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REPORT TO CAPITAL REGIONAL DISTRICT BOARD MEETING OF WEDNESDAY, JULY 08, 2020

SUBJECT COVID Meeting Procedures

ISSUE SUMMARY

The global COVID-19 has resulted in a change of business for local government public meetings, most recently with the introduction of Ministerial Order No. 192. While the CRD Board, committees and commissions continue to meet using a combination of in-person and electronic methods, best efforts must be made to physically include the public in meetings for transparency and accountability, and some accommodation of meeting procedures is required in order to meet physical distancing and public health officer orders.

BACKGROUND

Since late March 2020, the CRD Board has been meeting at least partially electronically in response to COVID-19 and the public health emergency. As the Province enters phases 2 and 3 of the response, the approach to public meetings is also undergoing further evolutions. Should the public health emergency conclude, the ability to meet electronically will no longer be possible under the CRD Board Procedures Bylaw.

On June 17, 2020, the Province of British Columbia issued the Order of the Minister of Public Safety and Solicitor General, Ministerial Order No. 192 under the *Emergency Program Act*. The order replaces the previous Ministerial Order No. 139. The new order provides new direction to local governments for open meetings, electronic meetings and timing requirements for bylaw passage.

Ministerial Order No. 192 applies to the meetings that are scheduled following June 17, 2020. Specifically, the order requires a regional district to ensure best efforts are met for the public to be physically present at open meetings. Under the new order, if a situation arises in which we are not able to safely accommodate all members of the public that wish to physically attend an open meeting, the Board must adopt a resolution which provides the rationale for the continued need to meet without the public present and that demonstrates how the Board will ensure continued transparency and accountability.

At this time, the Order of the Provincial Health Officer on Mass Gathering Events is in effect which does not allow for gatherings of more than 50 people, and physical distancing of 2 metres is still recommended. Based on the current assessment, the CRD boardroom can safely accommodate 35 people and still respect physical distancing requirements. For meetings of the 3 CRD Boards, given the number of Directors (24) and staff (6 Executive, 3 support staff and up to 2 staff speaking to staff reports) required to run the meetings, there is limited space to permit delegations or members of the public to attend in person. Standing Committees meetings in the CRD boardroom will have somewhat more capacity for members of the public to attend, based on fewer Committee members.

The following summarizes how the CRD Boards and Standing Committees will make 'best efforts' to be transparent, accountable and accessible when it is necessary to proceed with open

meetings without the public present:

- Meetings are all webcast through the CRD website;
- Meeting schedules are published monthly on the CRD website and weekly in the Times Colonist;
- Meeting notices and agendas are posted on the CRD website in the timeframe required under the CRD Board Procedures Bylaw (generally on Friday for the following Wednesday's meetings);
- Minutes for all meetings are posted on the CRD website once adopted;
- Presentations/delegations are able to address the CRD Board and standing committees via written submission or electronic participation (since June 10th) and the following messaging has been posted on the CRD website:
 - *Please note that during the COVID-19 situation, as we work to meeting physical distancing requirements, delegations may speak to the CRD Board via a modified process. Please sign up according to the requirements below, and staff will provide details on how to participate. We also strongly encourage submissions via written form (see instructions above).*

Ministerial Order No. 192 also applies to the 60 or more CRD committees and commissions. The new requirements have been communicated with support staff and committee/commission Chairs, with a template resolution provided as per Appendix B. All commissions have been encouraged to meet in person if possible and to make all efforts to welcome the public in whatever way can be done while still complying with the orders of the public health officer.

On May 27, 2020, the CRD Board passed the following resolution related to Annual General Meetings:

1. That the Skana Water Service Committee and Surfside Park Estates Water Service Committee AGMs are hereby deferred for the period of the Provincial State of Emergency;
2. That the financial reports usually presented at the AGM be posted online and rate payers notified; and
3. That the terms of local service committee members set to expire on June 30, 2020 are hereby extended a maximum of six months.

That motion addressed those meetings that were set to occur prior to the end of May. Many CRD local water/wastewater and fire/protective services have annual general meetings (AGM) for ratepayers. These AGMs are scheduled throughout the year, generally in the Spring and Fall. While the content shared with ratepayers at those meetings can be done electronically or be shared via the CRD website, the AGM also is the opportunity to make nominations and elections for new commission members. Given physical meeting space limitations, travel and local community restrictions on visitors, the potential for another round of COVID, as well as the level of interaction required to conduct an in-person AGM election, staff are recommending that for 2020 the CRD Board permit these committees to hold their AGMs with the option of electronic participation and have their usual election process conducted by mail ballot.

ALTERNATIVES

Alternative 1

That the CRD Board:

1. Make all efforts to meet in-person and encourage all other committees and commissions to do so also, provided the meetings can be done in keeping with public health officer

- orders,
2. Authorize open meetings of the Regional Board, Hospital District Board and Housing Corporation Board as well as Standing, Select and Advisory Committees to be held without the public physically present provided that: agendas are posted with proper notice; agendas and minutes are available on the website; meetings are live webcasted and can be viewed electronically; and, that the public is able to provide comment as a delegation via written or electronic submission; and
 3. Permit local area services and protective services to hold 2020 Annual General Meetings electronically when available meeting space cannot physically accommodate all area ratepayers, and conduct their election process for new committee members by way of mail-in ballot.

Alternative 2

That this report be referred back to staff for additional information.

CONCLUSION

The global COVID-19 has resulted in a change of business for local government public meetings, most recently with the introduction of Ministerial Order No. 192. While the CRD Board, committees and commissions continue to meet using a combination of in-person and electronic methods, best efforts must be made to include the public in meetings for transparency and accountability. In addition, local service AGMs may need to be held electronically for 2020 and have elections via a mail-in ballot process.

RECOMMENDATION

That the CRD Board:

1. Make all efforts to meet in-person and encourage all other committees and commissions to do so also, provided the meetings can be done in keeping with public health officer orders,
2. Authorize open meetings of the Regional Board, Hospital District Board and Housing Corporation Board as well as Standing, Select and Advisory Committees to be held without the public physically present provided that: agendas are posted with proper notice; agendas and minutes are available on the website; meetings are live webcasted and can be viewed electronically; and, that the public is able to provide comment as a delegation via written or electronic submission; and
3. Permit local area services and protective services to hold 2020 Annual General Meetings electronically when available meeting space cannot physically accommodate all area ratepayers, and conduct their election process for new committee members by way of mail-in ballot.

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ATTACHMENTS

Appendix A: Ministerial Order No. M192

Appendix B: Draft Committee & Commission Resolution