



BYLAW NO. 258

A BYLAW TO AMEND THE REGIONAL BOARD PROCEDURE BYLAW

WHEREAS the Strathcona Regional District has, by Bylaw No. 1, established procedures to govern the proceedings of the Regional Board and its committees;

AND WHEREAS the Regional District wishes to amend the aforesaid Bylaw No. 1 to provide for electronic participation by members at its meetings;

AND WHEREAS advance notice of this bylaw has been provided to each director in accordance with section 225 of the *Local Government Act*;

NOW THEREFORE the Board of Directors of the Strathcona Regional District, in open meeting assembled, enacts as follows:

Amendments

1. (1) Section 1 (**Definitions**) of Bylaw No. 1 is hereby amended by inserting the definitions of "electronic participant" and "electronic participation" between the definitions of "electronic format" and "emergency" as follows:

"electronic participant" means a member who is participating electronically in a meeting and who is not physically present at the meeting place.

"electronic participation" means participation in a meeting via telephone, computer or other device that permits the public and other members to hear, or see and hear, the electronic participant.

- (2) Paragraph (a) of section 6 (**Restriction on Nominations**) is amended by deleting the words "not present" and substituting the words "not physically present".

- (3) Subsection 1 of section 9 (**Voting Procedure**) is amended by deleting the words "in attendance" wherever they appear and substituting the words "who is physically present" in the first instance and "physically present" in the second instance so that the subsection reads as follows:

(1) If an election is required, each director who is physically present will be provided with a ballot paper upon which they may cast their vote. Directors who are not physically present and seated before the ballots have been collected for counting shall not be provided with a ballot paper. Completed ballots shall be placed into a ballot box, and when all of the ballots have been collected the ballot box will be removed to a separate room and the votes counted. The corporate officer will be advised of the voting results.

(4) A new section 19A and a new section 19B are added as follows:

Electronic Participation by Members

19A. *In order to participate electronically in a meeting a member must be connected via audio or audio/visual system when the meeting is called to order. In the event the audio or audio/visual system disconnects during the meeting the member will be deemed to have left for the remainder of the meeting and will not be permitted to re-connect. Members may not participate in person for part of a meeting and electronically for part of the same meeting.*

Chair May Disconnect Electronic Participant

19B. *The Chair may order that an electronic participant be disconnected if there is significant noise, interference or other disturbance that is disruptive to the proceedings, or if the quality of the connection does not permit the public or other members to hear, or see and hear, the member who is participating electronically.*

(5) Section 21 (**Presiding Official**) is deleted in its entirety and the following new section 21 is substituted therefor:

Quorum and Presiding Official

21. (1) *Provided that a quorum is present, the Chair shall call the meeting to order at the scheduled time. Electronic participants will not be counted towards a quorum.*

(1A) *If the Chair is absent at the start of a meeting the Vice Chair will preside. If the Vice Chair is also absent, or if the position of Vice Chair is vacant, an election for an Acting Chair will be held. The Acting Chair shall preside until the arrival of the Chair or Vice Chair, or until the meeting is concluded, whichever first occurs. The Chair, Vice Chair or Acting Chair must be physically present at the meeting to preside. While presiding, an Acting Chair has all the authority and is subject to the same rules as the Chair. For clarity, an alternate director is permitted to fill the position of Acting Chair but may not fill the position of Chair or Vice Chair on an ex-officio basis.*

(2) *In the event that there is no presiding official at any time during the meeting, the proceedings will be suspended until such time as the Chair, Vice Chair or other official authorized by this bylaw is able to preside.*

(3) *If the position of Chair or Vice Chair has become vacant as a result of resignation, disqualification or death an election to fill the vacancy shall be the first order of business, whether or not scheduled on the agenda.*

(6) Subsection (1)(a) of section 22 (**Order of Proceedings**) is amended by adding the words "and electronic participants" following the words "confirmation of quorum".

