

LEGISLATIVE WORKSHOP

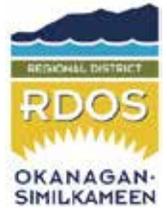
Thursday, November 23, 2017

9:00 a.m. to 3:30 p.m.

RDOS Boardroom – 101 Martin Street, Penticton

9:00 a.m.	1.0	Introduction	
	1.1	CAO's Greeting	
	1.2	Purpose of the Workshop	
	1.3	Review of Workshop Agenda	
	1.4	Confidentiality	
	1.5	Parking Lot	
9:15 a.m.	2.0	Jerry Berry – Management Consultant BIO	
		Three Quarter Term / Home Stretch Refresher	
		Topics include strategic governance refresher, trends and issues in local government, roles and responsibilities, team work, relationships, communications, best practices of a well performing board and other topics as determined.	
12:00 p.m.		Lunch	
12:30 p.m.	3.0	Governance	
	5 min	3.1	Governance – What is it?
	10 min	3.2	Legislative Structure Review –Select Committee Policy attached
	15 min	3.3	Decision Making Policy
	15 min	3.4	Corporate vs. Individual Decision Making
1:15 p.m.	4.0	Organizational Items	
	30 min	4.1	Board Procedure Bylaw
	15 min	4.2	Board Remuneration
	5 min	4.3	Freedom of Information Report
	5 min	4.4	2017 Public Engagement Summary
	10 min	4.5	Mass Communication Software
	20 min	4.6	Board Evaluation Survey Results
	30 min	4.7	Organizational Change Survey Results
3:15 p.m.	5.0	Greyhound Canada	
4:15 p.m.		Adjourn	

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: Bill Newell, CAO
DATE: 23 November 2017
RE: Governance

BOARD GOVERNANCE PRINCIPLES

The following principles form an outline of the process that the Regional District of Okanagan Similkameen Board of Directors uses to govern the corporation:

Governance Defined:

The process of exercising corporate leadership by the Board on behalf of the organization within the geographic area as a whole in terms of its purpose, control, and future. The Governance Role is most clearly defined through the Strategic Planning Process and Corporate Decision-Making Model.

How do we Best Govern a Regional District?

“Success is based on partnerships where each incorporated municipality nurtures its own identity while simultaneously working cooperatively to promote regional policies and interests”. (Andrew Sancton)

Principles of Governing the Corporation

Principle 1: The Board serves as the Trustee on behalf of the Corporation.

The Corporation of the Regional District of Okanagan Similkameen is an independent, responsible and accountable order of government. The Board is the governing body of the Corporation, serving on behalf of the citizens within their corporate boundaries, and who receive service from the Regional District. The Board will establish sufficient processes to maintain oversight of the finances and operations of the Corporation. In addition, the Board will develop methods of accountability for the Board, the Chair and the Chief Administrative Officer.

Principle 2: The Board will establish the strategic direction of the Corporation and focus its work on policy decisions.

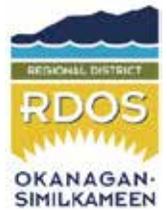
The Board will establish a cycle and a process for setting the strategic direction of the Corporation. The Board's focus will be on policy decisions and on the results/outcomes to be achieved.

Principle 3: The Board has a responsibility to represent the citizens within its jurisdiction while respecting its elected regional responsibilities.

The Board represents all citizens within its eight electoral areas and serves those citizens within its six member municipalities who form part of a regional district service, in partnership with those councils who have mutual priorities and issues. Further, the Board has the responsibility to.

- (a) provide good government within its jurisdiction,
- (b) provide the services and other things that the board considers necessary or desirable for all or part of its jurisdiction,
- (c) provide for stewardship of the public assets of corporation, and

- (d) foster the current and future economic, social and environmental well-being of citizens within the geographic area.



The Board further discussed competing roles for municipal appointees to the Board at their 2014 legislative workshop with Eli Mina. By the end of the discussion, it could be fair to say that the Board appreciates that none of our 14 jurisdictions can be successful at the expense of another; but success is based on partnerships where each incorporated municipality or electoral area nurtures its own identity while simultaneously working cooperatively to promote regional policies and interests.

RDOS Staff Responsibility is to Support the Board

Principle 1: The RDOS Staff will provide complete and accurate information and analysis.

Administration has the responsibility to ensure that the information provided to the Board is complete, accurate, timely and sufficiently comprehensive to support the decision requirements of the Board.

Principle 2: Staff will provide analysis of alternatives and recommendations.

When appropriate, the CAO will develop alternatives for the Board's consideration along with analysis sufficient to support the Board's policy-making responsibility. An important responsibility of the CAO is to provide a recommendation for consideration by the Board.

Principle 3: The CAO will provide the same timely information to all members of the Board.

While recognizing different learning styles and specific needs of the individual Board members, the CAO will ensure that all Board members receive the same information to support the Board's decision-making responsibilities.

Board/Staff Relationship

Principle 1: The Board will focus on policy and outcomes.

The Board will focus on what results or outcomes need to be addressed on behalf of our members and stakeholders. The Board's unique value is to ensure that the strategic direction leads the Corporation to the desired outcome.

Principle 2: The Board will focus on oversight without micromanaging.

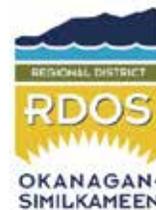
The Board has an important oversight and fiduciary responsibility and must develop processes to ensure accountability. However, the Board should resist the temptation to micro-manage or tell staff **how** to do their job.

Principle 3: The Board will hold the organization accountable through the CAO.

The Board will establish, in partnership with the CAO, an evaluation system that ensures accountability, performance and alignment with priorities and strategies. The Board and CAO will mutually develop criteria for evaluation and shall determine appropriate intervals and methodology to ensure accountability.

Principle 4: The Board will evaluate its own performance

The Board will develop a system to evaluate its own performance on an annual basis.



Board Code of Conduct

We Commit to:

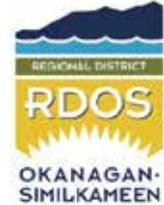
1. Act in an honest and ethical manner.
2. Respect others – we encourage diverse viewpoints, and if we disagree, we will do so in an agreeable manner.
3. Communicate in an open, direct manner and encourage members to ask questions.
4. Listen carefully to each other before judging or deciding.
5. Decide based upon “What is best for RDOS, its citizens and its member municipalities” while keeping in mind our responsibility to the whole Corporation.
6. Focus our thinking on the “Why” and “What” of each agenda item and respect and trust our staff’s contribution on the “How” details.
7. Make our time together as effective as possible by being prepared, starting on time, avoiding repetition, moving to the next issue once a decision is made, and being fully engaged during meetings.
8. Support the decisions, directions and policies that are arrived at by the Board.
9. Give our personal best and take individual responsibility for enforcing our ground rules and creating a good working relationship with each Board Member.
10. Have fun, but never at the expense of others.

Board – Measures of Success:

1. There is open communications among the Chair, Board Members, and Staff
2. Each Board Member has a voice and contributes
3. The Board remains open to new ideas and creative thinking
4. Board members exhibit respect for others’ perspectives and styles, and if necessary, agree to disagree without being disagreeable
5. Professionalism and integrity are important
6. The Board and Staff work as a team
7. Decisions are based on organizational benefit, not individual advantage or agenda
8. There are clear goals and direction that are well defined and consistent
9. Decisions are made and supported with no carryover from issue to issue
10. Staff produces results consistent with Board vision, goals and direction

ADMINISTRATIVE REPORT

TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: 23 November 2017
RE: Legislative Structure – For Information Only



ISSUE

To provide an opportunity for the 2014 – 2018 Board to conduct a review of the Legislative Structure adopted in January 8, 2009.

HISTORY

The Regional District of Okanagan Similkameen conducted an internal Legislative Structure Review in January 2009 and a discussion paper recommending a select committee system was presented to the Board on January 8th. The Terms of Reference for the five select committees was adopted by the Board by resolution B281/09 on May 21st. The resolution required a review of the system after six months to determine whether it met the objectives set out for it and the Board re-examined the legislative structure on January 7th 2010 and again in 2011.

It's a healthy activity for a Board of Directors to review its governance processes from time-to-time and the structure best suited to deliver good decisions. The Structure hasn't been discussed by the 2014 – 2018 Board and it would be prudent to provide that opportunity.

ALTERNATIVES

1. Revert to the Board/ Committee system.
2. Retain the Select Committee System.
3. Move to a Committee of the Whole/ Board system.

ANALYSIS

1. PRIMARY ISSUES

The change to a Select Committee System of the Board was proposed to address five primary goals.

- 1.1 A better informed Board.
- 1.2 To provide the opportunity for more meaningful public/ stakeholder/ expert input.
- 1.3 To provide more informal access to elected officials for the public.
- 1.4 To provide wider public exposure to municipal issues earlier in the process.
- 1.5 To offer a simpler, quicker, more interactive decision making process for the Board.

