



Cultus Lake Park

BOARD PROCEDURES BYLAW

Bylaw No. 1233, 2023

A Bylaw to establish rules of procedure for Board and Committee meetings.

Section 14 of the *Cultus Lake Park Act* provides that the Cultus Lake Park Board may, 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.

The Cultus Lake Park Board deems it essential and expedient to provide for the procedure that is to be followed for the conduct of its business; and

The *Community Charter* requires a Council to establish general procedures for Council and Council Committees to follow in conducting their business of which Cultus Lake Park will utilize as best governing practices.

The Cultus Lake Park Board, in open meeting assembled, enacts as follows:

1. TITLE

This bylaw may be cited as “Cultus Lake Park Board Procedures Bylaw No. 1233, 2023”.

2. DEFINITIONS

“**Act**” means the *Cultus Lake Park Act*.

“**Board**” means the elected Board for the Park.

“**Board Chair**” means the person elected by the members of the Board to the office of Board Chair.

“**CAO**” means the Chief Administrative Officer; a position appointed by the Board.

“**Designate**” means a Person appointed by the Corporate Officer.

“**Electronic Meeting**” means a meeting where all attendees participate electronically.

“**Electronic Participation**” means the Electronic Participation of one or more attendees at an in-person meeting.

“**Hybrid Meeting**” means a meeting where some members are attending in-person and some members are attending electronically.

“**Park**” means the area within the Park boundaries and the foreshore assigned to the Park by the Province of British Columbia.

“Person Responsible for Corporate Administration” means the Corporate Officer or designate.

“Select Committee” means a committee established by Board resolution and to which the Board may appoint resident members. At least one member of a Select Committee must be a Board member.

“Standing Committee” means an advisory body to the Board established by the Board Chair to which the Board Chair will appoint Board representatives and may appoint resident members. At least half the members will be members of the Board.

“Vice Chair” means the person elected by the members of the Board to the office of Vice Chair of the Board. The Vice Chair of the Board has, during the absence, illness or other disability of the Board Chair, all the powers of the Board Chair and is subject to all rules applicable to the Board Chair.

“Website” means the information resource found at an internet address as provided by Cultus Lake Park.

3. INAUGURAL MEETING

An Inaugural Meeting will be convened during the month of November in the year of the election. The presiding officer for the Inaugural Meeting will be the CAO until such time as the Board Chair has been elected.

4. OATH OR AFFIRMATION OF OFFICE

4.1 The person elected or appointed to office on the Board must make an oath or solemn affirmation of office within the following applicable time limit:

(a) in the case of a person elected by acclamation, within 50 days after the date set for general voting day had an election by voting been required;

(b) in the case of a person elected by voting, within 45 days after the declaration of the results of the election; or

(c) in the case of a person appointed to office, within 45 days after the effective date of the appointment.

4.2 Before a person takes office as a Commissioner, the person must produce the completed oath or affirmation, or a certificate of it, to the Person Responsible for Corporate Administration.

5. TERM OF OFFICE

The term of office of the Chair and Commissioners begins on the first Regular meeting held on the third Wednesday of November that follows the general local election and ends immediately before the first Regular meeting held on the third Wednesday in November that follows the next general local election.

6. ELECTIONS AND DUTIES OF THE BOARD CHAIR AND VICE CHAIR

6.1 The Board Chair, if present, will preside at all meetings of the Board. In the absence of the Board Chair from a meeting of the Board, the Vice Chair will preside, and in the absence of both the Board Chair and the Vice Chair, a Commissioner chosen by the

other Commissioners then present will preside, and for that purpose has all the powers and is subject to the same rules as the Board Chair.

6.2 As soon after the hour of meeting as there will be a quorum present, the Board Chair, or, in their absence, the Vice Chair, or, in their absence the Commissioner chosen by the other Commissioners then present, will take the Chair and the meeting will be called to order.

7. BOARD CHAIR AND PRESIDING OFFICERS

7.1 The Board Chair or other person presiding at a meeting of the Board will preserve order and decide all points of order which may arise, but subject to a challenge by the other Commissioners then present.

7.2 The Board Chair must inform the Board of the grounds upon which a ruling on a point of order is made.

7.3 Where the bylaw is silent, Robert's Rules of Order, Newly Revised (current edition) will apply to the conduct of Board meetings.

7.4 Where there is an inconsistency between this bylaw, Robert's Rules of Order, Newly Revised, and the *Act*, firstly the *Act* will prevail, secondly Robert's Rules of Order will prevail where this bylaw is silent, and finally this bylaw will prevail.

7.5 No Commissioner will speak until recognized by the Board Chair or other person presiding.

7.6 Every Commissioner desiring to speak will address themselves to the Board Chair or other person presiding.

7.7 No Commissioner will interrupt a person speaking except to raise a point of order.

7.8 Debate will be strictly relevant to the question before the meeting and the Board Chair or other person presiding will warn speakers who violate this rule of procedure.

