced above in 11.11 (c) and (d).

Option 2: Section 11.11 (e) allows EC to waive the restrictions in 11.11 (c) and/or (d) to allow for electronic participation of EC members at meetings until the Trust Council procedure bylaw amendment is adopted which would allow for fully electronic regular meetings.

After the October 6, 2021 EC meeting there are three more regular meetings scheduled prior to the November 30 – December 2, 2021 Trust Council meeting where procedure bylaw amendments could be considered.

Below is a sample resolution to waive the requirements in 11.11 (c) and (d):

That Executive Committee waive the requirements in section 11.11(c) (and/or) 11.11(d) of Trust Council Procedure Bylaw No. 101 for electronic participation of individual members at the following Executive Committee meeting:

[insert the specific meeting date, e.g. October 6, 2021, October 27, 2021, November 17, 2021 or November 29, 2021 where Option 1 may not be workable]

## ATTACHMENT(S):

1. Order in Council 521 – Islands Trust Electronic Meetings Regulation, BC Reg. 283/2009  
[https://www.bclaws.gov.bc.ca/civix/document/id/oic/oic\\_cur/0521\\_2021](https://www.bclaws.gov.bc.ca/civix/document/id/oic/oic_cur/0521_2021)

## FOLLOW-UP:

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**Prepared By:** Carmen Thiel, Leg. Serv. Mgr.

**Reviewed By/Date:** Russ Hotsenpiller, CAO / October 5, 2021