



REQUEST FOR DECISION

To: ACRD Board of Directors

From: Wendy Thomson, General Manager of Administrative Services

Meeting Date: December 9, 2020

Subject: ACRD Open Meetings and Electronic Meetings – COVID-19 Pandemic

Recommendation:

THAT the Alberni-Clayoquot Regional District Board of Directors rescind the following resolution passed at the September 9, 2020 regular Board of Directors meeting:

THAT, despite Bylaw A1075, Alberni-Clayoquot Regional District (ACRD) Board of Directors Procedures Bylaw and the Terms of Reference for ACRD Committees, authorization be given to Board and Committee Chairs and Vice-Chairs to consult with the Corporate Officer to determine the method for holding Board and Committee meetings during the COVID-19 pandemic while adhering to public health order requirements and Minister Order 192 as follows:

- *Full Zoom Meetings, or;*
- *Hybrid meetings, or;*
- *In-person meetings.*

THAT the Alberni-Clayoquot Regional District pass the following new resolution in order to comply with the December 2, 2020 Provincial Health Officer Order on gatherings and events:

THAT in accordance with Ministerial Order M192 and to continue protect the health and safety of staff, elected officials and the public during the COVID-19 pandemic, all Alberni-Clayoquot Regional District (ACRD) open Board and Committee meetings be held without members of the public in attendance in person until the end of January 2021;

AND THAT in the interest of openness, accountability and transparency, ACRD Board and Committee meetings be conducted via Zoom videoconferencing and livestreamed on the ACRD Website and the public continue to have the opportunity to participate in the Zoom meetings via Zoom Webinar or emailing the ACRD at responses@acrd.bc.ca to provide comments and/or input respecting agenda items;

AND FURTHER THAT in the interest of openness, accountability and transparency, ACRD public hearings be conducted via Zoom videoconferencing or other electronic means.

Desired Outcome:

To adhere to the amended Provincial Health Officer Order dated December 2, 2002 on gatherings and events and Minister Order 192 during the COVID-19 pandemic.

Background:

Due to increasing numbers of COVID-19 cases in British Columbia, the Provincial Health Officer (PHO) Order on [Gatherings and Events](#) was amended and now requires local governments to make some changes to how meetings and public hearings are conducted. The public is now restricted from attending all local government meetings and public hearings in person.

The current PHO requirements under the Order on gathering and events prevents public attendance at any meetings or public hearings. All meeting participants (including board members and staff) are strongly encouraged to attend electronically.

The COVID-19 Related Measures Act (CRMA) and Ministerial Order 192 (MO 192) provide flexibility for local governments to shift how they are conducting meetings and hearings based on the current PHO recommendations and local circumstances. Order M192 provides that a council or board is not required to allow members of the public to attend a meeting if, despite the best efforts of the council or board, the attendance of members of the public cannot be accommodated at a meeting that would otherwise be held in accordance with the applicable requirements or recommendations under the Public Health Act.

Under the CRMA and Minister Order 192:

- Local governments must continue to make “best efforts” based on local circumstances to inform the public of meetings and provide alternative ways for the public to provide comment on agenda topics (e.g. email, letter, phone) or participate electronically (if available)
- Local governments must review or develop a resolution with respect to open and electronic meetings, and state how they will continue to meet the principles of openness, transparency and accountability in the current circumstances.
- All other rules such prescribed in legislation or local government procedures bylaw continue to apply such as: notice requirements, voting rules, and recording of meeting minutes.

Since September 2020, the majority of ACRD meetings have been held via Zoom videoconferencing. A few smaller Committee meetings such as the Electoral Area Directors Committee and West Coast Committee have been held in-person by Committee Members and a few staff.

The public continues to have several ways to participate in ACRD meetings and to address the Board and Committees:

- Register to attend the Zoom meeting via Zoom webinar and provide comments/input during question period on the agenda;
- Apply with the Corporate Officer to appear as a delegation and speak to the Board or Committee; or
- Email responses@acrd.bc.ca with comments/input respecting an agenda item which will be read out by the Corporate Officer at the respective meeting.

Public Hearings - Opportunities for the public to participate in the public hearing and / or provide written submissions prior to the public hearing, are explained in the public hearing notice, which is mailed or hand delivered to neighboring residents and property owners and advertised in the newspaper as required by the *Local Government Act*. Note: unrelated to the recent public health orders, local governments do have the option to waive public hearings in some circumstances, when the proposed zoning complies with the existing OCP. Public notification is required similar to the temporary use permit application process but a public hearing is not held. Each zoning amendment is considered on an

application by application basis and requires a specific Board resolution to waive the public hearing. To date, the Board has not wanted to consider this option.

In order for the ACRD to adhere to the amended Provincial Health Officer dated December 2nd, Regional District staff recommend the resolution passed by the ACRD Board on September 9, 2020 be rescinded and replaced with the new resolution above.

Regional District staff will continue to monitor orders from the Provincial Health Officer and will report back to the ACRD Board of Directors at the January 27, 2021 with any further amendments to ACRD meetings.

Time Requirements – Staff & Elected Officials:

Minimal.

Financial:

Associated costs covered through General Government Services.

Policy or Legislation:

COVID-19 Related Measures Act, Minister Order M192, Provincial Health Officer Orders, Local Government Act and ACRD Procedures Policy apply.



Submitted by: _____
Wendy Thomson, General Manager of Administrative Services



Approved by: _____
Douglas Holmes, BBA, CPA, CA, Chief Administrative Officer