8. CONDUCT AT MEETINGS

8.1 Conduct Guidelines

8.1.1 Where the Board Chair or other person presiding at a meeting considers that a person is guilty of improper conduct, the person presiding may expel and exclude that person from the meeting.

8.1.2 All communication devices must be turned off or muted during Regular and Closed Board meetings.

8.1.3 Commissioners must adhere to the Cultus Lake Park Board Code of Conduct, Cultus Lake Park Board Respectful Workplace Policy, and avoid inappropriate behaviour or an act that constitutes disorder, including conduct that:

(a) Contravenes the Federal and Provincial Statutes, BC Human Rights Code, the *Cultus Lake Park Act*, the *Community Charter*, Park Bylaws and associated regulations;

(b) is an abuse of power or otherwise amounts to discrimination, intimidation, harassment, verbal abuse or the adverse treatment of others;

- (c) prejudices the provision of service or services to the community; and
- (d) undermines the public's trust and confidence in local government.

8.2 Expulsion

- 8.2.1 If any Commissioner contravenes this Procedures Bylaw or a decision of the Chair, the Chair may:
 - (a) Instruct the Person Responsible for Corporate Administration to record the Commissioner's inappropriate language or behaviour including the Commissioner's use of objectionable or disorderly words in the minutes of the meeting; and
 - (b) expel the Commissioner from the meeting but, if the Commissioner apologizes for their inappropriate language or behavior, the Board, by an affirmative vote of not less than two-thirds (2/3) of Commissioners present, without debate, permit the Commissioner to remain at the meeting.
- 8.2.2 Following departure from the meeting, if an expelled Commissioner advises the Chair, through the Chief Administrative Officer, that the Commissioner wishes to apologize and return to the meeting from which they have been expelled;
 - (a) The Chair must so advise the Board;
 - (b) the Board, by an affirmative vote of not less than two-thirds (2/3) of Commissioners present, without debate, may end the expulsion and permit the Commissioner to return to the meeting; and
 - (c) the Commissioner must apologize immediately to the Board for the conduct that caused the expulsion.
- 8.2.3 The expulsion shall expire at the conclusion of the meeting and the Commissioner may return to a subsequent meeting unless the Board determines by an affirmative vote of not less than two-thirds (2/3) of Commissioners present that other action is required before the Commissioner is permitted to return.
- 8.2.4 In all votes related to expulsion, the Commissioner who is the subject of the expulsion shall not be entitled to vote.

8.3 Conduct of the Public

- 8.3.1 To ensure a respectful workplace for all present, members of the public attending Board meetings are asked to refrain from disruptive, disrespectful, or inappropriate behaviour.
- 8.3.2 During a meeting, a member of the public attending in person must not;
 - (a) Address Commissioners without permission of the Chair;
 - (b) approach the table of the Board during the sitting of the Board without permission of the Chair;

- (c) applaud or otherwise interrupt a speech or action of Commissioners or a speaker addressing the Board; or
- (d) otherwise engage in improper conduct.

8.3.3 The Chair may expel a member of the public who engages in improper conduct, as per the *Community Charter*.

9. QUORUM

A quorum for a meeting of the Board will be a majority of all Commissioners. If a quorum is not present within 15 minutes after the time fixed for a meeting, the Person Responsible for Corporate Administration will record the names of the members present and the meeting will stand adjourned.

10. ANNUAL MEETING SCHEDULE

10.1 Advance Public Notice of Board and Committee Meetings

10.1.1 Except as otherwise provided in this bylaw, meetings of the Board will be open to the public and no person will be excluded except for improper conduct.

10.1.2 Public notice of the Regular meetings of the Board will be prepared annually on or before the fourth Tuesday of December showing the dates, times and place of Regular Board meetings and the schedule will be made available to the public by publishing it in two (2) consecutive issues of the newspaper and posting it on the front door of the Park Administration Building and on the Website.

10.1.3 The Board may revise the annual schedule of Regular Board meetings, by cancelling, rescheduling, or changing the time or location for holding the meeting. When such revisions are made, the Person Responsible for Corporate Administration must, as soon as possible, post a notice on the Website and on the front door of the Park Administration Building.

10.1.4 In the year of a general local election, no meeting will be held between the last day of the nomination period and general voting day.

10.1.5 At least three (3) calendar days before a Regular meeting or Closed meeting of the Board; or its Standing or Select Committees, the Person Responsible for Corporate Administration under the *Act* must give public notice of the date, place, and time of the meeting by way of a notice posted on the Website.

10.1.6 At least 72 hours before a Regular meeting of the Board the Person Responsible for Corporate Administration must give further public notice by posting a copy of the full agenda package on the Website.

10.2 Electronic Meetings

10.2.1 A Regular, Closed, or Special Board meeting, or other Board Committee meetings may be conducted by electronic means.

10.2.2 Electronic Meetings will follow the rules established by the *Community Charter* and Board policies pertaining to Electronic Meetings.