(7) Section 25 (**Lack of Quorum**) is amended by deleting the word "present" in the second instance and substituting therefor the words "physically present or participating electronically" so that the section reads as follows:

Lack of Quorum

25. *If a quorum is not present within 30 minutes following the scheduled starting time of a meeting the names of the members who are physically present or participating electronically shall be recorded and the assembly dissolved.*

(8) Section 26 (**Recording Devices**) is deleted in its entirety and the following new section 26 is substituted therefor:

Recording Devices

26. *With the exception of audio or video devices necessary for conducting the Board's business, such devices may only be used or operated during meetings in the locations approved for that purpose, or as permitted on a specific basis by the Chair.*

(9) The last sentence of section 27 (**Meeting May Recess or Adjourn**) is amended by deleting the word "advise" and substituting the words "confirm the members who are participating electronically before advising".

(10) A new section 35A is added as follows:

Conflict of Interest

35A. *If a member who is participating electronically believes that they have a conflict of interest with respect to a matter being considered by the assembly, they shall advise the assembly and their ability to see, hear or otherwise participate in debate on the matter shall be curtailed for the duration of consideration of that matter.*

(11) Section 55 (**Voting Procedure**) is deleted in its entirety and replaced with the following new section 55:

Voting Procedure

55. (1) *Voting shall be done by a show of hands from those directors in favour of the motion, followed by a show of hands from those opposed to the motion. The Chair must poll the directors if they are participating electronically or if a show of hands is inconclusive. No voting by ballot or other secret method will be permitted, except for elections.*

(2) *For clarity, appointments may be made by election, resolution, or a combination of those methods. Elections shall be administered in accordance with the procedure set out in Part 2: Inaugural Meetings.*

(3) *No director may cast a vote in absentia unless they are participating electronically.*

(12) Section 57 (**Voting Rules**) is amended by adding the words "who are physically present" following the word "directors".

(13) A new section 62A is added as follows:

Electronic Privacy

62A. *If a member is participating electronically in a closed session the member must confirm that they are not using a wireless device and that there are no other persons present at their physical location such that the confidentiality of the meeting could be compromised.*

(14) A new paragraph (a.1) is added to section 95 (**Application of Other Provisions**) as follows:

(a.1) *Part 14 (Joint Meetings and Other Proceedings)*

(15) Section 104 (**Electronic Meetings**) is deleted in its entirety and replaced with the following new section 104:

Electronic Participation at Special Meetings

104. The holding of a special Board meeting is hereby authorized in accordance with B.C. Reg. 271/2005 (Regional Districts Electronic Meetings Regulation) where:

- (a) it is impractical to hold the meeting in the usual manner,
- (b) the Chair believes that there is some urgency involved and that the public interest will be served by holding such a meeting,
- (c) the only matters that will be considered at the meeting are those items of business which have been included on the agenda distributed in advance of the meeting, and
- (d) there is sufficient time for the corporate officer to make the necessary arrangements to hold the meeting.
- (e) for the purposes of Special Board meetings electronic participation will be counted in the calculation of a quorum.

(16) A new section 104A and a new section 104B are added as follows:

Electronic Participation at Regular Meetings

104A. A member who is unable to attend a regular meeting of the Board may participate electronically provided that the member's alternate is not able to be physically present for the meeting.

Electronic Participation Subject to System Capacity

104B. Electronic participation in a regular or special meeting is subject to limitations imposed by technology and the Chair is authorized to determine which members will be permitted to participate electronically in the event demand exceeds system capacity.

Citation

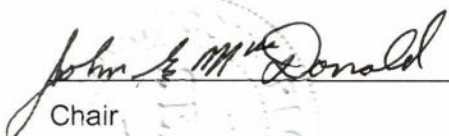
- 2. This bylaw may be cited for all purposes as Bylaw No. 258, being Regional Board Procedure Bylaw 2011, Amendment No. 3.

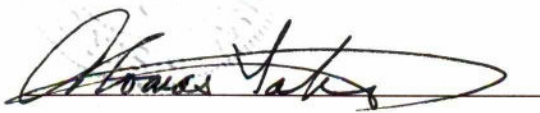
READ A FIRST TIME ON THE 25TH DAY OF AUGUST, 2016

READ A SECOND TIME ON THE 25TH DAY OF AUGUST, 2016

READ A THIRD TIME ON THE 25TH DAY OF AUGUST, 2016

RECONSIDERED, FINALLY PASSED AND ADOPTED ON THE 25TH DAY OF AUGUST, 2016


Chair


Corporate Officer