



DISCUSSION PAPER

SUBMITTED BY: Chris Frotten

DATE: June 21, 2021

SUBJECT: Virtual Meetings

INTRODUCTION

At the onset of the pandemic, the Minister of Municipal Affairs directed municipalities to discontinue holding in-person meetings and instead hold virtual meetings by video or telephone. Those virtual meetings had to be recorded, and the minutes posted on a public website within 24 hours of the meeting.

On July 29, 2020, municipalities could once again begin holding in-person meetings if the total number of persons did not exceed the gathering limits of the time and all physical distancing requirements or other requirements imposed by Public Health were met.

Since that time, whether due to subsequent directives from the Minister or due to Public Health requirements, some municipalities have continued to meet virtually, either entirely or in a hybrid form. That said, for some time the Municipal Government Act (MGA) did not provide us with the authority or regulations to do so. Therefore, some developed by-laws and/or policies to regulate the process of holding and attending meetings virtually.

In April 2021, the MGA was officially amended to provide municipalities with the authority to conduct meetings virtually and/or allow a council member or council committee member to participate in a council meeting or council committee meeting through electronic means.

The amendment outlines specific conditions that must be met to do so but notes that a procedural policy of Council must be in place.

For this reason, we are bringing this to Council's attention for consideration and direction.

ADVANTAGES

More Efficient

Analysis from Microsoft on its remote workforce revealed the rise of the "30-minute meeting". They found that individual meetings shrank in duration, with 22% more meetings of 30 minutes or less, and 11% fewer

meetings of more than one hour. More efficient, shorter meetings with fewer meanders that cut to the point and get the job done faster is beneficial in allowing everyone to get on with other tasks.

Less Logistics

With virtual meetings, the amount of scheduling and logistics on either side of a meeting tends to be significantly reduced. You do not have to think about booking a room or worry whether it is big enough for all invitees, should they turn up. Plus, the physical act of actually getting to a meeting room takes time. When you dial in at a set time, all that disappears.

More Cost Effective

When you start to look up the cost of travel and time, meeting physically in a mutual location starts to add up. With virtual meetings, all of that is removed. There is no commute, no planning, no lost hours of work, it is easy to add in other staff, presenters, or guests at a moment's notice and once the meeting is over, everyone can effortlessly return to their day/evening.

Improves Accessibility and Comfort

Virtual meetings are also good levelers, helping everyone connect with relatively little effort. Anyone can join video meetings, from anywhere – all you need is a good internet connection and earphones. Joining video meetings in spaces most of us feel comfortable in (our homes), it is normal to feel more at ease and more confident than you would if you were sitting around a table in an office.

Worldly Connection

Attendees can come from anywhere. Provided they can make the scheduled time, with distance being no obstacle, it can allow participants to join from all over the world.

Broader Information Sharing

Having access to a broader list of attendees also allows for a diverse range of opinions and sharing of information. Being easily able to open the meeting to the wider audience means we can invite opinions from across sectors, providing insight and expertise that we may not have had access to in a traditional meeting.

DISADVANTAGES

Increased Distractions

Presenting the same thing you might have done in person in the same way does not work in a virtual session. There are too many distractions and other things people may be doing at the same time.

Less Dynamic

The need for structure in virtual meetings can dilute the energy. There will always be just one person talking to the entire group and it is difficult to divide into smaller groups to discuss topics. There is also less spontaneity, which may mean you miss out on some of the most innovative ideas.

Less Personal

In a live meeting, we can look to the people around us for a cue as to how we might react. A virtual setting lacks this and so we feel isolated in our reactions, and it is harder to engage.

Malfunctioning Technology

Much of the technology used for virtual sessions creates a lot of friction. People have to download something; microphones do not work, and Internet connections can fail.

No Accountability

When you are sitting in a live meeting or you show up late, there is a reputational and social cost to being tardy or being on your phone or checking out. Everyone else can see what you are doing. In a virtual session, there is not any social pressure to keep you engaged or to prevent you from multitasking.

