



## Council report

<b>Meeting date:</b>	September 1, 2020
<b>Title:</b>	Electronic Meeting and Proxy Options for Council Meetings
<b>Prepared by:</b>	Genevieve Scharback, Clerk
<b>Reviewed by:</b>	Laura Johnston, CAO/Deputy Clerk

### Recommendation

That council approves provisions for electronic meetings outside of a declared provincial or municipal emergency to be included in revisions to the procedural bylaw; and

That the following provisions be included in the revised procedural bylaw relating to electronic meeting participation;

\_\_\_\_\_ ; and

That staff is hereby directed to bring a report to a future meeting regarding electronic meeting conference systems, initial and on-going costs and funding options.

### Executive summary

Recent amendments to the Municipal Act allow municipal councils to amend their procedural bylaws to allow for electronic meeting participation beyond the emergency timeline and also to allow for proxyholders. At this time the West Grey procedural bylaw allows for electronic participation in meetings during an emergency declared by the province or the municipality. The provincial emergency has already ended so upon ending the local emergency the option for electronic meetings will also end unless the procedural bylaw is amended.

### Background and discussion

The COVID-19 Economic Recovery Act, 2020, S.O. 2020, c. 18 - Bill 197 received Royal Assent on July 21, 2020. This legislation amends the Municipal Act to expand the authority of municipalities to amend their procedure bylaw to provide that electronic participation in open and closed municipal meetings may count towards quorum beyond the timeline of a declared emergency, and also allows members of council who are unable to attend a meeting to appoint a proxyholder, subject to certain limitations.

The province has deemed both of these amendments to be optional so that each municipality may determine what is appropriate for their meeting procedures.



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These options need to be considered prior to the draft revised procedural bylaw to ensure the revisions to the procedural bylaw reflect council's direction and include the appropriate provisions for electronic meeting participation and/or proxyholders.

### Electronic Participation

Council can choose to amend their procedural bylaws to:

- allow electronic participation at meetings;
- clarify whether members can participate electronically in both open and closed meetings; and
- state whether members participating electronically count towards quorum.

Councils also need to determine the following:

- whether or not they wish to use these provisions;
- the method of electronic participation; and
- the extent to which members can participate, such as
  - o do all members attend electronically for an "electronic" meeting;
  - o may some members attend electronically while others attend in person;
  - o if so, is there a limit to how many meetings a member may attend electronically in year; and
  - o may a meeting allow for members to attend in person but still allow for electronic attendance by delegations and interested members of the public?

The current Zoom system we are using is the very basic meeting system provided by Zoom. It has served West Grey well during the emergency; however, for the successful implementation of permanent electronic meetings an electronic meeting conference system is recommended. This will allow for a better flow for speaking and proceeding through the meeting, as well as allow for any hybrid option such as some members in person and some electronically. There are a variety of options with a variety of price levels. Should council wish to proceed with incorporating electronic meeting attendance as a permanent option in the procedural bylaw, staff recommend proceeding with obtaining information and quotes for conference systems that will meet the needs of council as well as provide transparency of council business and ease of access to meetings by the public.

There are a number of details to consider prior to adding this option to the procedural bylaw to ensure the parameters set out therein are both transparent and fair to all members; however, it is recommended that this be incorporated into the procedural bylaw to some level. This may allow for an excellent option to winter meetings that could be scheduled as electronic meetings to avoid weather related cancelations, or allow members that may need to self-isolate due to a second wave of COVID, or a minor illness, to still take part in the meetings. Staff is requesting council's direction regarding provisions to clarify the extent of electronic participation in council meetings.



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### Proxy Voting

The province is also allowing municipalities to choose to allow proxy votes for municipal council members who are absent. This option must be included in the procedural bylaw as well as regulations regarding how proxies may be established and revoked, circumstances

where proxies may or may not be used; and how a proxyholder may participate in a meeting including voting, speaking or asking questions on behalf of the appointing member. There are limitations set out by the province, including:

- proxyholders must be a member of the same council as the appointing member;
- a member can only be a proxyholder for one other member at a time;
- an appointed proxy is not counted when determining quorum;
- a member appointing a proxy shall notify the clerk in accordance with the established process; and
- when a recorded vote is taken, the clerk shall record the name and vote of every proxyholder and the name of the member of council for whom the proxyholder is acting.

Staff is not recommending proceeding with a proxy option as there is greater transparency in allowing members to participate electronically rather than appointing a proxy, and there can be difficulties as a member cannot appoint a proxy or act as one if they have a pecuniary interest under the Municipal Conflict of Interest Act.

## Legal and legislated requirements

COVID-19 Economic Recovery Act, 2020, S.O. 2020, c. 18 - Bill 197  
Municipal Act, 2001, S.O. 2001, as amended  
West Grey Procedural Bylaw

## Financial and resource implications

Electronic Meeting Conference System – approximately \$8,000 - \$10,000 for initial hardware upgrades and software set up, with annual licence fees of approximately \$1,500, varying with system options. Funding options include accessing the Municipal Modernization Grant for implementation and adjusting the IT budget for subsequent years to cover licence fees.

## Staffing implications

Streamlined process for providing IT support during electronic meetings.

## Consultation

Ministry of Municipal Affairs and Housing  
Recreation Supervisor K. Hewlett



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## Alignment to strategic vision plan

Pillar: Work together

Goal: Listen and empower

Strategy: Review procedural bylaw to empower, provide a variety of opportunities for stakeholders to provide feedback.

## Attachments

None

## Next steps

Develop procedural bylaw amendments, implement conference system.

Respectfully submitted:

Genevieve Scharback, Clerk