1.1 Better Informed Board

Section 193 of the British Columbia *Local Government Act* provides that the Regional District is a corporation and S. 194 of the Act provides that the Board of the regional district is the governing body and that the power, duties and responsibilities of the regional district are vested in the Board. The manner in which a Board exercises their authority is through bylaw or resolution. Local

Government deals with a diverse range of issues and as the leaders of the corporation, it is critical to its success that the decision-makers be well informed on all issues that come before them. By keeping all committee meetings on one day, by compressing the agendas and deleting superfluous items, by pre-distributing briefing reports to all members of the Board and by having all interested Parties available, the Select Committee System seems to provide that opportunity for the administrative perspective, public perspective and political perspective to meld together to allow the Committee the opportunity to make an informed recommendation to Board.

By the time an issue gets to the formality of a Board meeting, the members should have the information they need to debate the issue amongst themselves and make a decision. The system seems to have been successful in providing that opportunity and comfort to the Members. Committee meetings also provide an opportunity for the public to discuss matters with their elected officials without the formality and pace of a regular Board meeting.

1.2 More Meaningful Input

The Select Committee System was intended to offer the public/ stakeholders or experts more opportunity for involvement in the decision making process. The Regional District has many ways of informing and involving citizens but it was seen that it would be beneficial for Board Members to provide their positions, answer questions and talk informally directly with the stakeholders and each other. This serves the public and the Board to ensure that the pertinent information is out on the table, unfiltered and positions can be discussed. The Regional District really hasn't experienced much demand for this opportunity, but this may expand as the committees mature or issues arise.

1.3 Access to Elected Officials

A premise of the Select Committee System is that our eight electoral area members and the ten municipal members appointed by their councils to the Board are elected to represent all of the citizens of the Regional District and, unless absolutely essential, should not fragment or pass off this responsibility to appointed bodies. All members of the Board are responsible for voting on the services in which they participate and all should have access to the information sharing that occurs at Committee meetings. It follows that their citizens should have access to them.

The members of the Board have considered and debated many significant issues under this system. The participation of the media at Committee meetings has been low, but it should be a goal to increase the exposure of our citizens to not only have the results of the Committee debate but gain insight as to why decisions are made. It is believed that the Select Committee System has met its intended purpose to keep all members of Board equally informed of local issues, but promoting exposure for the public to the Board through the Committee System could be enhanced.

Further, this is a large, diverse Region and having all 18 Members in the room at one time provides a diversity of opinion and an opportunity for advocacy in an informal atmosphere that seems beneficial for our ratepayers.

1.4 Wider Public Exposure To Issues Earlier in the Process

A goal of the legislative structure change was to expose issues to our citizens earlier in the decision-making process. It had been possible previously for a significant issue to be bounced around between administration and a Director for a significant period of time before the public, or other members, became aware that the issue was being debated and that vital public perspective was lost, until a recommendation showed up at the Board for a decision. The Select committees are now the entrance point for many significant issues that will need a Board decision. We have yet to figure out how to correct that with our rural planning issues that go through the Advisory Planning Committees (APC's). In these files, the members that are required to vote on a planning issue in an electoral area are often seeing the issue for the first time. The APC's provide a perspective, but they don't vote and they are not accountable to the electorate.

1.5 A Simpler, Quicker, Decision-Making Process

One intention of the Select Committee system is to provide better service to our citizens by shortening and simplifying the process, while at the same time providing the public more access to their elected representatives and providing better, more consolidated information upon which the Board could make a decision. The system allows entry into the decision-making process every 1st and 3rd Thursday of each month and those wishing Board's attention know they can receive it at these times. While the Committee System has a built-in review period between a file coming to Committee and the Board addressing the Committee recommendation at their next meeting, it does provide the opportunity for urgent issues to proceed right to the Board Table that same day.

2.0 REVIEW OF THE SELECT COMMITTEE SYSTEM FORMAT

Over the past year, the 2014 – 2018 Board has had the opportunity to try the Select Committee System and experience its strengths and weaknesses.

2.1 Involvement of All Members on Each Select Committee

Eighteen Members is, by any standard, a large group for a Committee. A premise of our existing structure is that all members should have the same level of information prior to voting and, in some cases, where all members are not participants in the service, that they should at least have an understanding of the issue and be able to participate in the debate. The Board has had many discussions that have benefitted from the diverse views of the members on the Board. The structure promotes inclusion in the decision-making process rather than exclusion.

2.2 Lack Of Interest Of Municipal Members In Rural Or Local Service Issues

The Board receives a large number of planning issues, most specific to one electoral area. Municipal members don't get to vote on those issues at the Board, although they do if it comes through a Committee. This creates a situation where it may be difficult for some members to retain their interest.

While the Board has a Development Services Committee that receives some land-use issues, typically the planning issues go out to an Electoral Area Advisory Planning Committee (APC) and then right to a Board agenda. This already takes a long time. To take a planning issue through Administration, then out to an APC and then create another step by sending it through a Select Committee before it gets to a Board agenda could seem onerous to our citizens.

There have been times, however, where municipal participation in the discussion about local planning issues has been beneficial to the participants. Further, when a local electoral planning issue has an impact on an adjacent municipality, it's beneficial for the rural directors to hear that perspective.

3.0 SUMMARY

It appears the Select Committee System is achieving what it was proposed to accomplish for the Board. In addition, based on our method of elected official compensation, it seems the most fiscally prudent, both from honourariums paid and the amount of staff time required to support Committees is at its most efficient.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN BOARD POLICY

- POLICY:** TERMS OF REFERENCE-SELECT COMMITTEES
- AUTHORITY:** Board Resolution No. B281/09 dated May 21, 2009.
- AMENDED:** Board Resolution No. B374/09 dated July 16, 2009
Board Resolution No. B292/10 dated June 17, 2010
Board Resolution dated July 2, 2015

POLICY STATEMENT

The Regional District of Okanagan Similkameen promotes good decision-making through effective structure and information flow. A Select Committee system has been created to provide an opportunity for informal discussion between elected officials, administrative staff and the public on significant issues coming before the Board to assist in achieving the informed decision making model.

PURPOSE

1. To outline the duties of the Regional District Select Committees.
2. To establish procedures for the Select committees.
3. To establish membership for the Select committees.

RESPONSIBILITIES

In addition to any other duties referred to the Select Committees by the Regional District of Okanagan-Similkameen Board, the Select Committees duties are as follows:

1. Corporate Services Committee Terms of Reference
 - a. Governance
 - b. Human resources
 - c. Legislation, bylaws and policy
 - d. Litigation and risk management
 - e. Information systems and technology
 - f. Information and privacy legislation
 - g. Intergovernmental relations
 - h. Communications
 - i. Finance
 - j. Property acquisition or disposal
 - k. Fleet Services
2. Planning & Development Committee Terms of Reference
 - a. Official Community Plans and Land Use Bylaws
 - b. All matters related to the Sub-Regional Growth Strategy
 - c. Bylaw enforcement activities, including Building bylaw
 - d. Land development related matters

- e. Climate Change
- f. matters relating to critical habitat as related to local government land and local government jurisdiction

3. Environment & Infrastructure Committee Terms of Reference

- a. capital construction and operation of waterworks and sewerage systems of the Regional District, the property and distribution and collections systems connected therewith
- b. environmental , maintenance and construction matters pertaining to all streets, roads and highways in the electoral areas and liaison with the Ministry of Transportation and Infrastructure
- c. matters pertaining to the solid waste collection service of the Regional District and the maintenance of the waste disposal grounds under the control of the Regional District
- d. air quality
- e. Water Quality & Quantity Governance
- f. street lighting and traffic signs
- g. RDOS building maintenance

4. Community Services Committee Terms of Reference

- a. Liaison with all lay recreation and parks commissions
- b. Operation and control of all public parks, trails, public recreation grounds and facilities and to recommend the establishment of such parks and recreation grounds and facilities deemed necessary to carry on a comprehensive parks and recreation program
- c. Encouraging, initiating and supervising programs which will include physical, artistic, cultural and intellectual recreation while continually striving to meet the parks and recreation needs of the District
- d. Co-operation with and encouragement of all organizations and institutions within the Regional District that are engaged in recreational or cultural pursuits or activities whether such organizations and institutions are public, private, civic, social or religious and to co-operation with provincial and national groups or organizations that support and promote parks and recreation
- e. economic development and tourism development within the Regional District
- f. Public Transit and Transportation
- g. Heritage

5. Protective Services Committee Terms of Reference

- a. Prevention and suppression of fires
- b. Matters related to Ambulance Service
- c. crime prevention
- d. Search and Rescue
- e. Emergency Planning
- f. Mitigation of Wildfire Risk

PROCEDURES

The Select committees will conduct its business in accordance with the Regional District of Okanagan-Similkameen Procedure bylaw.

MEMBERSHIP

The Select committees consist of all members of the Regional District of Okanagan-Similkameen Board of Directors.

VOTING

All members are entitled to vote and have one vote on all recommendations to the Regional District of Okanagan-Similkameen Board.

APPOINTMENT OF CHAIR / VICE CHAIR

The Chair of the Board of Directors shall call for expressions of interest from Board members wishing to act as Chair or Vice Chair of a Committee and will make recommendations at the next Corporate Services meeting.

The Chair and Vice Chair of the Board of Directors will also be the Chair and Vice Chair (respectively) of the Corporate Services Committee.

