



Staff Report

Report To: Dan Best, Chief Administrative Officer
From: **Genevieve Scharback, Corporate Services Manager/Clerk**
Date: January 15 2018
Report: 1-2017
Subject: Electronic Participation in Meetings

Recommendations:

That South Huron Council receive the report from G. Scharback, Corporate Services Manager/Clerk re: Electronic Participation in Meetings

Purpose:

To provide Council with further information regarding electronic participation in meetings, as directed by resolution #544-2017.

Background and Analysis:

The Modernizing Ontario's Municipal Legislation Act, 2017 amended Section 238(2) of the Municipal Act by adding the following subsection:

Electronic Participation

(3.1) The applicable procedure by-law may provide that a member of council, of a local board or of a committee of either of them, can participate electronically in a meeting which is open to the public to the extent and in the manner set out in the by-law provided that any such member shall not be counted in determining whether or not a quorum of members is present at any point in time.

(3.2) The applicable procedure by-law shall not provide that a member of council, of a local board or of a committee of either of them, can participate electronically in a meeting which is closed to the public.

This item is discretionary. Council may amend the procedural by-law to allow electronic participation but it is not mandatory.

There are merits to this provision for councils or boards that represent wide geographical areas; however, there are a number of aspects to electronic participation to be considered prior to Council's approval of this option.

Transparency and Accountability

The means of providing electronic participation must give the public the opportunity to hear, or hear and see, the participation of Council members to ensure the transparency and accountability of Council business.

Every vote shall be a recorded vote to allow every participant and the public to know how votes were cast as a show of hands will not be effective, or alternatively the Chair shall repeat the results of each vote, including the names of Council members voting in favour and opposition, immediately following each vote.

Closed Session

There is no allowance for attending a closed session electronically.

Council, from time to time, receives information in a Closed Session, such as a legal opinion, prior to voting on a matter in the Open Session. Any member attending electronically would not be privy to this information.

Equipment for Electronic Attendance

Council may choose to allow attendance by conference telephone call with audio only and/or by video conference.

Telephone conference call attendance may utilize the existing poly-com telephone; however, a telephone line will need to be installed in the Council chamber at an estimated cost of \$250.00. Improved microphones at Councillors desks may be required depending on the projection and clarity of voices throughout the Council Chambers.

Video conference call attendance may be achieved via the internet. A designated screen in the Council Chambers will allow those in attendance to see and hear the member(s) attending electronically, as well as a computer, tripod and camera to allow the member(s) attending electronically to see the rest of Council. One of the existing screens in the Council Chamber could be utilized with the purchase of a designated computer/tripod/camera at an estimated cost of \$1800.00.

Telephone conference call attendance may be considered as a first step to allow electronic participation in meetings, with video conference as a second

step. The purchase of video equipment and microphones may be considered in conjunction with the future video streaming of meetings, as part of an overall communications plan.

Notice of Electronic Attendance

An appropriate notice timeline for members to advise the Clerk that they will be attending electronically is necessary to ensure that the legislated requirement of having a quorum physically present at the meeting is met, as well as to allow staff to make any necessary preparations for electronic attendance and advise the member of how to connect to the meeting.

Procedural By-Law Amendment/Electronic Participation Policy

The following matters require Council's consideration for inclusion in the Procedural By-Law or an Electronic Participation Policy that is referred to in a more general statement in the Procedural By-Law:

- May a member attend electronically at any time at their own discretion or are guidelines regarding when electronic attendance desired, i.e. "A member of council may only participate electronically in a regular, special or committee meeting at such times that the member of council is unable to be present at a Council meeting for reasons pertaining to absence from the municipality or health reasons."
- Can the Chair attend electronically?
- Will there be limitations on how often a member may attend electronically rather than in person, i.e. "A member of council may not participate electronically in more than four (4) regular or committee meetings in a twelve month period beginning January 1 and ending December 31 of each year. The restriction may be waived with the unanimous approval by council resolution in such instances that council deems the individual's participation to be critical to the decision making process."
- What is the procedure if communication is lost to one or more electronic participants during a meeting, i.e. "A 10 minute recess will be called to try and reestablish the link(s), if after the recess a link cannot be reestablished the member of council(s) affected will be deemed to have left the meeting."
- Does the option of electronic participation extend to Committee of Council as they are bound by the procedural by-law, or is it only for Council meetings?

Operational Considerations:

There are no operational considerations at this time.

South Huron's Strategic Plan:

Section 6.2.2 of the Municipality of South Huron 2015- 2019 Strategic Plan identifies transparent, accountable and collaborative governance as a strategic objective.

Financial Impact:

This report is for information purposes, there are no financial impacts at this time. A detailed estimate of costs will be provided upon Council direction to proceed with electronic meeting participation.

Legal Impact:

There are no legal implications related to this report.

Staffing Impact:

There are no staffing implications related to this report.

Policies/Legislation:

Municipal Act, 2001, as amended.

Consultation:

IT Support, Micro-Age Basics

Related Documents:

Respectfully submitted,

Genevieve Scharback, Corporate Services Manager/Clerk