10.2.3 Advance public notice of:

- (a) The way in which the Electronic Meeting will be conducted; and
- (b) the place where the public may attend to hear, or watch and hear, the proceedings that are open to the public,

will be posted in the public notice posting places according to the procedures established in the bylaw for giving notice in section **10.1 Advance Public Notice of Board and Committee Meetings**.

10.3 Electronic Participation at Hybrid Meetings – Board Members

10.3.1 A member of the Board may attend an in-person Regular, Closed, or Special Board meeting, or other Board Committee meeting by electronic means or other communication facilities, as available.

10.3.2 The following rules apply to Electronic Participation referred to in subsection 10.3.1:

- (a) A member who wishes to attend an in-person meeting via electronic means must provide notice to the CAO and/or the Corporate Officer no less than 48 hours prior to the meeting;
- (b) electronic participants will be noted in the meeting minutes as having participated electronically;
- (c) electronic participants who lose connectivity with the electronic platform for more than five (5) minutes during the meeting will be noted in the minutes as having left the meeting;
- (d) if a member must be recused due to a conflict of interest, section **15. CONFLICT OF INTEREST** of this bylaw will be followed and they will temporarily be disconnected or placed in a “waiting room” if possible; and
- (e) electronic participants will abide by the rules and procedures established in this bylaw.

10.4 Electronic Participation at Hybrid Meetings – The Public

10.4.1 A member of the public may attend an in-person Regular, Special Regular Board meeting, or other Board Committee meetings by electronic means or other communication facilities, as available.

10.4.2 The following rules apply to Electronic Participation referred to in subsection 10.4.1:

- (a) The opportunity for public engagement will be provided at every Regular, Special Regular Board meeting, or other Board Committee meetings during each Public Question Period; and
- (b) electronic participants will abide by the rules and procedures established in this bylaw.

10.5 Electronic Participation at Hybrid Meetings – Delegations

- 10.5.1 A delegation may attend an in-person Regular, Closed (if deemed necessary), or Special Board meeting or Board Committee meetings by electronic means or other communication facilities, as available.
- 10.5.2 The following rules apply to Electronic Participation referred to in subsection 10.5.1:
- (a) **Section 12. DELEGATIONS**, as set out in this bylaw will be followed; and
 - (b) electronic participants will abide by the rules and procedures established in this bylaw.

10.6 Closed Meetings

- 10.6.1 Subject to the *Community Charter*, concerning the general rule that all meetings of the Board, including meetings of the Boards Standing or Select Committees, must be open to the public in accordance with the *Community Charter*.
- 10.6.2 Where the Board or its duly constituted bodies wish to close a meeting to the public, it may do so by adopting a resolution in accordance with Section 90, of the *Community Charter*.
- 10.6.3 No Commissioners, staff members or members of a Select or Standing Committee may disclose to the public the proceedings held in a Closed meeting unless a resolution has been passed at the Closed meeting which would permit disclosure.
- 10.6.4 Minutes of a Closed meeting must be kept in the same manner as a Regular meeting but must be kept in a confidential location and must not be filed with the Minutes of Regular meetings.
- 10.6.5 A Closed resolution or Minutes may be made a matter of public record where the Board resolves in a Closed meeting that it is in the public interest to make a Closed resolution a matter of public record. It will be the responsibility of the Person Responsible for Corporate Administration to ensure that the matter is brought into the public record at the next Regular meeting.

10.7 Special Meetings

- 10.7.1 A Special meeting of the Board will be called by the Person Responsible for Corporate Administration on the request of the Board Chair or any two (2) Commissioners by notice emailed to each Commissioner at least two (2) days before the date of the meeting to the email address given by each Commissioner to the Person Responsible for Corporate Administration for that purpose. The notice will state the general purpose of the meeting and the date, place, and time of the meeting. The notice of any Special meeting may be waived by a unanimous vote of the Board.
- 10.7.2 In the case of an emergency, notice of a Special meeting may be given with the consent of the Board Chair and two (2) Commissioners, less than two (2)

days before the date of the meeting, and notice of the meeting need not be given in writing.

- 10.7.3 Two (2) calendar days before a Special meeting the Person Responsible for Corporate Administration must give public notice of the date, place, and time of the meeting by way of a notice posted on the Website, unless notice has been waived by a unanimous vote of the Board.

10.8 Special Vote By Telephone Or Electronic Transmission

- 10.8.1 A Special Vote by telephone or other means of telecommunication or electronic transmission may be undertaken where a matter is considered urgent or that the matter requires immediate action as a result of unforeseen circumstances and where calling a Regular or Special meeting of the Board would be impractical.

- 10.8.2 The following rules of procedure will govern a Special Vote of the Board:

10.8.2.1 A Special Vote may be undertaken on passing a resolution or on reading or adopting a bylaw where the Chair and one (1) other Commissioner consider the issue to be voted on urgent and that calling a Regular or Special meeting to conduct the voting would be impractical, except that a Special Vote cannot be undertaken where the vote is on the Second or Third reading of the following bylaws:

- (a) Annual budget bylaws; and
- (b) bylaws adopting official community plans.