Members should consider the potential for conflict of interest when submitting their name as Chair of a specific committee.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BOARD POLICY

POLICY: **DECISION-MAKING GUIDELINES**

AUTHORITY: Board Resolution # _____ dated _____

DECISION-MAKING GUIDELINES

POLICY STATEMENT

The Regional District of Okanagan-Similkameen has determined a benefit to adopting the ‘informed consent’ decision-making model. While acknowledging that time constraints often make consensus or unanimous agreement unavailable, the Board believes the process associated with the ‘simple majority’ system of decision-making has weaknesses, in that it inhibits transparency and may fail to provide the opportunity for all members to support implementation of a decision for the following reasons:

- They were not offered full information or adequate research on the issue, or an explanation of why their colleagues voted in a certain manner;
- They felt their views were not fully heard and debate was limited;
- That the process failed to acknowledge and respect diverse opinions;
- That the planning, implementation and monitoring of the decision was weak.

PURPOSE

1. To provide a universal understanding of the fundamental process the Board will use to make decisions in the best interests of the Corporation.
2. To identify the information required to enable the Board to make informed decisions.
3. To promote transparency in decision-making.
4. To provide clear direction for District employees for the implementation of Board policy.
5. To set out objective decision-making criteria.

DEFINITIONS

6. Administration - includes all employees and officers of the Regional District of Okanagan-Similkameen as defined in all collective agreements and employment bylaws.
7. Board – means the Board of Directors for the Regional District of Okanagan Similkameen.

8. CAO - means the Chief Administrative Officer of the Regional District of Okanagan Similkameen.
9. Committee – means a Board or Committee created by the corporation by Bylaw.
10. Confidential Information - while the classification of information as “confidential” is a matter of discretion, whether labelled as confidential or not, disclosure of information will not constitute a breach of the Board Oath unless that information is of an inherently confidential nature such as:
 - (1) personal data of employees or others.
 - (2) records related to internal policies and practices which, if disclosed, may prejudice the effective performance of a corporate operation.
 - (3) records of a financial nature reflecting information given or accumulated in confidence.
 - (4) files prepared in connection with litigation and adjudicative proceedings.
 - (5) preliminary reports of consultants, policy drafts and internal communications which, if disclosed, may prejudice the effective operation of the corporation or impugn the reputation of any person.
 - (6) any report prepared for the Board is to be released only by the Board.
 - (7) information regarding the acquisition or disposal of land, until it becomes a matter of public record.
11. Corporation - means the Regional District of Okanagan-Similkameen.
12. SMT – means the Senior Management Team of the corporation, chaired by the CAO.

RESPONSIBILITIES

13. Board of Directors shall:
 - (1) Adopt the Board Decision-making policy and any amendments thereto.
 - (2) Review the policy annually.
14. The Chief Administrative Officer shall:
 - (1) Ensure the Decision-Making Policy is added to the agenda of the annual Legislative Workshop for review.
 - (2) Recommend changes to the decision-making process.
 - (3) Ensure the Decision-making policy is implemented and that administration complies with the information requirements of the policy.
 - (4) Assist the Board with the interpretation of the policy.
 - (5) Assign the issues to the appropriate administrative resource.
15. The Senior Management Team shall:

Review administrative reports being prepared for an agenda and ensure that they present fairly all alternative solutions to the issue and the spectrum of information necessary for the Board to make a decision.

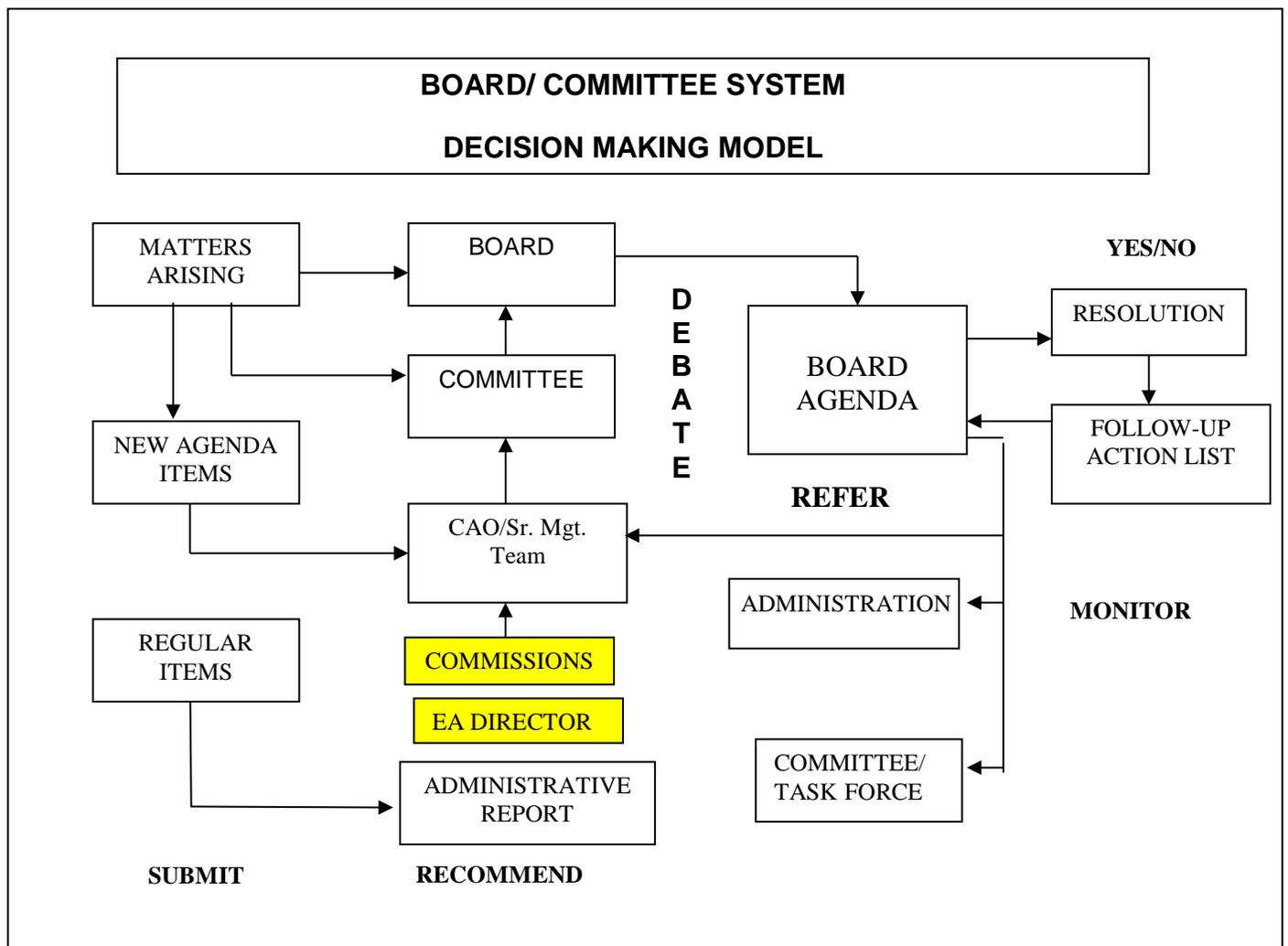
PROCEDURES

16. Agenda Submissions

1. All items requiring a Board decision should initially appear on a Committee agenda. The CAO is authorized to place an item directly on a Board Agenda if the issue is considered to have a level of importance and urgency that requires this attention.
2. Reports to Committee should be initially researched by Administration and submitted in Administrative Report format, meaning the issue should be clearly identified, reference materials are disclosed, a brief summary of the issue is provided, all options for resolving the item are identified and analysed, and there is a clear administrative recommendation. All Administrative submissions are subject to the discretion of the CAO.
3. Committee's are designed to provide a forum where the administrative, public and political perspectives of the issue are discussed. Committees are advisory in nature, having no decision-making authority.
4. A Committee may receive a report for information, refer a report to administration for additional information or make a recommendation to the Board. When requesting additional information, Committee should be specific in the information they require. All referrals must go through the CAO.
5. When Committee is of the opinion they have enough information to send a recommendation to the Board, the minutes of the Committee meeting summarizing the discussion shall go on a Board agenda with the Committee recommendation.
6. By the time the issue is placed on the Board agenda, the Board should have enough information to debate the issue and make a decision. Should the debate identify additional information is necessary, the matter may be referred back to Administration for research and re-entry. If the Board requires additional public input or the matter has strategic direction implications, the Board may choose to refer the matter back to Committee. The CAO shall assign the staff necessary to assist the Board with the information required or to initiate the processes necessary for the matter to be resolved.
7. New issues entered at either the Committee or Board should be referred to Administration for report.
8. Draft Committee and Board agendas will be prepared by the Senior Management Team. It is not the role of the Senior Management Team to decide what issues go onto an agenda; they simply facilitate the delivery of the item to Committee for discussion and ensure the issue is placed

according to the terms of reference for the Committee as identified in the Procedure Bylaw. Final agenda's will be presented to the Chair/Vice-Chair by the CAO prior to distribution.

9. All Board direction to staff should be given by way of a resolution or notation in the meeting minutes. This step ensures clarity in the intent of the Board, documentation of the direction and accountability on the part of staff to follow up. It also allows the Board to control the administrative capacity box.
10. The CAO is responsible for the implementation of all Board decisions and shall report to Board on their status.



ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: 23 November 2017

RE: Corporate vs. Individual Decisions

This Board has talked about Governance and Decision-making on a number of occasions over the first three years of their term; and we do it through various forums, including Strategic Planning, Legislative Workshops, at Committee, etc. We initiated discussions at the 2014 Board Orientation Workshop and continued at our annual Legislative Workshops; we've had guest speakers like Eli Mina available as well. Sorting out the representative/ oversight/ stewardship role of the Board is important, as are discussions on "Which hat are we wearing" and clarifying the governance/administrative dichotomy. We conducted a Request-for-Decision Process Kaizen in 2016 and the steps we take to get an issue from point of entry to point of decision.

The Board has a good understanding of the differing roles of the Board and of staff. What may benefit from further discussion is the role of:

1. Board-appointed Advisory Commissions; and,
2. Electoral Area Director

Commissions:

- The Board has clearly defined the role of Commissions as advisory and we're continuing to work out processes, like how they make recommendations to the Board, ensuring that the Board has the opportunity to review minutes, where they fit in to our corporate structure, etc.
- Further discussion may be beneficial on "what role does an elected official have on a Commission"?
- Should a member be steering discussion at Commissions or simply be there as an advocate or observer?
- How does a Board Member retain their objectivity at the Board Meeting if they've participated or directed a recommendation from a Commission; or should they?

Electoral Area Director:

- How does an electoral area director represent their constituency while staying at a governance level?
- Should a Director have influence on an administrative recommendation prior to it reaching a Committee/Commission or the Board?

Bylaw No. 2620, 2013

Regional District of Okanagan-Similkameen

Regional Board Procedure Bylaw

Consolidated for convenience purposes.
Includes all amendments to the text up to:
December 19, 2013

Summary of Amendments

Bylaw No.	Adopted	Amendment	Purpose
2620.01, 2013	June 6, 2013	Addition to Section 6.4	Provision to allow the Board, for a specified time period, to experiment with the order or content of the agenda to seek efficiencies or improve effectiveness.
2620.02	Dec. 19, 2013	Addition to Section 6.4	Provision to add Consent Agenda to the order of business, when appropriate.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2620, 2013

A bylaw to regulate the meetings of the Regional Board of the Regional District of Okanagan-Similkameen and the conduct thereof

WHEREAS pursuant to the *Local Government Act*, the Regional District of Okanagan-Similkameen must, by bylaw, provide for the procedure that is to be followed for the conduct of its business and the business of its select and standing committees, including the manner by which resolutions may be passed and bylaws adopted;

AND WHEREAS pursuant to the *Local Government Act*, the Regional District of Okanagan-Similkameen must, by bylaw, provide for advance public notice respecting the time, place and date of board and committee meetings;

NOW THEREFORE the Board of the Regional District of Okanagan-Similkameen in open meeting assembled enacts as follows:

1.0 GENERAL

- 1.1 The provisions of this bylaw govern the proceedings of the Regional Board and all standing, select and other committees of the Regional Board, as applicable.
- 1.2 In cases not provided for under this bylaw, the Regional Board may determine the appropriate rules of procedure, or may follow the most current version of Robert's Rules of Order, so long as those rules are applicable in the circumstance and are not inconsistent with the provisions of this bylaw or with any Provincial Act.
- 1.3 Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time, and any bylaw referred to herein is a reference to an enactment of the Regional Board of the Regional District of Okanagan-Similkameen, as amended, revised, consolidated, or replaced from time to time.
- 1.4 The headings used in this bylaw are for convenience of reference only. They do not form part of this bylaw and are not to be used in the interpretation of this bylaw.
- 1.5 If any section, paragraph or phrase of this bylaw is for any reason held to be invalid by reason of a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the bylaw.
- 1.6 The bylaw may not be amended or repealed and substituted unless notice of the proposed amendments is given to each Director 5 days before the meeting at which the amendment is to be introduced.

2.0 CITATION

- 2.1 This bylaw may be cited for all purposes as the **Regional District of Okanagan-Similkameen Regional Board Procedure Bylaw No. 2620, 2013.**

3.0 DEFINITIONS

- 3.1 In this bylaw:

“Audio and video recording devices” means any equipment enabling the recording and/or transmission of sound and/or visual images;

“Board” means the Board of Directors of the Regional District of Okanagan-Similkameen;

“Chair” means, where the context requires, the Chair of the Board elected pursuant to the Local Government Act or the person appointed as the Chair, Vice Chair or other person presiding at a meeting of the Board or Committee;

“Chief Administrative Officer” means the individual appointed by the Regional Board as the Chief Administrative Officer of the Regional District of Okanagan-Similkameen;

“Closed Meeting” means a meeting closed to the general public or employees, as deemed appropriate with items to be discussed as set out in the *Community Charter*;

“Corporate Officer” means the individual appointed by the Regional Board as the Officer assigned the responsibility of corporate administration of the Regional District of Okanagan-Similkameen or their designate;

“Delegation” means an individual or group of people addressing the Board regarding any matter that falls within the jurisdiction of the Board, but does not include those speaking to a bylaw for which a public hearing has been held or is scheduled;

“Director” means a member of the Board, whether as a municipal Director or an electoral area Director;

“Member” means a Director of the Board or a person appointed to a committee, as the context requires;

“Public Notice Posting Place” means the notice board at the Regional District administration office;

“Quorum” means a majority of the members of the Regional Board or a majority of the members of a Regional District Committee, unless otherwise adopted in a committee Terms of Reference;

“Regional District” means the Regional District of Okanagan-Similkameen;

“Regional District administration office” means the Regional District of Okanagan-Similkameen office located at 101 Martin Street, Penticton, British Columbia;

“Select Committee” means a committee established by the Board to consider or inquire into any matter and report its findings and opinion to the Board. Persons who are not directors may be appointed by the Board; at least one member of the committee must be a director;

“Special meeting” means any meeting other than a statutory, regular, or adjourned meeting;

“Standing Committee” means a committee established by the Chair for matters the Chair considers would be better dealt with by committee. Persons who are not directors may be appointed by the chair; at least one member of the committee must be a director;

“Vice-Chair” means the Vice-Chair of the Regional Board

- 3.2 Unless otherwise defined in this bylaw, words used herein shall have the meanings defined in the *Community Charter* or the *Local Government Act*, as applicable.

4.0 REGIONAL BOARD MEETINGS

Inaugural Meeting

- 4.1 An inaugural Regional Board meeting shall be held at the first meeting of the Regional Board in December.

Election of Chair/Vice Chair

- 4.2 The Board shall elect a Chair from among its directors at the inaugural meeting pursuant to the *Local Government Act*. The Chair shall fulfill those obligations placed upon this position by legislation and by approved board policy.
- (1) The Corporate Officer shall call for nominations for the position of Chair of the Board and will do so three (3) times. At the close of nominations, if more than one candidate has been nominated, those candidates or their representatives will be allowed a maximum of three (3) minutes to address the Board.
 - (2) In the event that there are more than two candidates in any such election and no candidate receives a clear majority of votes (i.e. 50% plus one vote) on the first ballot, the candidates receiving the least number of votes shall be deleted and a second ballot shall be taken. Further ballots shall be taken as necessary, repeating the procedure of deleting the candidate that in each preceding ballot received the least number of votes, until a candidate with a clear majority emerges.
 - (3) Only those ballots that indicate an officially nominated candidate will be counted towards the election and be used to determine a clear majority.
 - (4) In the event of two consecutive tie votes the election shall be determined by the flip of a coin.

- 4.3 An election of Vice-Chair shall then be conducted pursuant to subsections above, but the candidates will be permitted a maximum of two (2) minutes to address the Regional Board.

Schedule of Meetings

- 4.4 Regular Regional Board and Committee meetings shall be held on the dates each year established by a resolution of the Regional Board prior to December 31 of the preceding year. At the discretion of the Board Chair and Vice Chair, a meeting of the Board of Directors may be cancelled or postponed, providing two consecutive meetings are not cancelled.
- 4.5 Notification of a cancelled or postponed meeting must be provided to the Corporate Officer at least 48 hours before the scheduled meeting, and the Corporate Officer must advise all Board members via email and the public by posting a notice on the Public Notice Posting Place.

Location of the Regional Board Meetings

- 4.6 All Regional Board meetings shall take place within the Regional District administrative office.
- 4.7 Notwithstanding subsection 4.6, at the discretion of the Chair, Regional Board meetings may take place at other locations. The change in location must be advertised in accordance with the *Local Government Act*.

Notice of Regular Regional Board and Committee Meetings

- 4.8 The annual schedule of regular Regional Board and Committee meetings, established pursuant to subsections 4.4 and 4.5 of this bylaw, shall be available to the public through posting on the Public Notice Posting Place, and notice of the availability of the Schedule shall be advertised by January 15 of each year in accordance with the public notice provisions set out in the *Local Government Act*.
- 4.9 At least 48 hours before a regular Regional Board or Committee meeting, the Corporate Officer must give notice of the meeting agenda, including confirmation of the time, place, and date, by:
- (a) Posting the agenda on the Public Notice Posting Place at the Regional District office;
 - (b) Leaving copies of the agenda at a public counter at the Regional District office for distribution to members of the public as requested; and
 - (c) Providing an electronic copy to each member of the Regional Board.
- 4.10 The Corporate Officer may post agendas on the Regional District's internet web site.