One-Way Interactions

Too often in virtual meetings one side has a camera on and is delivering content while the others are silently and invisibly listening. This creates an unbalanced meeting because one side has no insight into how the other side is reacting.

CONCLUSION

Virtual Council meetings can be useful, but they have their limitations. That said, most of those limitations can be overcome with proper, user-friendly technology and a clear and concise policy.

The policy should outline the Municipality's position on conducting meetings virtually and/or allowing a council member or council committee member to participate in a council meeting or council committee meeting through electronic means.

If Council chooses to prohibit all of the above, the policy will be relatively short and simple.

In the event Council were to permit any of the above, other aspects should be considered and discussed. Such as:

- Virtual Meeting Procedures/Decorum
 - What types of meetings are permitted to be conducted virtually?
 - Under what circumstances can a council member or council committee member participate in a council meeting or council committee meeting through electronic means?
 - What type of notice must the council member or council committee member provide?

- What rules apply to virtual meetings?
- Would there be any specific procedure or tools used to vote?
- How would in-camera sessions be conducted?
- Teleconferencing Options
 - Which conferencing system would be used to hold virtual meetings?
 - Would these meetings be broadcast or simulcast online?
 - If so, would chat and comment functions be enabled?
- Public Notice & Participation
 - How would the public be notified of a meeting being conducted virtually?
 - How would we ensure the public has the ability to attend and/or participate?

ATTACHMENTS

- Bill No. 98 An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act, and Chapter 39 of the Acts of 2008, the Halifax Regional Municipality Charter, Respecting Virtual Meetings
- Town of Yarmouth's Electronic Meeting Policy
- Catholic District School Board of Eastern Ontario's Electronic Meetings Policy



BILL NO. 98

Government Bill

*3rd Session, 63rd General Assembly
Nova Scotia
70 Elizabeth II, 2021*

**An Act to Amend Chapter 18
of the Acts of 1998,
the Municipal Government Act,
and Chapter 39 of the Acts of 2008,
the Halifax Regional Municipality Charter,
Respecting Virtual Meetings**

CHAPTER 14
ACTS OF 2021

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
APRIL 19, 2021**

The Honourable Brendan Maguire
Minister of Municipal Affairs

*Halifax, Nova Scotia
Printed by Authority of the Speaker of the House of Assembly*

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**An Act to Amend Chapter 18
of the Acts of 1998,
the Municipal Government Act,
and Chapter 39 of the Acts of 2008,
the Halifax Regional Municipality Charter,
Respecting Virtual Meetings**

Be it enacted by the Governor and Assembly as follows:

MUNICIPAL GOVERNMENT ACT

1 Chapter 18 of the Acts of 1998, the *Municipal Government Act*, is amended by adding immediately after Section 19 the following Section:

19A (1) Where a procedural policy of the council so provides, a council meeting or council committee meeting may be conducted by electronic means if

- (a) at least two days prior to the meeting, notice is given to the public respecting the way in which the meeting is to be conducted;
- (b) the electronic means enables the public to see and hear the meeting as it is occurring;
- (c) the electronic means enables all the meeting participants to see and hear each other; and
- (d) any additional requirements established by regulation have been met.

(2) Where a procedural policy of the council so provides, a council member or council committee member may participate in a council meeting or council committee meeting through electronic means if

- (a) the electronic means enables the public to see and hear the member as the meeting is occurring;
- (b) the electronic means enables all meeting participants to see and hear each other; and
- (c) any additional requirements established by regulation have been met.

(3) A council member participating in a council meeting or council committee meeting by electronic means is deemed to be present at the meeting.

(4) The notice to the public referred to in clause (1)(a) must be given by

- (a) publication in a newspaper circulating in the municipality;
- (b) posting on the municipality's publicly accessible Internet site and in at least five conspicuous places in the municipality; or
- (c) such other method permitted by regulation.

(5) Notwithstanding clause (1)(a), where the mayor or warden determines that there is an emergency, a meeting may be conducted by electronic means without notice or with such notice as is possible in the circumstances.