- 10.8.3 Where a Special Vote is to be conducted, the Person Responsible for Corporate Administration will make all reasonable attempts in the circumstances to ensure that each Commissioner entitled to vote has the opportunity to do so.

- 10.8.4 Before a Commissioner votes, the Person Responsible for Corporate Administration will ensure that the resolution or bylaw to be voted on is communicated to the Commissioner either:

- (a) Verbally, including by telephone or other means of transmission, or
- (b) by delivery, including by delivery in writing, or other means of electronic transmission in electronic form.

- 10.8.5 A Commissioner will vote by informing the Person Responsible for Corporate Administration, either verbally or by delivery, of the Commissioner's approval or disapproval of the resolution or bylaw by means of electronic transmission in electronic form and the Person Responsible for Corporate Administration will at that time record the Commissioner's vote.

- 10.8.6 Each Commissioner who votes will have the number of votes that they would have had in voting on the matter at a Regular meeting of the Board.

- 10.8.7 The rules under the *Community Charter* regarding the counting of votes at meetings of the Board, except Section 123(4) will apply to the counting of votes taken in accordance with this section.

10.8.8 After ensuring that each Commissioner has had an opportunity to vote, either verbally or by delivery, the Person Responsible for Corporate Administration will inform the Board Chair of the results of the voting and the Board Chair will declare the vote to have passed or failed in accordance with the results. At the time of the Board Chair's declaration, the results of the voting will have the same effect as if the voting had been conducted at a Regular meeting of the Board and will then be recorded by the Person Responsible for Corporate Administration as Minutes of the Board.

10.8.9 If the Person Responsible for Corporate Administration is absent, ill or otherwise disabled, the designate of that person will conduct voting under this section in place of the Person Responsible for Corporate Administration.

10.8.10 At the next Regular meeting of the Board following a Special Vote, the Chair will report the results of the Special Vote.

11. AGENDA

11.1 The Order of Business for all Regular meetings of the Board will be as follows:

- Call to Order
- Resolution to Close Meeting
- Reconvene to Regular Meeting
- Approval of Agenda (including deletion of items and the addition of Late Items)
- Delegations and Presentations
- Adoption of Minutes
- Business Arising from the Regular Board Meeting Minutes
- Adoption of Committee Minutes
- Business Arising from the Committee Minutes
- Correspondence
- Finance
- Bylaws
- Consent Agenda
- Reports by Staff
- New Business
- Reports by Commissioners
- Community Association
- Public Question Period
- Adjournment

11.2 The Order of Business for all Closed meetings of the Board will be as follows:

- Call to Order
- Approval of Agenda (including the addition of Late Items)
- Delegations and Presentations
- Adoption of Minutes
- Business Arising from the Closed Board Meeting Minutes
- Correspondence
- Reports by Staff
- Reports by Commissioners
- Adjournment

- 11.3 At any meeting, other than an emergency meeting, the Board Chair or any Commissioner may add items to the Board Agenda with the consent of the Board.
- 11.4 In the absence of urgent circumstances, Board Agendas will be circulated to Board members, electronically, at least four (4) calendar days in advance of a meeting of the Board.
- 11.5 Late item materials not contained within the Regular Board Agenda will be circulated at the time of the Regular Board meeting. Late items for the Agenda must be approved by the Board Chair in advance of circulation.

12. DELEGATIONS

12.1 Board Regular Delegations

- 12.1.1 A delegation wishing to appear before the Board will submit a written request to appear as a delegation, together with a written copy of any submission to the Board, to the Person Responsible for Corporate Administration seven (7) calendar days prior to the scheduled Board meeting. The request must stipulate the subject matter upon which the delegation wishes to speak. The number of delegations will be limited to two (2) per meeting and will be placed on the Board Agenda on a first come basis.
- 12.1.2 No individual delegation may speak to the same topic again until the passage of at least two (2) months' time from the date of their most recent presentation or as space permits.
- 12.1.3 The CAO must approve all delegations before the delegation is set on the Board Agenda.
- 12.1.4 The Person Responsible for Corporate Administration will notify a representative of the delegation at a time reasonably in advance of the date, place, and time of the Board meeting at which the delegation will be heard.
- 12.1.5 The delegation's appearance and the subject will be included on the Agenda for a Regular, Closed, or Special Regular meeting of the Board. Each delegation will be limited to a maximum time of 10 minutes unless otherwise extended by leave of the Chair.

12.2 Correspondence

- 12.2.1 All correspondence addressed to the Board Chair and Commissioners, to any one (1) of them individually, whether or not marked as personal or confidential, will be received and processed by the Person Responsible for Corporate Administration, and may be subject to disclosure in accordance with the Freedom of *Information and Protection of Privacy Act*.
- 12.2.2 All requests for correspondence to form part of a Regular, Closed, or Special meeting Agenda must be received by the Person Responsible for Corporate Administration no later than seven (7) business days prior to the next Regular meeting, and is subject to review by the Board Chair, Chief Administrative Officer and/or Department Manager.

