



Special Meeting Minutes April 15, 2020

A Special Meeting of the Kettle Creek Conservation Authority was held electronically on Wednesday, April 15, 2020 at 10:00 a.m. The meeting was streamed live to the public on Facebook.

The Chair called the meeting to order and conducted a roll call with the following members identifying their presence:

Members Present:

Dennis Crevits	Central Elgin
Dominique Giguère	Township of Malahide
Grant Jones	Southwold Township
Stephen Harvey	Middlesex Centre
Elizabeth Peloza	City of London
Joe Preston	City of St. Thomas
Alison Warwick	Thames Centre
Ralph Winfield	City of London

Members Absent:

Bill Mackie	City of London
Steve Peters	City of St. Thomas

The following staff members were also present on the call electronically:

Staff Present:

Jennifer Dow	Water Conservation Supervisor
Joe Gordon	Assistant Manager/Supervisor of Planning and CAs
Michael Buis	LWCA Coordinator
Jessica Kirschner	Resource Assistant
Marianne Levogiannis	Public Relations Supervisor
Betsy McClure	Stewardship Program Supervisor
Scott Pinnell	Maintenance Coordinator
Jeff Lawrence	Forestry and Soils Supervisor
Rob Lindsay	DWCA Coordinator
Kathleen Sebestyen-Scott	Financial Services Supervisor
Elizabeth VanHooren	General Manager/Secretary Treasurer

The Chair reminded members that the meeting was called to update KCCA's Administrative By-Law to allow for electronic meetings during declared states of emergency. On March 26, 2020, the Minister of the Environment, Conservation and Parks issued a Direction recommending

amendments to Conservation Authority Administrative By-Laws to facilitate such electronic meetings. The meeting was streamed live to KCCA's Facebook Page and draft minutes were to be posted to KCCA's web site on April 16, 2020.

Audio/Video Record Notice

The Chair read the following statement:

Board members, staff, guests and members of the public are advised that the Full Authority Board/Committee meeting is being video/audio recorded, and will be posted to the Authority's web site along with the official written minutes. As such, comments and opinions expressed may be published and any comments expressed by individual Board members, guests and the general public are their own, and do not represent the opinions or comments of the Full Authority and/or the KCCA Board of Directors.

The recorded video of the Full Authority meeting is not considered the official record of that meeting. The official record of the Full Authority meeting shall consist solely of the Minutes approved by the Full Authority.

Declaration of Pecuniary Interest

There were no declarations of pecuniary interest.

Minister's Direction for CAS during the COVID-19 Outbreak

The Minister's Direction was included in the advanced package and is posted on KCCA's web site in its entirety.

Administrative By-Law Amendment

The proposed Administrative By-law Amendment was presented and reviewed by members. It was noted that a two-thirds majority vote from the members present was required for the amendment to pass.

A recorded vote was taken and is documented in the Recorded Vote Registry on page 6.

FA42/2020

Moved by: **Ralph Winfield**

Seconded: **Joe Preston**

Whereas the Minister of Environment, Conservation and Parks issued Direction on March 26, 2020 pursuant to subsection 19.1 (7) of the *Conservation Authorities Act* to all Conservation Authorities in Ontario, including Source Protection Authorities, to enable conservation authorities to convene a meeting electronically in order to make necessary amendments to their by-laws to deal with emergencies;

And Whereas it is necessary to make certain amendments to Kettle Creek Conservation Authority's By-Law dated September 19, 2018 to permit Board members who are participating

in a meeting electronically to be counted towards quorum during an emergency declared pursuant to the *Emergency Management Civil Protection Act* (“Declared Emergency”);

Now Therefore the Board of Directors of the Kettle Creek Conservation Authority Hereby Enacts as Follows:

1. **That** the Administrative By-Law dated September 19, 2018 is hereby amended by adding the following in order to enable electronic meetings to be held during a period of declared emergency:

- a) That the following definitions be added to Section A Definitions:

“Declared Emergency” is any emergency declared pursuant to the Emergency Management Civil Protection Act that has been declared to exist, in all or part of an area over which the Authority has jurisdiction, under Section 4 or 7.0.1 of the Emergency Management and Civil Protection Act.

“Electronic Meeting” means a meeting called and held in full or in part via electronic means (including, but not limited to, video conference, audio conference, teleconference or other appropriate electronic means), and with or without in-person attendance.

- b) That the following be added to Section C. Meeting Procedures

20. Electronic Meetings During a Declared Emergency

During any period where an emergency has been declared to exist, in all or part of an area over which the Authority has jurisdiction, under Section 4 or 7.0.1 of the Emergency Management and Civil Protection Act, that may prevent the General Membership from meeting in person, a regular or special meeting or Executive Committee meeting may be conducted by an Electronic Meeting in accordance with this section.

Members may participate in a meeting held under this section electronically and shall have the ability to:

- a. register a vote;
- b. be counted towards determining quorum; and
- c. participate in meetings closed to the public.

Where necessary, an electronic meeting held under this section may be held without physical attendance by members, staff or the public.

In accordance with subsection 15(3) of the Conservation Authorities Act any meeting held under this section shall be open to the public, subject to the exceptions and rules of procedure outlined in Section C "Meetings with Closed Session."