(6) The Minister may make regulations

(a) respecting council meetings and council committee meetings conducted by electronic means;

(b) respecting the participation of a council member or council committee member in a council meeting or council committee meeting by electronic means.

(7) The exercise by the Minister of the authority contained in subsection (6) is a regulation within the meaning of the *Regulations Act*.

2 Chapter 18 is further amended by adding immediately after Section 408B the following Section:

408C Where a procedural by-law of the village commission so provides, a meeting of the village commission or a committee of the village commission may be conducted by electronic means if

(a) at least two days prior to the meeting, notice is given to the public respecting the way in which the meeting is to be conducted;

(b) the electronic means enables the public to see and hear the meeting as it is occurring;

(c) the electronic means enables all the meeting participants to see and hear each other; and

(d) any additional requirements established by regulation have been met.

(2) Where a procedural by-law of the village commission so provides, a village commissioner may participate in a village commission meeting or village commission committee meeting through electronic means if

(a) the electronic means enables the public to see and hear the village commissioner as the meeting is occurring;

(b) the electronic means enables all meeting participants to see and hear each other; and

(c) any additional requirements established by regulation have been met.

(3) A village commissioner participating in a village commission meeting or village commission committee meeting by electronic means is deemed to be present at the meeting.

(4) The notice to the public referred to in clause (1)(a) must be given by

(a) publication in a newspaper circulating in the village;

(b) posting in at least five conspicuous places in the village; or

- (c) such other method permitted by regulation.
- (5) The Minister may make regulations
 - (a) respecting village commission meetings and village commission committee meetings conducted by electronic means;
 - (b) respecting the participation of a village commissioner in a village commission meeting or village commission committee meeting by electronic means.
- (6) The exercise by the Minister of the authority contained in subsection (5) is a regulation within the meaning of the *Regulations Act*.

HALIFAX REGIONAL MUNICIPALITY CHARTER

3 Chapter 39 of the Acts of 2008, the *Halifax Regional Municipality Charter*, is amended by adding immediately after Section 16 the following Section:

16A (1) Where a procedural policy of the Council so provides, a Council meeting, community council meeting or Council committee meeting may be conducted by electronic means if

- (a) at least two days prior to the meeting, notice is given to the public respecting the way in which the meeting is to be conducted;
- (b) the electronic means enables the public to see and hear the meeting as it is occurring;
- (c) the electronic means enables all the meeting participants to see and hear each other; and
- (d) any additional requirements established by regulation have been met.

(2) Where a procedural policy of the Council so provides, a Council member or Council committee member may participate in a Council meeting, community council meeting or Council committee meeting through electronic means if

- (a) the electronic means enables the public to see and hear the member as the meeting is occurring;
- (b) the electronic means enables all meeting participants to see and hear each other; and
- (c) any additional requirements established by regulation have been met.

(3) A Council member participating in a Council meeting, community council meeting or Council committee meeting by electronic means is deemed to be present at the meeting.

(4) The notice to the public referred to in clause (1)(a) must be given by

- (a) publication in a newspaper circulating in the Municipality;

(b) posting on the Municipality's publicly accessible Internet site and in at least five conspicuous places in the Municipality; or

(c) such other method permitted by regulation.

(5) Notwithstanding clause (1)(a), where the Mayor determines that there is an emergency, a meeting may be conducted by electronic means without notice or with such notice as is possible in the circumstances.

(6) The Minister may make regulations

(a) respecting Council meetings, community council meetings and Council committee meetings conducted by electronic means;

(b) respecting the participation of a Council member or Council committee member in a Council meeting, community council meeting or Council committee meeting by electronic means.

(7) The exercise by the Minister of the authority contained in subsection (6) is a regulation within the meaning of the *Regulations Act*.

**Town of Yarmouth
ELECTRONIC MEETING POLICY**

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| Bylaw Name: Electronic Meeting Policy | |
| Bylaw No.: TOY 57 | |
| Effective Date: December 10th, 2020 | Reviewed: |

1.0 Statement

The purpose of the policy is to provide guidelines for holding electronic or hybrid meetings for all Council and Committee meetings.