Notice of Special Regional Board Meetings

- 4.11 At least 48 hours before a Special Regional Board meeting, the Corporate Officer must give notice of the meeting, including the time, place, and date, and a general description of the purpose of the meeting, in the same manner as provided for meeting agendas in section 4.9 of this bylaw.

- 4.12 Each copy of a notice of a special Regional Board meeting must be signed by the Chair or the Chief Administrative Officer.
- 4.13 Notwithstanding sections 4.11 and 4.12, notice of a special Regional Board meeting may be waived by unanimous vote of all Regional Board members.

Electronic Meetings

- 4.14 Provided the conditions set out in Regional District Electronic Meetings [Regulation 271/2005](#) are met:
- (a) a Special Board meeting may, upon authorization of the Chair, be conducted by means of electronic or other communication facilities;
 - (b) a member of the Regional Board or Committee who is unable to attend at a Regional Board or Committee meeting, may, upon authorization of the Chair, participate in the meeting by means of electronic or other communication facilities.
- 4.15 The facilities must enable the meeting's participants to hear, or watch and hear, each other.
- 4.16 The facilities must enable the public to hear, or watch and hear, except for any part of the meeting that is closed to the public, the meeting at the specified place, and a designated Regional District officer must be in attendance at the specified place.
- 4.17 The member presiding at a Special Board or Committee meeting must convene the meeting from the location specified on the agenda or notice of meeting

Use of Audio and Video Recording Devices

- 4.18 No person shall use or operate any audio or video recording device at a meeting without the permission of the Chair.
- 4.19 Nothing in this section precludes the person responsible for corporate administration or designate to record Regional District of Okanagan-Similkameen Board or Committee Meetings for the purpose of taking meeting minutes.

5.0 PUBLIC ATTENDANCE AT REGIONAL BOARD MEETINGS

Meetings to be Open to the Public

- 5.1 Unless a meeting or part of a meeting is authorized to be closed to the public by the *Local Government Act* and *Community Charter*, all meetings of the Regional Board shall be open to the public.

Visitors and Delegations to the Regional Board

- 5.2 A delegation shall only address the Regional Board during a meeting if that person is providing a report or presentation that has been scheduled to the agenda for the meeting, or if the Regional Board has passed a resolution by 2/3 member vote to hear from that person at that time.

- 5.3 A delegation who wishes to have a report or presentation scheduled to a Regional Board meeting agenda shall request the same through the Office of the Chief Administrative Officer. The request shall be processed in accordance with the Regional District of Okanagan-Similkameen Delegations Policy.

6.0 RULES OF PROCEDURE AT REGIONAL BOARD MEETINGS

Agenda Preparation and Order of Proceedings

- 6.1 Prior to each meeting of the Regional Board, the Office of the Chief Administrative Officer shall prepare an agenda for approval by the Executive, of all items to be considered by the Regional Board at the meeting.
- 6.2 All items or reports for inclusion on the agenda of a meeting of the Regional Board, other than a special Regional Board meeting, must be received by the Office of the Chief Administrative Officer prior to 4:30 pm on the Wednesday two weeks preceding a Thursday meeting. Any item not electronically available or in an agenda-ready format by that deadline shall be held to the next meeting of the Regional Board, unless approved as a late item by the Chief Administrative Officer.
- 6.3 A late item may be approved for addition to an agenda by the Chief Administrative Officer prior to the meeting, or by a 2/3 resolution of the Regional Board at the meeting.
- 6.4 The agendas for all regular Regional Board meetings shall contain the following matters where there are items pertaining to them:

- Adoption of Agenda
- Consent Agenda¹
- Delegations
- Department Reports (listed by Department)
- Other Business
- Closed Session
- Adjournment

The Board of Directors may, by resolution, establish a specific period of time in which the order or content of the agenda may be adjusted for the purpose of investigating potential changes to increase the efficiency or effectiveness in the conducting of business. Upon expiry of the specified term, the Board must either revert back to the order determined in this bylaw, or amend the bylaw to reflect changes.²

- 6.5 No Regional Board meeting may start or continue past 5:00 p.m. unless the Regional Board passes a majority resolution to start or continue that meeting past that time.

¹ Bylaw No. 2620.02, 2013 Regional District of Okanagan-Similkameen Regional Board Procedure Amendment Bylaw

² Bylaw No. 2620.01, 2013 Regional District of Okanagan-Similkameen Regional Board Procedure Amendment Bylaw

- 6.6 During discussion, members of the Regional Board may make motions, pose inquiries and make suggestions upon being recognized by the Chair. Items of new business which are not included in the agendas and are of a complex nature or that may affect existing Regional District bylaws and policies shall be introduced as a “Notice of Motion” for placement on an agenda for a future meeting. Other items of new business which are not of a complex nature, and do not require a motion may be accepted as verbal reports from any member of the Regional Board and noted under Other Business.

Quorum

- 6.7 As soon after the time specified for a Regional Board meeting as there is a quorum present, the Chair, if present, must take the chair and call the meeting to order. Where the Chair is absent, the Regional Board member designated in accordance with this bylaw to act in the Chair’s place for that meeting must take the chair and call the meeting to order.
- 6.8 If a quorum of the Regional Board is present, but neither the Chair nor the Regional Board member designated in accordance with this bylaw to act in the Chair’s place for that meeting is present within 15 minutes of the time specified for the Regional Board meeting, the Chief Administrative Officer, or their designate shall call the meeting to order and the members of the Regional Board present shall choose one among them to preside at the meeting.
- 6.9 If there is no quorum of the Regional Board present within 15 minutes of the time specified for the Regional Board meeting, the Chief Administrative Officer shall record the names of the members present and those absent and shall adjourn the meeting to the next regular scheduled meeting.

Voting at Meetings

- 6.10 If a Regional Board member considers that he or she is not entitled to participate in the discussion of a matter and to vote on a question in respect of a matter because of a conflict of interest, he shall conduct himself in accordance with the law, including with the provisions of the *Community Charter and Local Government Act*.
- 6.11 When debate on a matter is closed and the Regional Board is ready to vote, the Chair must put the matter to a vote by asking who is in favour of the question and then who is opposed.
- 6.12 Once the Chair has put the question to a vote, voting shall be by show of hands, by verbal confirmation, or by electronic vote, if facilities are so provided, and a member of the Regional Board shall not cross or leave the room, make a noise or other disturbance, or interrupt the voting procedure except to raise a point of order.
- 6.13 After the Chair has finally put the question to a vote, a member of the Regional Board shall not speak to the question or make a motion concerning it. The Chair’s decision as to whether a question has been finally put is conclusive.
- 6.14 Should the votes on a question, other than an appeal of a decision of the Chair on a point of order, be equal for and against, the motion is defeated.

- 6.15 Whenever a vote of the Board is taken, the Chair must state the names of those members voting in the negative, and those names must be entered into the record. The Chair must declare the result of the voting by stating whether the motion is carried or is defeated.
- 6.16 Where a member who is present when a vote is taken abstains from voting, that Member shall be deemed to have voted in the affirmative.

Points of Order

- 6.17 The Chair shall preserve order and decide all points of order, subject to appeal, which may arise.
- 6.18 When the Chair is required to decide a point of order:
- (a) the Chair must cite the applicable rule or authority if requested by another Regional Board member;
 - (b) another member shall not question or comment on the rule or authority cited by the Chair; and
 - (c) the Chair may reserve the decision until the next Regional Board meeting.
- 6.19 A member of the Regional Board may appeal the decision of the Chair regarding the preservation of order and decisions on points of order that may arise. The question as to whether the Chair is to be sustained shall be immediately put by the Chair and decided without debate. The Chair cannot vote and the motion passes in the affirmative if votes are equal. The Chair must be governed by the result.

Conduct and Debate at Meetings

- 6.20 A member shall speak at a Regional Board meeting only after being recognized by the Chair, except to raise a point of order.
- 6.21 A Member shall address other members of the Regional Board by their title and their surname, as applicable (for example, Chair _____ or Vice-Chair _____ or Director _____).
- 6.22 No member shall interrupt another member who is speaking, except to raise a point of order, and members shall at all times use respectful language and shall not use offensive gestures or signs.
- 6.23 A member of the Regional Board may make a motion to move the previous question being debated at a Regional Board meeting at any time during the debate. This motion requires a seconder and must be adopted by a two-thirds vote.
- 6.24 Members of the Regional Board may be limited to speaking twice only in connection with a single question, by the Chair, except to reply to debate on a substantive motion which the member has made.
- 6.25 Despite section 5.1 of this bylaw, the Chair at a Regional Board meeting may expel and exclude from any Regional Board meeting a person, including another Regional Board member, whom the Chair considers is engaging in inappropriate conduct.