12.3 Petitions

12.3.1 The Board may dispose of a petition or submission at the meeting, refer the subject matter to staff or a Committee, or take such other action as it deems expedient.

12.3.2 A petition presented to the Board must contain the following information:

- (a) The subject matter and date of the petition on each page;
- (b) the full name, signature, and physical address of each petitioner; and
- (c) in the case of a corporation, it is required that the signature on a petition include written authority signed by a director of the corporation under the corporate seal.

12.4 Consent Agenda

12.4.1 On a Regular Agenda, as determined by the Person Responsible for Corporate Administration in consultation with the Board Chair, non-controversial, routine items which do not require discussion or debate may be grouped together under a Consent Agenda and dealt with under one (1) resolution of the Board.

12.4.2 Items to be included in the Consent Agenda are:

- (a) Reports for Information; and
- (b) items for which debate is not expected.

12.4.3 Any Commissioner may request that an item included on the Consent Agenda be removed from the Consent Agenda and dealt with separately. Commissioners will request removal of items from the Consent Agenda prior to moving adoption of recommendations listed in the Consent Agenda. Any item that is removed from a Consent Agenda will be considered immediately after the consideration of the Consent Agenda.

12.4.4 A Commissioner may request that an item be included on the Consent Agenda, and if no one objects, it will be so listed and considered.

12.4.5 Commissioners may vote on and adopt in one (1) motion all recommendations appearing on the Consent Agenda.

12.5 Bylaws

12.5.1 Prior to the introduction of any bylaw for First Reading, each member of the Board will receive a copy of the proposed bylaw, either in hard copy or electronic format.

12.5.2 Prior to the adoption of any bylaw, each member of the Board who is entitled to vote on the bylaw will receive a copy of the proposed bylaw, either in hard copy or electronic format, at least five (5) days before the meeting at which the amendment is to be introduced.

- 12.5.3 Any bylaw which does not require approval, consent, or assent under the provisions of the *Act* or any other enactment prior to the adoption of the bylaw may be adopted at the same meeting of the Board at which it passed Third Reading, provided the motion for adoption receives an affirmative vote of at least two-thirds (2/3) of the votes cast, otherwise, the Board must not adopt a bylaw on the same day it has given the bylaw Third Reading.
- 12.5.4 Unless the holding of a public hearing is waived in accordance with the *Local Government Act*, the Board must not give Third Reading to the Plan Cultus Bylaw without holding a public hearing on the bylaw. The public hearing must be held after First Reading of the bylaw and before Third Reading of the bylaw and requires at least 14 days written notice to all Cultus Lake Park leaseholders prior to the meeting.
- 12.5.5 First, Second and Third Readings of a Bylaw may be given by one (1) resolution.
- 12.5.6 A bylaw must be adopted by a separate resolution.
- 12.5.7 A reading of a bylaw must be rescinded by separate resolution.
- 12.5.8 A series of bylaws with the same corporate vote may be taken together in one (1) resolution as provided for in Section 12.5.5.
- 12.5.9 When a bylaw is read at a Board meeting, the Person Responsible for Corporate Administration will certify the readings and dates at the end of such bylaw. After a bylaw is adopted, the Person Responsible for Corporate Administration will be responsible for the correctness, including any amendments.
- 12.5.10 After a bylaw is adopted and signed by the CAO and the Board Chair, the Person Responsible for Corporate Administration must have it placed on the Website and in the Cultus Lake Park records for safekeeping and endorse upon it:
- (a) The dates of its readings and adoption; and
 - (b) the date of Ministerial approval or approval of the electorate, if applicable.
- 12.5.11 A bylaw comes into force on the later of the date it is adopted, and a date set by the bylaw.

13. THE BOARD'S POWER

13.1 Exercise of The Board's Power

- 13.1.1 Unless expressly required to be exercised by bylaw, all powers of the Board may be exercised by bylaw or by resolution, as per Section 14 of the *Cultus Lake Park Act*.

13.2 Emergency Powers of The Board

- 13.2.1 In accordance with the *Act*, and any and all amendments that will from time to time be enacted, the Board may, by bylaw or resolution, or by order of the

Board Chair, declare a state of local emergency in a participating area, when the extraordinary power or authority enabled by the *Emergency Program Act*, chapter 111, R.S.B.C. 1996 is required.

13.2.2 The Board must, by bylaw, resolution or by the Board Chair's order, cancel the state of local emergency, when of the opinion that a state of local emergency no longer exists within a participating area.

14. MOTIONS

14.1 All questions will be decided by a vote on a motion. Subject to Section 14.2, all motions may be moved and seconded by any Commissioner.

14.2 Any Commissioner may require the question or motion under discussion to be read at any time during the debate, but not so as to interrupt a Commissioner while speaking.

14.3 Where a motion is under consideration, no motion may be made except to:

- (a) refer;
- (b) amend;
- (c) lay on the table;
- (d) postpone indefinitely;
- (e) postpone to a certain time;
- (f) move the previous question; and
- (g) adjourn.

A motion made under subsection 14.3 c) to g) is not amendable or debatable.

