

**REPORT TO ELECTORAL AREAS COMMITTEE
MEETING OF WEDNESDAY, SEPTEMBER 09, 2020**

SUBJECT Annual General Meetings & Nomination Procedures for Commissions

ISSUE SUMMARY

COVID-19 and the potential for a second wave make in-person annual general meetings (AGMs), including the nomination and polling of attendees for commission appointment difficult. Finding locations with sufficient space to permit attendance with physical distancing and the reluctance of the public to attend large gatherings (limited to 50 people by the public health officer) have resulted in the need to find alternate ways to conduct the business generally covered at the AGMs.

BACKGROUND

On July 8, 2020, the CRD Board gave the following direction as part of governance implications as a result of COVID-19, which included the following resolution:

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.

Following that direction, a mail ballot process – beginning with a call for nominations – has been initiated in the following local service areas:

- Lyall Harbour – Boot Cove Water Local Service Committee
- Magic Lake Estates Water and Sewer Committee
- Skana Water Service Committee
- Surfside Park Estates Water Local Service Committee
- Sticks Allison Water Local Service Committee
- Wilderness Mountain Water Service Commission

The remaining committees and commissions listed below have a requirement to hold AGMs in their governing bylaws but have not yet initiated any processes for nominations and polling of owners:

Bylaw #	Commission/Committee Name
Bylaw 3281	<ul style="list-style-type: none">• Port Renfrew Utility Services Committee
Bylaw 3654	<ul style="list-style-type: none">• Otter Point Fire Protection and Emergency Response Service Commission• East Sooke Fire Protection and Emergency Response Service Commission• North Galiano Fire Protection and Emergency Response Service Commission• Port Renfrew Fire Protection and Emergency Response Service Commission• Shirley Fire Protection and Emergency Response Service Commission• Willis Point Fire Protection and Recreation Facilities Commission
Bylaw 3693	<ul style="list-style-type: none">• SSI – Beddis Water Service Commission• SSI – Cedar Lane Water Service Commission• SSI – Cedars of Tuam Water Service Commission

	<ul style="list-style-type: none">• SSI – Fernwood Water Local Service Commission• SSI – Fulford Water Service Commission• SSI – Ganges Sewer Local Services Commission• SSI – Highland Water and Sewer Services Commission• SSI – Salt Spring Island Liquid Waste Disposal Local Service Commission
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ALTERNATIVES

Alternative 1

The Electoral Areas Committee recommends to the Capital Regional District Board:

That for the balance of 2020, new appointments for local service area committee and commissions shall be done by the Board based on Electoral Area Director recommendation and not through the Annual General Meeting process, except for those committees and commissions that currently have a mail-in ballot process underway.

Alternative 2

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

IMPLICATIONS

Bylaws for some local service commissions and committees require an annual general meeting, at which nominations are taken and attendees polled to forward names onto the CRD Board for appointment. Nominations made through the AGM process are not binding and formal appointment is done by the CRD Board. In accordance with previous Board direction, mail ballot processes are already underway for some water and wastewater services in the CRD. Mail ballots for these services can be included as part of utility billing which assists in easy administration of the mail ballot process. However, for other committees and commission, particularly those that do not have utility billing, mail ballot processes have not yet been initiated. Concerns over cost, response rate and amount of work for staff have resulted in EA Directors requesting committees and commissions with no current process underway consider an alternative.

Current appointment processes for those CRD commissions that do not have a requirement to hold an AGM involve advertising upcoming vacancies locally, then the commission reviews and shortlists applications and makes a recommendation for appointment to the EA Director. The EA Director then forwards the selected nominee(s) to the Board for appointment.

It is proposed that committees and commissions with AGMs and no mail ballot process underway follow a similar appointment process as outlined above.

CONCLUSION

Due to COVID-19, and where mail ballot processes are not currently underway, local service committees and commissions may forgo nominations and polling at AGMs and instead appointments for upcoming vacancies will be advertised locally, applicants will be shortlisted by the committees and commissions, and recommendations will come directly to the CRD Board at the recommendation of the EA Director.

RECOMMENDATION

The Electoral Areas Committee recommends to the Capital Regional District Board:

That for the balance of 2020, new appointments for local service area committee and commissions shall be done by the Board based on Electoral Area Director recommendation and not through the Annual General Meeting process, except for those committees and commissions that currently have a mail-in ballot process underway.

Submitted by:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

ATTACHMENT(S)

Appendix A: Staff Report July 8, 2020