Motions Generally

- 6.26 The Regional Board may debate and vote on a motion only if it is first made by one Regional Board member and then seconded by another.
- 6.27 The following motions are neither amendable nor debatable:
- (a) to table the main motion;
 - (b) to postpone the main motion, either indefinitely or to a specified time;
 - (c) to move the previous question; or
 - (d) to adjourn.
- 6.28 The Regional Board must vote separately on each distinct part of a question that is under consideration at a Regional Board meeting if so requested by a Regional Board member.

Amendments Generally

- 6.29 A Regional Board member may, without notice, move to amend a motion that is being considered at a Regional Board meeting.
- 6.30 A proposed amendment must be produced in writing by the mover if requested by the Chair.
- 6.31 A proposed amendment must be decided or withdrawn before the motion being considered on the main question is put to a vote.
- 6.32 An amendment may be amended once only.
- 6.33 A motion to amend that has been defeated by a vote of the Regional Board cannot be proposed again.

Reconsideration

- 6.34 As provided in the *Local Government Act* and the *Community Charter*, the Chair may require board reconsideration of a matter as follows:
- (a) Without limiting the authority of a board to reconsider a matter, the Chair may require the Regional Board to reconsider and vote again on a matter that was the subject of a vote.
 - (b) In exercising the power, the Chair may return the matter for reconsideration at the same board meeting as the vote took place, or at the meeting of the Regional Board following the original vote.
 - (c) A matter may not be reconsidered under this section if
 - (i) it has had the approval of the electors or the assent of the electors and was subsequently adopted by the Regional Board, or

- (ii) there has already been a reconsideration under this section in relation to the matter.
 - (d) On a reconsideration under this section, the Regional Board
 - (i) must deal with the matter as soon as convenient, and
 - (ii) on that reconsideration, has the same authority it had in its original consideration of the matter, subject to the same conditions that applied to the original consideration; and
 - (iii) has not been acted on by an officer, employee or agent of the Regional District.
 - (e) If the original decision was the adoption of a bylaw or resolution and that decision is rejected on reconsideration, the bylaw or resolution is of no effect and is deemed to be repealed.
- 6.35 After a vote has been taken on any motion, a Director (except the Chair), who voted with the majority for or against the resolution may, at the regular meeting of the board following the original vote, introduce a motion to reconsider that resolution in accordance with section 6.2 or section 6.3.
- 6.36 When a motion to reconsider has been presented, no discussion of the main question shall be allowed unless the motion to reconsider has been adopted.
- 6.37 No resolution shall be reconsidered more than once on the same question, nor shall a vote to reconsider be reconsidered.

Privilege

- 6.38 In this section, a matter of privilege includes reference to any of the following motions:
- (a) to fix the time to adjourn;
 - (b) to adjourn;
 - (c) to recess;
 - (d) to raise a question of privilege of the Regional Board; and
 - (e) to raise a question of privilege of a member of the Regional Board.
- 6.39 A matter of privilege must be immediately considered when it arises at the Regional Board meeting.
- 6.40 For the purposes of section 6.39, a matter of privilege listed in section 6.38 has precedence over those matters listed after it.

7.0 MINUTES

- 7.1 Minutes of the proceedings of the Regional Board must be legibly recorded, certified as correct by the Chief Administrative Officer, and signed by the Chair or other member presiding at the meeting or at the next meeting at which the minutes are adopted.
- 7.2 Subject to section 7.3 of this bylaw, the minutes of the proceedings of the Regional Board must be open for public inspection at the Regional District during the regular office hours.

- 7.3 Section 7.2 of this bylaw does not apply to minutes of a Regional Board meeting, or part of a meeting, from which persons were excluded pursuant to section 5.1 of this bylaw.

8.0 BYLAWS

Copies of Proposed Bylaws to the Regional Board Members

- 8.1 A proposed bylaw may be introduced at a Regional Board meeting only if a copy of it has been made available to each Regional Board member and the Chief Administrative Officer prior to the Regional Board meeting, or if all Regional Board members unanimously agree to waive this requirement.

Form of Proposed Bylaws

- 8.2 A bylaw must be printed, have a distinguishing name and a distinguishing number, and must be divided into relevant sections.

Reading Consideration of Proposed Bylaws

- 8.3 The Regional Board must consider a proposed bylaw at a Regional Board meeting either:

- (a) separately when directed by the Chair or requested by another Regional Board member; or
- (b) jointly with other proposed bylaws in the sequence determined by the Chair providing the voting entitlement and weighting is the same for all bylaws under consideration.

- 8.4 The Chair of the Regional Board meeting may read, or have the Chief Administrative Officer read, a synopsis of each proposed bylaw or group of bylaws and may then either request a motion or read a motion which has already been submitted that the proposed bylaw or group of bylaws be given appropriate readings.

- 8.5 A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the *Local Government Act*.

Bylaws must be Signed

- 8.6 After a bylaw is adopted and signed by the Corporate Officer and the Chair of the Regional Board meeting at which it was adopted, the Corporate Officer must have it placed in the Regional District's records for safekeeping and endorse upon it:

- (a) the Regional District's corporate seal; and
- (b) the dates of its readings, adoption and any required approvals that have been obtained.

9.0 RESOLUTIONS

Copies of Proposed Resolutions to Regional Board Members

- 9.1 A proposed resolution may be introduced at a Regional Board meeting only if a copy of it has been made available to each Regional Board member and the Chief Administrative Officer prior the Regional Board meeting, or if all the Regional Board members unanimously agree to waive this requirement.

Form of Proposed Resolutions

- 9.2 A resolution must be in written form.

Consideration of Proposed Resolutions

- 9.3 The Chair of the Regional Board meeting may read, or have a staff member read, the proposed resolution and may then request a motion that the resolution be introduced or delayed until such time as it may be dealt with.

10.0 REGIONAL BOARD COMMITTEES

Establishment of Committees (LGA)

- 10.1 The Chair may establish standing committees and the Regional Board may establish select committees of the Regional Board, in accordance with the provisions of the *Local Government Act*.
- 10.2 The Regional Board may establish other committees in accordance with the provisions of the *Local Government Act*.

Duties of Standing Committees

- 10.3 Standing Committees must consider, inquire into, report on, and make recommendations to the Regional Board about any of the following:
- (a) matters that are related to the general subject indicated by the name of the committee;
 - (b) matters that are assigned by the Regional Board;
 - (c) matters that are assigned by the Chair.
- 10.4 Standing Committees must report and make recommendations to the Regional Board as required by the Regional Board or the Chair.

Duties of Select Committees

- 10.5 Select Committees must consider, inquire into, report on, and make recommendations to the Regional Board about matters referred to the committee by the Regional Board.
- 10.6 Select Committees must consider, inquire into, report on, and make recommendations to the Regional Board as soon as possible, unless a date and time is established by the Regional Board.

General Duties of Committees are as follows:

- 10.7 All committees are considered to be advisory in nature.
- 10.8 No committee has the power to pledge the credit of the Regional Board or commit the Regional Board to any particular action.
- 10.9 No member of the committee shall give specific direction to any staff member. The responsibility of giving specific direction to administration shall reside with the full Regional Board at a duly assembled meeting unless otherwise delegated to the Chief Administrative Officer.
- 10.10 Elections for Chair and Vice Chair of each standing committee shall be conducted at the call of the Chief Administrative Officer and at such time as is determined by the Regional Board.
- 10.11 The minutes of each committee, along with that committee's recommendation to the Regional Board, shall be submitted to the Board for adoption at the next meeting of the Regional Board.

Attendance of Non-Committee Members at Committee Meetings

- 10.12 The Regional Board members who are not members of a committee may attend the meetings of the committee.
- 10.13 Unless a meeting or part of a meeting of a committee is authorized to be closed to the public by the *Community Charter*, all meetings of committees shall be open to the public.

Minutes of Committee Meetings

- 10.14 Minutes of the proceedings of a committee meeting must be legibly recorded, signed by the Chair of the meeting upon adoption by the Board, and open for public inspection in accordance with the requirements of the *Local Government Act*.

Quorum

- 10.15 Unless otherwise stated in the terms of reference of the committee as adopted by the Regional Board, the quorum for a committee is a majority of all of its members.

Conduct and Debate

- 10.16 The Regional Board members who are attending a meeting of a Regional Board committee of which they are not a member may participate in a discussion only with the permission of the majority of all members of the committee.
- 10.17 The Regional Board members who are attending a meeting of a Regional Board committee of which they are not a member must not vote on a question.
- 10.18 Sections 6.20 to 6.25 of this bylaw apply to a Regional Board member's conduct and debate at a committee meeting, in the same manner as it does in relation to a Regional Board meeting.

REPEAL

11.1 Regional District of Okanagan-Similkameen Procedures Bylaw No. 2503, 2010, together with all amendments to it, is hereby repealed.

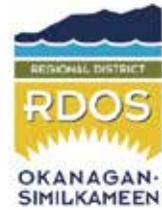
READ A FIRST, SECOND, AND THIRD TIME this 21st day of February, 2013.

ADOPTED BY AT LEAST 2/3 OF THE VOTE this 21st day of February, 2013.

RDOS Board Chair

Chief Administrative Officer

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: November 23, 2017
RE: Board Remuneration Bylaw

The Regional District of Okanagan-Similkameen provides, by bylaw, for the budgeting and paying out of annual remuneration to the Chair and Directors, as well as for the reimbursement of expenses incurred by these officials while representing the Regional District on business.