14.4 No Commissioner will speak on any question for longer than five (5) minutes without leave of the Board Chair.

14.5 If a Commissioner calls for a record of votes, the names of those who vote for and those who vote against the question will be entered in the Minutes.

14.6 When the question under consideration contains more than one (1) distinct proposition, a separate vote upon each such proposition will be taken if any Commissioner so requires.

14.7 At any time during debate on a motion, a Commissioner may move "that the question be called", or "that the vote on the motion be called". The motion to call the question will be decided without amendment or debate and will pass if adopted by at least two-thirds (2/3) vote of the Commissioners present. The motion previously under debate will immediately be voted upon without further amendment or debate.

14.8 When the Board Chair is of the opinion that a motion put before the Board is contrary to the rules of the Board, the Board Chair will apprise the Commissioners immediately before putting forward the question and will cite the rule or authority applicable to the case without argument or comment.

15. CONFLICT OF INTEREST

- 15.1 Where a Commissioner considers that they are not entitled to participate in the discussion of a matter or to vote on a question in respect of the matter, the Commissioner must declare this and state the general nature of why the member considers this to be the case.
- 15.2 Where a Commissioner considers that they are not entitled to participate in the discussion of a matter or to vote on a question in respect of the matter, the Commissioner must:
- (a) Not take part in the discussion of the matter and is not entitled to vote on any question in respect of the matter;
 - (b) immediately leave the meeting or that part of the meeting during which the matter is under consideration; and
 - (c) not attempt in any way, whether before, during, or after the meeting, to influence the voting on any question in respect of the matter.
- 15.3 Where a Commissioner declares that they are not entitled to participate in the discussion of a matter or to vote on a question in respect of the matter, the Person Responsible for Corporate Administration will record the Commissioner's declaration, the reasons given for it and the time(s) of the Commissioner's departure from the meeting room and, if applicable, of the Commissioner's return.
- 15.4 Where a Commissioner declares that they are not entitled to participate in the discussion of a matter or to vote on a question in respect of the matter, the person presiding must ensure that the Commissioner is not present at the meeting at the time of any vote on the matter.
- 15.5 A Commissioner must not participate in the discussion of or vote on a question in respect of a matter in which the Commissioner has a direct or indirect pecuniary interest, except where:
- (a) The pecuniary interest of the Commissioner is a pecuniary interest in common with electors of the Cultus Lake Park;
 - (b) the matter relates to remuneration or expenses payable to one (1) or more Commissioners in relation to their duties as Board members; or
 - (c) if the pecuniary interest is so remote or insignificant that it cannot reasonably be regarded as likely to influence the Commissioner in relation to the matter.

16. CORPORATE VOTING

- 16.1 The procedure for voting will be in accordance with the provisions of the *Community Charter*.
- 16.2 In all cases where the votes of the Commissioners present and entitled to vote, including the vote of the Board Chair or other person presiding, are equal for and against a question, the question will be declared in the negative and will be defeated, and it will be the duty of the Board Chair or other member presiding to so declare.

16.3 Any Commissioner then present who abstains from voting will be deemed to have voted in the affirmative.

16.4 Any Commissioner may request that their negative vote be recorded in the Minutes.

17. MATTERS BROUGHT FORWARD FOR RECONSIDERATION BY BOARD CHAIR

17.1 In accordance with the *Community Charter*, and without limiting the authority of the Board to reconsider a matter, the Board Chair may require the Board to reconsider and vote again on a matter that was the subject of a previous vote of the Board.

17.2 The Board Chair may only initiate the reconsideration of a matter at the same meeting or at the Board meeting following the original vote, whether or not this is within the 30-day period referred to in the *Community Charter*.

17.3 The matter may not be reconsidered if the matter:

(a) Has had the approval or assent of the electors and was subsequently adopted by the Board;

(b) has already been reconsidered by the Board where the Board Chair has brought the matter forward for reconsideration; or

(c) the Board has been advised that the matter has already been irreversibly acted on by an officer, employee, or agent of Cultus Lake Park further to previous Board direction.

17.4 Where the Board Chair has brought a matter forward for reconsideration, the Board Chair must state their objections to the Board and the Person Responsible for Corporate Administration must record in the Minutes the objections, suggestions, or amendments of the Board Chair.

17.5 On reconsideration of the matter, the Board will, as soon as convenient, consider the Board Chair's reason for reconsideration and either reaffirm or reject the bylaw, resolution or proceeding which is the subject of reconsideration.

17.6 If the motion to reconsider a matter has passed, the matter has passed, the matter may be reconsidered at the same meeting, or may be set to the next Regular Board meeting Agenda for reconsideration by separate resolution of the Board.

17.7 On reconsideration of a matter, the Board has the same authority it had in its original consideration of the matter.

17.8 On reconsideration of a matter, if the original decision was the adoption of a bylaw or resolution and that decision was rejected on reconsideration, the bylaw or resolution is of no effect and is deemed to be repealed.