1.1 A Council or committee member may request to join electronically under the following circumstances:

- a. Away for Council related business;
- b. Health reasons; or
- c. Weather.

2.0 Requirements

When a Council or committee member requests to participate virtually, the Clerk shall be notified at least 48 hours prior to the scheduled start time.

2.1 All participants must have access to the necessary equipment for participation. A right of membership is participation; therefore, the technology used must be accessible to all members to be included in the meeting.

2.2 All rules pertaining to in-person Council or Committee meetings apply equally to electronic meetings, for example, notice, pre-meeting package requirements, quorum, minute-taking, voting, confidentiality requirements, etc.

2.3 Whenever possible, participants shall connect to the internet via ethernet cable to ensure the best possible connection.

2.4 Participants are to login 10 minutes before the scheduled meeting time to resolve any technical issues before the meeting starts.

2.5 During In Camera sessions, all meeting participants must ensure they maintain complete privacy in their off-site meeting space. This will ensure all discussions are kept confidential and are only heard by those invited to and attending the meeting.

2.6 All provisions and policy related to in camera meetings and conflict of interest will apply equally for all electronic meetings.

- 2.7** The Recording secretary or other approved administrator shall record the public portion of the meeting for the purpose of minute taking or sharing for public viewing. Non-public meetings will not be recorded.
- 2.8** In no circumstance are discussions in the “chat” function or virtual meeting software to be copied and saved by meeting participants or included as part of the official meeting minutes.
- 2.9** Subject to any conditions or limitations provided for under the Act, Regulations, Bylaws or this Policy, a Council member who participates in a meeting through electronic means shall be deemed to be present at the meeting and will be recorded as in attendance at and part of the quorum of the meeting
- 3.0 Procedure**
- 3.01** The Mayor will be the chair of the Council meeting. For a Committee meeting, the head of the committee will chair.
- 3.02** Any technology employed will enable every participant to hear and be heard by all other participants in the meeting.
- 3.03** Attendance shall be taken and duly recorded to ensure participants are recognized as in attendance.
- 3.04** The Mayor or Chair will ensure that declarations of conflict of interest are heard by all present and that those participating have an opportunity to verbally declare any conflict.
- 3.05** The meeting will be administered in such a way that the rules governing conflict of interest are complied with.
- 3.06** The electronic means will enable appropriate processes to ensure the security and confidentiality of proceedings, both regular and in-camera meetings. This may mean using separate connections and log-ins for scheduled in camera sessions.
- 3.07** Participants will identify themselves before speaking in order to assist the recording secretary in recording the minutes.
- 3.08** Those participating in an electronic meeting shall notify the Chair of their departure (either temporary or permanent) from the meeting, before absenting themselves, in order to ensure a quorum is maintained.
- 3.09** All meeting participants must have a copy of the meeting package including the agenda prior to the meeting for reference during the electronic meeting.
- 3.10** To avoid as much disruption as possible and to support seamless dialogue and debate, all participants will keep their electronic devices on mute unless speaking.

3.11 Any open chat windows in the technology must be used only to resolve technological problems – it should not be used for side discussions, lobbying other participants or voicing support for motions on the floor. Council members meet and have authority only as a collective with due order.

4.0 Public Communications

Persons wishing to provide public communications regarding agenda items shall provide written correspondence to admin@townofyarmouth.ca no later than 48 hours before the scheduled start time.

5.0 Meeting Decorum

Persons wishing to be audience members need to contact admin@townofyarmouth.ca to obtain the meeting ID.

5.1 Persons with names that violate community standards will not be admitted to the meeting (eg. offensive language).

5.2 Anyone disrupting the meeting and not following the direction of the Chair will be removed and not permitted back in for the duration of the meeting.