The bylaw directs that a Consumer Price Index (CPI) adjustment take place annually and that a review take place every 5 years to ensure that the amount paid is reasonable in comparison to other Regional Districts in the Province of a similar size. The next review is scheduled to take place in 2018.

As we near the end of 2017, the Board may wish to consider the following options for remuneration review in 2018:

- That a formal remuneration study be undertaken by a consultant, and an amount be factored into the 2018 budget, accordingly.
- That administration benchmark with comparable local governments and present their findings to the Board in early 2018.
- That no remuneration review be undertaken in 2018 and that remuneration amounts continue to remain in accordance with CPI adjustments.

A copy of the bylaw is attached for the Board's reference, and while no changes to the content of the bylaw are proposed for 2018, new Canada Revenue Agency regulations proposed to be implemented for 2019 may affect the bylaw in that year.

Schedule 'A' of the bylaw attached indicates, in red, the current remunerations amounts. CPI figures for the coming year are released in late January and any adjustments will be applied starting in February, with retroactive changes for January.

Respectfully submitted:

C. Malden, Manager of Legislative Services

Bylaw No. 2621, 2013

Regional District of Okanagan-Similkameen Board Remuneration, Expenses and Benefits Bylaw

Consolidated for convenience purposes.
Includes all amendments to the text up to:
February 6, 2014

Summary of Amendments

Bylaw No.	Adopted	Amendment	Purpose
2621.01, 2014	February 6, 2014	Replaced Alternate Director Remuneration table of Schedule A	Provision to enable each Electoral Area Director the discretion to compensate their Alternate Director for attendance at other meetings while the Alternate is conducting business on behalf of the Director.

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2621, 2013

A bylaw to provide for remuneration and expenses to Elected Officials of the Regional District of Okanagan-Similkameen.

CITATION

1. This Bylaw may be cited for all purposes as the “**Board Remuneration, Expenses and Benefits Bylaw No. 2621, 2013**”

DEFINITIONS

2. In this Bylaw:

“**Committee**” means a standing, select or special Committee of the Regional Board and also means an appointment of a Director for representation to an outside committee whereby the Director does not receive remuneration or expenses from that committee.

“**Director**” means a Municipal Director or Electoral Area Director of the Board, and includes Alternate Directors when that Alternate Director has been delegated by the Director to act in the place of the Director for an event or a specified period of time.

“**Double Occupancy Rates**” means the rate charged when one or two individuals occupy a hotel or motel room. Additional persons would result in a higher rate charged.

REMUNERATION

3.
 - (a) There shall be provided in the annual budget an amount sufficient to pay remuneration to each of the Directors the amounts indicated on Schedule ‘A’ attached to and forming part of this bylaw.
 - (b) The annual remuneration listed in Schedule ‘A’ shall be increased each January 1 by the change in the Consumer Price Index for the Province of British Columbia. This amount shall be reviewed after each five years to ensure that the amount paid is reasonable in comparison to other Regional Districts in the Province of a similar size.
 - (c) One-third (1/3) of the annual remuneration listed in Schedule ‘A’ shall be considered as an allowance for expenses incidental to the discharge of the Director’s duties of office and does not form a part of the expense allowances provided for in Section 4 of this bylaw.

EXPENSES

4. (a) There shall be provided in the annual budget an amount sufficient to pay expenses to each of the Directors the amounts indicated in Schedule 'B' attached to and forming part of this bylaw.
- (b) Such amounts are payable only to reimburse each Director for expenses incurred when the Director is representing the Regional District, or engaging in Regional District business, or attending a meeting, course, seminar or convention, or attending a meeting of a committee of which the Director is a member.

BENEFITS

5. (a) There shall be provided in the financial plan an amount sufficient to pay benefits, if applicable, on behalf of each of the Directors. The amounts are indicated on Schedule 'C' attached hereto and forming part of this bylaw.

REPORTING

6. The remuneration, expenses and benefits paid to each member of the Board, by name, shall be reported annually in accordance with the *Local Government Act*.

REPEAL

7. Bylaw No. 2542, 2012 is hereby repealed.
8. The decision of a court that a provision of this bylaw is invalid shall not affect the validity of the remainder of this bylaw.

READ A FIRST, SECOND AND THIRD TIME this 16th day of May, 2013.

ADOPTED BY AT LEAST 2/3 OF THE VOTE this 16th day of May, 2013.

RDOS Chair

Chief Administrative Officer

SCHEDULE 'A'

DIRECTOR REMUNERATION

Rate as of Dec 2016

DESCRIPTION	REMUNERATION	EXPENSE ALLOWANCE	TOTAL
Municipal Director	\$338.62/month	\$169.06/month	\$507.68/month
Electoral Area Director	\$1,171.25/month	\$584.75/month	\$1,756.00/month
RDOS Chairperson	\$1,756.51/month	\$867.94/month	¹ \$2,633.44/month
RDOS Vice-Chair	\$320.08/month	\$159.80/month	² \$479.89/month
Attendance at Board Meetings	\$151.85/meeting	\$75.81/meeting	\$227.66/meeting
Attendance at Committee Meetings – same day as Board meeting	\$50.61/meeting	\$25.27/meeting	³ \$75.88/meeting
Attendance at Committee Meetings – separate day from Board meeting	\$112.64/ mtg day	\$56.24/ mtg day	\$168.88/mtg day
Electronic Attendance at meetings	\$56.33/mtg day		\$56.33/mtg day

ALTERNATE DIRECTOR REMUNERATION⁴

CLASSIFICATION	REMUNERATION	EXPENSE ALLOWANCE	TOTAL
Attendance at Board Meetings (in place of Director)	\$151.85/meeting	\$75.81/meeting	\$227.66/meeting
Attendance at Committee Meetings – same day as Board meeting (in place of Director)	\$50.61/meeting	\$25.27/meeting	⁵ \$75.88/meeting
Attendance at Committee Meetings – separate day from Board meeting (in place of Director)	\$112.64/mtg day	\$56.24/ mtg day	\$168.88/mtg day
Attendance at Other Meetings (in place of Director)	\$112.64/ mtg day (pro-rated to time spent)	\$56.24/ mtg day	\$168.88/mtg day
Electronic Attendance at meetings - teleconference	\$56.33/mtg day		\$56.33/mtg day
Electoral Area Alternate Director	\$50.61/month	\$25.27/month	\$75.88/month

¹ The RDOS Chairperson, in addition, also receives the respective annual remuneration for being a Rural or Municipal Director.

² The Vice-Chairperson, in addition, also receives the respective annual remuneration for being a Rural or Municipal Director.

³ The maximum remuneration for attendance at a full day of Board and Committee meetings is \$292.

⁴ Bylaw No. 2621.01, 2014 Board Remuneration, Expenses and Benefits Amendment Bylaw

⁵ The maximum remuneration for attendance at a full day of Board and Committee meetings is \$292.

SCHEDULE 'B'

DIRECTORS' EXPENSES

TRAVEL EXPENSES

1. (a) Travel throughout the Regional District by a Director to attend Board meetings, public hearings and other non-sanctioned meetings to fulfill the duties of an elected official will be reimbursed. Travel expenses will commence from the home or place of work (whichever is closer) of the director to the place of the meeting, and return.

A base is set at \$1.00 per liter of gas which equates to \$.048 per kilometer. All increases above \$1.00 will result in an increase of the kilometer rate by 20% of the increase

Regular Travel: \$0.48 per kilometer

- (b) For other travel – travel by automobile will be reimbursed at the rate of \$0.48 per kilometer.

Actual expenses incurred will be reimbursed for travel by bus, train, ferry or air (economy class). Receipts are required. The Regional District will reimburse the lower transportation cost of airfare or vehicle. An analysis must be made to identify the most economical mode of transportation that will be reimbursed.

MEALS

2. (a) When travel requires over 24 hours absence from place of residence, a daily allowance in accordance with 2(b) will be paid to a Director. Partner or spouse's meals cannot be claimed. Alcoholic Beverages cannot be claimed.
- (b) When travel requires less than 24 hours absence from place of residence, meal expenses will be paid as follows:

	<u>Zone A</u>	<u>Zone B</u>	<u>Zone C</u>	<u>Zone D</u>
Breakfast:	\$20	\$20	\$15	\$15
Lunch:	\$30	\$30	\$25	\$20
Dinner:	\$41	\$51	\$36	\$31
Daily Allowance:	<u>\$91</u>	<u>\$101</u>	<u>\$76</u>	<u>\$66</u>

Zone A – Vancouver Island

Zone B – Lower Mainland – includes Whistler and meals outside BC and Canada

Zone C – Okanagan & Thompson Valley's

Zone D – All other BC

- (c) Partial Day Travel Allowance

On the day of departure, if the travel status begins:

- After 7:00 a.m., breakfast cannot be claimed;
- After 12:00 noon, breakfast and lunch cannot be claimed;
- After 6:00 p.m., no meals can be claimed.

On the day of return, if a Director's travel status terminates:

- Prior to 7:00 a.m., no meals can be claimed;
- Prior to 12:00 noon, breakfast can be claimed;
- Prior to 6:00 p.m., breakfast and lunch can be claimed;
- After 6:00 p.m., all meals can be claimed.