17.9 Matters brought forward for reconsideration by the Board Chair will be recorded in the Board Minutes.

18. RECONSIDERATION INITIATED BY A COMMISSIONER

18.1 After a bylaw, resolution, or proceeding has been decided by the Board, any Commissioner may, at the same meeting, or at the Board meeting following the original vote, initiate the reconsideration of a matter.

- 18.2 The matter may not be reconsidered if the matter:
- (a) Has had the approval or assent of the electors and was subsequently adopted by the Board;
 - (b) has already been reconsidered by the Board where the Board Chair has brought the matter forward for reconsideration; or
 - (c) has already been irreversibly acted on by an officer, employee, or agent of Cultus Lake Park further to previous Board direction.
- 18.3 The Board will not reconsider a matter unless the motion to reconsider the matter has first been considered.
- 18.4 If the motion to reconsider a matter has passed, the matter may be reconsidered at the same meeting, or may, by separate resolution of the Board, be set to the next Regular Board meeting Agenda for reconsideration by the Board.
- 18.5 On reconsideration of a matter, the Board has the same authority it had in its original consideration of the matter.
- 18.6 On reconsideration of a matter, if the original decision was the adoption of a bylaw or resolution and that decision was rejected on reconsideration, the bylaw or resolution is of no effect and is deemed to be repealed.
- 18.7 Once a bylaw, resolution, or proceeding has been rejected upon its reconsideration, it will not be reintroduced to the Board for six (6) months, except with the unanimous consent of the entire Board.
- 18.8 Where a matter has been reconsidered, the Board will not reconsider the matter again subject to Section 18.7.
- 18.9 Matters brought forward for reconsideration by a Commissioner will be recorded in the Board Minutes.

19. STANDING / SELECT COMMITTEES

- 19.1 The Board Chair may appoint Standing Committees, and for that purpose, may appoint persons who are not Commissioners, but each Committee must have at least one (1) member who is a Commissioner. Terms of Reference for each Standing Committee will be drafted by the Person Responsible for Corporate Administration in consultation with the Board Chair and adopted by a Board resolution.
- 19.2 The Board may, by bylaw adopted by at least two-thirds (2/3) of the votes cast, delegate administrative powers to a Standing Committee.
- 19.3 The Board may appoint a Select Committee of Commissioners to consider or enquire into any matter and report its findings and opinion to the Board. Terms of Reference for each Select Committee will be drafted by the Person Responsible for Corporate Administration in consultation with the Chair of the Select Committee and adopted by a Board resolution.
- 19.4 A member of a Committee will have one (1) vote only.

- 19.5 The Board may establish when Regular meetings of a Committee will be held. Where the Board has not established Regular meetings of a Committee, meetings of a Committee will be convened at the call of the Committee Chair.
- 19.6 A majority of the members of any Committee, may, by written request to the Committee Chair, require the Committee Chair to call a meeting and it will be the duty of the Committee Chair or, in their absence, the duty of the Vice Committee Chair or the Person Responsible for Corporate Administration to call such meeting.
- 19.7 Any Standing or Select Committee will conduct its business under the following rules of procedure:
- 19.7.1 Where a predetermined date for a Committee meeting has not been established, a notice of meeting will be caused to be sent by the Person Responsible for Corporate Administration, to the Committee Chair and to each of the Committee members at least four (4) days prior to such meeting being held.
- 19.7.2 The Committee Chair will preside at every meeting and will vote on all questions submitted and in case of an equal number of votes for and against the question, the question will be defeated.
- 19.7.3 A quorum for a Standing or Select Committee will be a majority of the persons appointed to the Committee being present at a meeting and will include at least one (1) member who is a Board Commissioner.
- 19.7.4 In the absence of the Committee Chair, the Vice Committee Chair if so appointed will preside, and in the absence of both the Committee Chair and Vice Committee Chair, a Committee member chosen by the other Committee members then present will preside, and for that purpose will have all the powers and is subject to the same rules as the Committee Chair.
- 19.7.5 The Person Responsible for Corporate Administration or a designate will attend all meetings of the Committee and will ensure that there is a record of the proceedings.
- 19.7.6 When a vote is taken on any question, the names of those who voted for and those who vote against the question will be entered upon the Minutes if any member requests a recorded vote.
- 19.7.7 The Minutes of all meetings of every Committee will be accurately recorded, will be circulated to the members of the Committee prior to the next meeting and after the Minutes have received with the approval of a majority of the members, will be signed by the Committee Chair or other person presiding at the meeting or at the next meeting at which the Minutes are adopted.
- 19.7.8 A Committee will consider and report to the Board on any and every matter referred to it. Such report will be in the form of the approved Minutes of the meetings of the Committees as referred to a meeting of the Board, unless special or urgent circumstances dictate that matters may be otherwise brought forward.
- 19.7.9 No action of any Committee will be binding on the Board unless the approved Minutes of such Committee have been received by the Board. Where an issue arising from such approved Committee Minutes requires action by the Board, that matter will be set forth separately on the Board

Agenda or dealt with as a matter arising out of Committee.