Where possible, the Authority will provide for alternative means for the public to participate in the meetings electronically.

Whenever possible, the posted agenda for a meeting held under this section will include sufficient information for the public to electronically access the open session. This may include posting the audio or video recording of the meeting on-line or posting the draft minutes of the meeting in an expeditious manner following the electronic meeting.

During any period where an emergency has been declared to exist, in all or part of an area over which the Authority has jurisdiction, under Section 4 or 7.0.1 of the Emergency Management and Civil Protection Act, that may prevent the General Membership from meeting in person, any date or timeline requirement established under any Section in this By-law shall be postponed until such time as the General Membership can reasonably address the issue either by meeting in person or meeting electronically.

During any period where an emergency has been declared to exist, in all or part of an area over which the Authority has jurisdiction, under Section 4 or 7.0.1 of the Emergency Management and Civil Protection Act, that may prevent the General Membership from meeting in person, any delegation, hearing or appeal dealt with in this By-law may be conducted electronically with provisions for applicants and their agents to participate if the Authority decides to hear any delegation or hold any such hearing or appeal.

21. Electronic Meetings During a Declared Emergency Protocol

Amendments to this Electronic Meeting During a Declared Emergency Protocol (hereinafter, "Protocol") may be permitted to be made by simple majority vote of members to accommodate an effective and efficient meeting, so long as any such amendments are not contrary to prevailing Provincial legislation, order or direction.

The protocol for such emergency electronic meetings is as follows:

- a) The agenda material will be posted publicly.
- b) The method and technology used for an Electronic Meeting in Open Session or Closed Session will be determined by the General Manager or his/her designate and the Chair or Vice Chair based on resources available and the prevailing circumstances of the emergency.
- c) Each member participating in the Electronic Meeting shall be available at least fifteen (15) minutes before the beginning of the meeting to assist staff in establishing the electronic connection.

- d) Electronic devices are to be muted when not speaking to avoid technical disruption.
- e) The Chair will conduct a roll call at the beginning of both the Open and Closed Sessions.
- f) In addition to a roll call, at the beginning of each Closed Session the following preamble will be read to which each member must verbally commit to understanding and accepting:
 - Each member here present and accounted for in roll call confirm that they are participating electronically in this Closed Session in a private setting with no member of the public able to listen to or view the meeting. All members are bound by the Authority's Code of Conduct and Rules and Procedures outlined within the Administrative By-Law. Members are reminded that this Closed Session is confidential and that all information, documents or deliberations received, reviewed or taken in closed session are confidential. Members shall not disclose or release by any means to any member of the public, either in verbal, electronic or written form, any confidential information acquired by virtue of their office, except when required by law to do so. Members are directed to delete all documents distributed at the conclusion of this meeting.
- g) The Chair will announce each agenda item. The Chair will canvass members participating electronically about their intentions to speak to a matter on the floor and will notify each member when it is their turn to speak.
- h) Each Member will identify themselves and speak through the Chair.
- i) After a Member is finished speaking, the Chair may confirm verbally if there are remaining Members who wish to speak and will call out the name of the next members assigned to the floor.
- j) The Chair will confirm that no further Members wish to speak before voting commences.
- k) After putting a motion to a vote, each Member participating by electronic means will be required to identify how he or she wishes to vote. The Chair will determine the method of voting to be used.
- l) If a Member is present in-person or electronically and their respective name is called and no response to indicate a vote is provided the Chair will ask one more time, and if there is no indication of a vote, the vote will be recorded in negative unless directed otherwise by the Chair.
- m) The Chair will announce the results of the vote.
- n) Each Member shall remain silent and attentive to the proceeding when not assigned the floor by the Chair.
- o) Each Member will listen for their name to be assigned the floor to speak or to vote.
- p) A Member participating by electronic means shall inform the Chair about their intentions to leave the meeting either on a temporary or permanent basis.

- q) A member participating by electronic means will be deemed to have left the meeting when they are no longer electronically connected to the meeting.
- r) The Chair may direct that the connection be terminated if the Member cannot be clearly understood, or if a poor connection or background noise is deemed to be disruptive to the meeting.
- s) In the case of a loss of connection, or any connection issue which impedes the ability of a Member to participate in the meeting in real time, the meeting will continue without attempts by staff to reconnect them to the meeting.
- t) If electronic communication is interrupted during a meeting and remains interrupted while a vote is taken, the Member affected is deemed to have left the meeting prior to the vote.

2. **That** this amendment to Kettle Creek Conservation Authority’s Administrative By-Law dated September 19, 2018 come into force and takes effect immediately.

Carried

FA43/2020

Moved by: Ralph Winfield

Seconded: Grant Jones

That the meeting adjourn at 10:13 a.m.

Carried

Motion was carried with a show of hands.




Elizabeth VanHooren
General Manager/Secretary Treasurer

Stephen Harvey
Chair

Recorded Vote Registry

A=Absent Y=Yes N=No

Board Member	FA42/2020
Crevits	Y
Giguère	Y
Harvey	Y
Jones	Y
Mackie	A
Peters	A
Preston	Y
Peloza	Y
Warwick	Y
Winfield	Y
	Carried