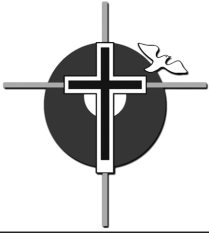
5.3 Audience members must keep cameras and microphones off unless registered to speak for a public hearing or presentation agenda item. Registered speakers shall only turn on their camera and microphone when invited to speak by the Chair.

5.4 All participants must be appropriately dressed.

5.5 All participants to remain stationary and have laptop positioned at desk height.

5.6 All participants encouraged not to eat during meeting.

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| Clerk’s Annotation for Official Policy Book | |
| Date of Adoption: | |
| I certify that this ‘Electronic Meeting Policy’ was adopted by Council as indicated above. | |
| Town Clerk: | Date: |



POLICY STATEMENT:

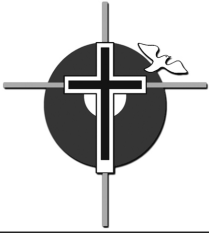
At the request of a Board member or student trustee, in situations where it is not possible to attend a regularly scheduled or special meeting of the Board, the Board shall provide electronic means for participation in a meeting of the Board or its Committee.

1. Purpose:

To provide for the use of electronic means for participation of trustees when necessary in meetings of the Board and its Committees, including a Committee of the Whole Board, for reasons as stated in 2.1, 2.2 and 2.3.

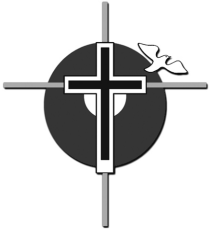
2. Procedure:

- 2.1 In the case of inclement weather and/or poor road conditions, the trustees must contact the Secretary of the Board and/or Chair at least three (3) hours prior to the start of the meeting.
- 2.2 In the case of urgent personal and/or professional reasons, the trustees must contact the Secretary of the Board and/or Chair of the Board prior to the start of the meeting.
- 2.3 In the case a trustee must be physically absent for more than three consecutive Board meetings, he/she must receive prior authorization from the Board of trustees to access electronic means.
- 2.4 As per section 228. (1) (b) of the Education Act – A member of a board vacates his or her seat if he or she, absents himself or herself without being authorized by resolution entered in the minutes, from three consecutive regular meetings of the board.
- 2.5 The following persons must be physically present in the Board meeting room for any meeting of the Board or Committee of the Whole:
 - The Chair of the Board or his/her designate
 - At least one additional member of the Board
 - The Director of Education or his/her designate



- 2.6 The following persons must be physically present in the Committee meeting room for any meetings of the Board's Committees (except for Committee of the Whole):
- The Chair of the Committee or his/her designate
 - The Director of Education or his/her designate
- 2.7 When authorized, the Board member who participates in a meeting by electronic means is considered to be present at the meeting and will be recorded as in attendance at the meeting.
- 2.8 Given that the member must be able to be heard and hear all other participants in the meeting, audio-teleconferencing will be by electronic means.
- 2.9 If it is not possible for the required persons, (as indicated in 2.5 and 2.6) to be physically present at the meeting, the request for an electronic meeting will be refused.
- 2.10 Electronic means will be provided in the Board meeting room at the Board's head office in Kemptville.
- 2.11 All provisions in the legislation with regard to in camera meetings and conflict of interest will apply for electronic meetings of the Board or Committees.
- 2.12 Trustees participating electronically will verbally signify their vote (or decision to abstain from voting) for each motion being considered by the Board during the meeting in question until such time as the trustees verbally indicate their desire to withdraw from the meeting. Such withdrawal will be recorded in the minutes as part of the Board's official records. The Board Chair will ensure that all trustees have an opportunity to speak to a motion before a vote is taken.
- 2.13 Cellular, portable or radio phones are not allowed for electronic access of meetings.

ADMINISTRATIVE PROCEDURE



CATHOLIC DISTRICT
SCHOOL BOARD OF
EASTERN ONTARIO
www.cdsbeo.on.ca

A4
GOVERNANCE
Electronic Meetings
Page 3 of 3

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| ADMINISTRATIVE PROCEDURES: | REFERENCE: Education Act Section 208 Ontario Regulation 463/97 |
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