- 19.8 Each Committee meeting will hold a 15-minute Public Question Period or until speakers have concluded, whichever comes first.
- 19.9 Questions relevant to the Agenda will be given first priority.
- 19.10 Each speaker must state their name and where they are from and will be allowed two (2) minutes to speak.
- 19.11 Members of the public will address their questions through the Committee Chair or other persons presiding at the Committee meeting and if the question can be answered either by the Committee Chair or through another person presiding, the Committee will do so.
- 19.12 Where the Committee is unable to address a question, the question may be referred to staff for an answer or subsequent research and report.
- 19.13 A delegation wishing to appear before a Committee will submit a written request, together with written copies of their submission, to the Person Responsible for Corporate Administration at least seven (7) days prior to the scheduled Committee meeting. The request must stipulate the subject matter upon which the delegation wishes to speak.
- 19.14 The Committee Chair must approve of all delegations before the delegation is set on the Committee Agenda. Where the Committee Chair has refused a delegation, the Committee Chair will notify the Committee in writing on the Committee Agenda that the delegation asked to appear before.
- 19.15 Where the subject matter of a delegation has previously been dealt with in the form of a delegation to the Committee, the Committee Chair, through the Person Responsible for Corporate Administration, may advise the delegation of such apparent duplication and/or repetition and refuse such delegation until permission of the Committee has been obtained.
- 19.16 The Person Responsible for Corporate Administration will notify a representative of the delegation at a time reasonably in advance of the date, place, and time of the Committee meeting at which the delegation will be heard.
- 19.17 The delegation's appearance and the subject of the delegation will be included on the Agenda for a Regular Committee meeting. Each delegation will be limited to a maximum time of 10 minutes unless otherwise extended by leave of the Committee Chair.

20. PUBLIC INPUT

- 20.1 The Board will hold a 15-minute Public Question Period or until speakers have concluded, whichever comes first, after section "Reports by Commissioners" at a Regular Board meeting.
- 20.2 Questions relevant to the Agenda will be given first priority.
- 20.3 Each speaker must state their name and where they are from and will be allowed two (2) minutes to speak.

- 20.4 Members of the public will address their questions through the Board Chair or other persons presiding at the Regular Board meeting and if the question can be answered either by the Board Chair or through another Commissioner, the Board will do so.
- 20.5 Where the Board is unable to address a question, the question may be referred to staff for an answer or subsequent research and report.

21. MINUTES OF MEETINGS TO BE MAINTAINED AND AVAILABLE TO THE PUBLIC

- 21.1 The Minutes of all meetings of the Board will be legibly recorded, certified as correct by the Person Responsible for Corporate Administration, and signed by the Board Chair or other member presiding at the meeting and by the CAO at the next meeting at which they are adopted.
- 21.2 Minutes will contain a record of the decisions of the Board and will contain limited narrative. Minutes are not intended to be a verbatim transcript of the proceedings of the Board.
- 21.3 Minutes will set out the name of the mover and the seconder of the motion.
- 21.4 Minutes of all meetings of the Board will be circulated to the members of the Board prior to the next meeting, and after they have received the approval of the majority of the members, will be deemed to be adopted.
- 21.5 Minutes of all Board meetings, except matters dealt with in a Closed meeting, will be a matter of public record and open for inspection by any person, who may obtain copies and extracts during regular business hours, subject to applicable rates and fees as set out in bylaw.
- 21.6 Regular meetings of the Board will be recorded and will be posted on the Website on the day following the meeting.

22. GENERAL

- 22.1 Where this bylaw conflicts with the provisions of the *Act*, the *Act* will prevail.
- 22.2 This bylaw may not be amended, or repealed and substituted unless the Board first gives notice in accordance with the *Community Charter*.

23. SEVERABILITY

If any part of this bylaw is for any reason held invalid by a Court or competent jurisdiction, the invalid portion will be severed and the severance will not affect the validity of the remainder.

24. REPEAL

Cultus Lake Park Board Procedures Bylaw No. 1125, 2018 and all amendments are repealed upon adoption.

25. EFFECTIVE DATE

This bylaw will come into force and effect upon its adoption.

READ A FIRST TIME this 15TH day of NOVEMBER, 2023

READ A SECOND TIME this 15TH day of NOVEMBER, 2023

READ A THIRD TIME this 15TH day of NOVEMBER, 2023

PUBLIC NOTICE OF INTENTION TO CONSIDER GIVEN ON THE 17TH day of NOVEMBER, 2023 and the 24TH day of NOVEMBER, 2023

ADOPTED this 13TH day of DECEMBER, 2023



Kirk Dzaman, Chair
Cultus Lake Park Board



Joe Lamb
Chief Administrative Officer

I HEREBY CERTIFY the foregoing to be a true
and correct copy of Cultus Lake Park Board Procedures Bylaw No. 1233, 2023

A handwritten signature in blue ink, appearing to be 'J. H.', is written above a horizontal line.

Cultus Lake Park
Chief Administrative Officer