* *As meal expenses will be claimed on the Director Mileage and Claim form and reimbursed in accordance with the terms of Section 2 of this Schedule; the submission of receipts is not required. Should a Director not use the full amount of the daily allowance/partial day allowance, nothing precludes that individual from claiming a lesser amount by submitting receipts.*

SEMINARS, COURSES, CONFERENCES AND MEETINGS

3. Registration fees will be paid for single participation only. Receipts are required. If any meals are included with registration fee, they are to be deducted accordingly from the daily allowance/partial day allowance.

ACCOMMODATION

4. Expenses will be reimbursed based on double occupancy rates. Receipts are required. If a Director chooses not to stay at a hotel, a \$52 per day accommodation allowance may be claimed.

TAXI EXPENSES, LONG DISTANCE TELEPHONE CALLS, PARKING, MISCELLANEOUS EXPENSES

5. Reimbursement will be made for actual expenses incurred while performing duties for the Regional District. Receipts are required.

MISCELLANEOUS EXPENSES

6. Commemorative expenses and the postage, stationary and printing costs associated with providing newsletters to constituents while performing the duties of a rural area director within the Regional District shall be reimbursed from each Electoral Area's Directors administration budget.

SCHEDULE C

DIRECTORS' BENEFITS

1. Pursuant to the *Local Government Act*, the Regional Board may enter into agreements for benefits for all or some of its Directors and their dependents, including medical and dental services and insurance policies.

Benefits provided to a Director and their dependants shall terminate at the end of the month in which they cease to be a member of the Board.

ACCIDENT INSURANCE

2. The Board may provide all or part of a premium required by an agreement under Section 1 of this Schedule for accident insurance coverage for Directors while on Regional District business.

MEDICAL AND DENTAL SERVICES

3. The Board may provide medical and/or dental services by agreement noted in Section 1 of this Schedule, but must not pay all or part of the premium for this coverage. The Directors shall pay these premiums.

EXTENDED HEALTH BENEFITS

4. The Board may provide extended health benefits by agreement noted in Section 1 of this Schedule, but must not pay all or part of the premium for this coverage. The Directors shall pay these premiums.

LIFE INSURANCE

5. The Board may provide life insurance coverage by agreement noted in Section 1 of this Schedule, but must not pay all or part of the premium for this coverage. The Directors shall pay these premiums.

ACCIDENTAL DEATH AND DISMEMBERMENT

6. The Board may provide accidental death and dismemberment coverage by agreement noted in Section 1 of this Schedule, but must not pay all or part of the premium for this coverage. The Directors shall pay these premiums.

ADMINISTRATIVE REPORT

TO: Legislative Workshop
FROM: B. Newell, Chief Administrative Officer
DATE: November 23, 2017
RE: Freedom of Information Report 2017

For Information Only

Purpose:

To provide the Board of Directors with a summary of the Request for Access to Records applications received in 2017.

Reference:

[Freedom of Information and Protection of Privacy Act](#)

Business Plan Objective: *(Tie to current RDOS Business Plan)*

Key Success Driver 4 - To Provide Governance & Oversight in a Representative Democracy by developing a responsive, transparent, effective organization.

Analysis:

The *Freedom of Information and Protection of Privacy Act* (FIPPA) establishes a process by which any individual or group may request access to records held by a public body.

FIPPA provides a legislated set of rules governing what information can and cannot be released. The underlying principle is that all recorded information is available to the public, except for information that is subject to the specific and limited exceptions to disclosure, set out in the Act.

To date in 2017, Administration has actioned 16 formal requests for access to RDOS records, as follows:

- Ø records relating to specific building and/or bylaw enforcement activities (8)
- Ø records relating to proprietary information in a contract, by a potential bidder (1)
- Ø records relating to mileage/expense claims submitted by Directors (3) (removal of signatures only)
- Ø records relating to communication between RDOS and members of a property owners association (1)
- Ø records relating to employee perception survey (1)
- Ø records relating to a motor vehicle accident (1)

Ø records relating to written quotes for work on a community facility (1)

The RDOS works hard to ensure that information which is not restricted by the FIPPA is distributed freely. The number of requests received to date in 2017 (16) is similar to 2016 (17 requests).

In reviewing the nature of the requests, administration is confident that the number of requests is not indicative of any fault in processes or lack of transparency. The type of requests, and the information contained within each request is not information which could have been proactively released, as many of the responsive records contain personal or proprietary information.

Broken down by quarter the requests received were as follows:

Q1 – six requests

Q2 – six requests

Q3 – four request

Q4 – zero requests to date

Local Government across the province experience the same challenges when staff becomes overwhelmed with the volume and complexity of requests. There is no way to predict when or how many requests will be received, so corporate offices must ensure that their processes for retrieving, gathering and redacting records is as accurate and refined as possible. All staff within the organization must be trained and aware of the critical need to produce all documents in a timely fashion.

In 2015, all Board members and municipal council members as well as staff at the Regional District and member municipalities employees were offered a ½ day workshop on FIPPA. The workshops were well attended and a better understanding of the responsibilities of local governments with regard to FIPPA was realized. This workshop will be offered again in early 2019 after the Local Government Elections in October 2018.

The RDOS maintains a Freedom of Information webpage and has a well-developed FIPPA program which features basic training for new staff, easy to use reference materials on routinely releasable records and a comprehensive [Corporate FOI Manual](#) available to all staff and Directors.

Respectfully submitted:

“Christy Malden”

C. Malden, Manager of Legislative Services

ADMINISTRATIVE REPORT

TO: Board of Directors

FROM: B. Newell, Chief Administrative Officer

DATE: November 23, 2017

RE: 2017 Public Engagement Summary

In the past few years, the Regional District has recognized the need for an increased focus on community engagement and outreach. Although there is no formal Communications Program at this time, staff are aware of the benefits of engaging citizens and attempting to involve our residents more frequently in Regional District matters.

Initiatives such as the bi-weekly advertising page, improved social media efforts, and increased visits into the communities have helped increase our profile, and we receive frequent comments from members of the public about these initiatives.

In 2018, administration will continue to look for additional ways to raise awareness about the service that the Regional District does and does not provide, and to explore more innovative ways to engage and educate residents.

Annually, staff track the community events which they have attended throughout the year and look for opportunities to promote not only the topics they are in attendance for, but for other initiatives or events which are taking place in other departments. The list below is not exhaustive; however, it provides an idea as to the type of events each month where staff are out in the rural areas and sometimes beyond, representing the Regional District.

January	<ul style="list-style-type: none"> Ø WildSafe – Growers Day Booth - Kelowna Ø Twelfth Night – Area “D”
February	<ul style="list-style-type: none"> Ø Riparian Workshop – Area “D” Ø Town Hall – Kaleden Ø Invasive Species Presentation – Vancouver Ø WildSafe – Growers Day Booth – Area “C” Ø Public Information Meeting – Area “D”
March	<ul style="list-style-type: none"> Ø Riparian Workshops – Areas “C” and “D” Ø Effective Composting Workshops – Areas “A”, “C”, “F” and the Regional District office Ø South Okanagan-Similkameen Home Show – featuring the ‘Zebra/Quagga Mussel’ trailer Ø Mobile Outreach Trailer – Lower Similkameen Indian Band Ø Downtown Revitalization open houses – Area “D”

April	<ul style="list-style-type: none"> Ø Effective Composting Workshop– GardenWorks Penticton Ø Riparian Workshop – Area “F” Ø Pitch in Day, Community Clean up – Area “D” Ø West Bench Irrigation Leak Detection Workshop Ø Water Conservation & Mussel Workshop – Penticton Ø WildSafe – Penticton Brownies Ø Public Information Meetings – Area “E” and “H”
May	<ul style="list-style-type: none"> Ø Local Government Awareness Week Ø Bike to Work Week Ø Riparian Workshops – Areas “G”, “B”, “D”, “H” Ø WildSafe – SORCO Ø Carnival Kaleden Ø Regional Recreation Forum
June	<ul style="list-style-type: none"> Ø School District Sports Day – Area “D” Ø Okanagan Falls Music in the Park Ø Regional Recreation Workshop – Kaleden Ø OCP Open House – Area “F”
July	<ul style="list-style-type: none"> Ø Make Water Work Ø Canada 150 Program Launch – with FN partners Ø Challenge Ø Music in the Park – Oliver/Area “C”
August	<ul style="list-style-type: none"> Ø WildSafe – Penticton Indian Band kids camp Ø Well Licensing Workshop Ø Province and OBWB/AE Flood Forum – RDOS Office Ø Fire, Floods and Landslide Town Hall – Area “C” Ø Public Information Meetings – Areas “C”, “E”, “G”
September	<ul style="list-style-type: none"> Ø Cottonwood Planting – Area “E” Ø Area “D” Division open houses Ø WildSafe – various locations Ø Public Information Meetings – Area “C” and “E”
October	<ul style="list-style-type: none"> Ø Town Hall Meetings – Area “B” Ø LSIB Annual Town Hall Ø Public Information Meetings – Areas “C”, “D”, “F”, “G”

Respectfully submitted:

“Christy Malden”

C. Malden, Manager of Legislative Services