

**TRUST COUNCIL
BYLAW NO. 197, 2024**

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This copy is amended by the following:

Bylaw No.	Amendment No.	Adoption Date
Bylaw No. 211	Amendment No. 1, 2026	2026-10-01

TRUST COUNCIL

BYLAW NO. 197, 2024

A bylaw to establish procedures for meetings of local trust committees

WHEREAS Section 11 of the *Islands Trust Act* states that Trust Council may, by bylaw adopted by at least 2/3 of its members present at the meeting at which the vote on adoption takes place, establish procedures that one or more local trust committees, as specified in the bylaw, must follow in exercising their authority and carrying out their responsibilities under this or any other enactment;

And WHEREAS The Islands Trust Council, having jurisdiction in respect of the Trust Area in the Province of British Columbia pursuant to the *Islands Trust Act*, enacts as follows:

SHORT TITLE

1. This bylaw may be cited as “Local Trust Committees’ Meeting Procedure Bylaw No. 197, 2024”.

APPLICATION

2. This bylaw applies to Denman Island Local Trust Committee, Gabriola Island Local Trust Committee, Galiano Island Local Trust Committee, Gambier Island Local Trust Committee, Hornby Island Local Trust Committee, Lasqueti Island Local Trust Committee, Mayne Island Local Trust Committee, North Pender Island Local Trust Committee, Salt Spring Island Local Trust Committee, Saturna Island Local Trust Committee, South Pender Island Local Trust Committee, Thetis Island Local Trust Committee and the Executive Committee Acting as a Local Trust Committee.

DEFINITIONS

3. In this Bylaw, the following definitions apply:

“entitled to vote” means a member of a local trust committee who has not previously advised the Secretary or their delegate that they will not be available via any means during the period the vote is being taken, or has not declared a conflict of interest, or is not an ex-officio member under Policy 2.3.1 [Council Committee Systems].

“not requiring discussion” means not considered to be controversial, sensitive, complex or otherwise benefitting from discussion and debate.

"Secretary" means the person appointed by Islands Trust Council under Section 17(1)(a) of the Islands Trust Act.

"telecommunication" means communication by electronic mail (email) or by voice via a telephone or video conference call.

“urgent” means where the issue in question requires immediate action as a result of unforeseen or unavoidable circumstances and must be dealt with before the next regular meeting.

MEETINGS AND NOTICE OF MEETINGS

4. The first regular meeting of a local trust committee shall be held on a date to be determined by each Local Trust Committee by Resolution Without Meeting following a general local election.

5. At the first regular meeting referred to in Section 4, and at the last regular meeting of each of the first, second, and third years following a general election, or by Resolution Without Meeting, each Local Trust Committee shall establish a schedule of the date, time and place of its regular Local Trust Committee meetings for the following fiscal year, of which there shall be at least two held in-person except for the Executive Committee Acting as a Local Trust Committee, in which case all regular meetings may be electronic.
6. The meeting schedule:
 - a. for the Galiano Island Local Trust Committee, Mayne Island Local Trust Committee, North Pender Island Local Trust Committee, Saturna Island Local Trust Committee, and South Pender Island Local Trust Committee, shall be posted on a bulletin board located at the Victoria Office of the Islands Trust, and the schedule shall be posted on a notice board on the relevant island that is accessible to the public;
 - b. for the Denman Island Local Trust Committee, Gabriola Island Local Trust Committee, Gambier Island Local Trust Committee, Hornby Island Local Trust Committee, Thetis Island Local Trust Committee, and Lasqueti Island Local Trust Committee, shall be posted on a bulletin board located at the Northern Office of the Islands Trust, and shall be posted on a notice board on the relevant island that is accessible to the public;
 - c. for the Salt Spring Island Local Trust Committee and Executive Committee Acting as a Local Trust Committee, shall be posted on a bulletin board located at the Salt Spring Island Office of the Islands Trust.
7. Public notice of the availability of the regular meeting schedule at the place specified in Section 6 shall be given at least once a year by publication in a newspaper circulating in the local trust area, or if the local trust committee has adopted an alternative means of public notice under s. 94.2 of the Community Charter, then the notice shall be provided once per year in accordance with that bylaw.
8. Advance public notice of a regular or special meeting that is to be conducted by means of electronic or other communication facilities shall include the way in which the meeting is to be conducted by means of electronic or other communication facilities and the place where the public may attend to hear, or watch and hear, that the proceedings are open to the public and shall be posted at the places specified in Section 6 and delivered to trustees in accordance with Section 9. Notice of a special meeting which is to be conducted by means of electronic or other communication facilities shall be delivered to the trustee in accordance with Section 10.
9. Each local trustee shall provide to the Deputy Secretary of the Islands Trust a telephone number and mailing address for the purpose of receiving notices of Local Trust Committee meetings, and notice shall be deemed to have been sufficiently given to the local trustee if the notice is delivered to the trustee's Islands Trust email address or given to the trustee in person.
10. Any two members of a local trust committee may call a special meeting by giving notice of the day, time, place and purpose of the meeting to the third member of the Committee by telephone or written notice delivered or emailed to the trustee's Islands Trust email address at least 48 hours before the time of the meeting, and by posting the notice at the places specified in Section 6, except that notice to Local Trust Committee members may be waived by unanimous vote.
11. If the Chairperson is not one of the members calling the special meeting, the members calling the special meeting shall, prior to doing so, advise the Chairperson of the calling of the meeting and consider the Chairperson's representations, if any, regarding the calling of the meeting.

12. Regular and special meetings of the Local Trust Committee shall be open to the public, except where the Committee has stated by resolution in open meeting that the meeting or portion of the meeting is to be closed to the public, and has stated the statutory basis on which it is to be closed.
13. A quorum of a local trust committee is two members, except for the Executive Committee Acting as a Local Trust Committee, in which case the quorum is three.
14. In the event that neither the Chairperson nor the alternate member of a local trust committee appointed by the Chair of the Trust Council is present within one half hour of the scheduled time of a regular or special meeting, the Director of Planning Services, or their designate, shall call the meeting to order and the remaining trustees shall determine which of them shall act as Chairperson

REGULAR MEETING AGENDA

15. The Deputy Secretary must prepare an agenda for each regular meeting, which must:
 - a. state the general nature of each business item to be dealt with at the regular meeting;
 - b. be sent to each trustee's email address at least seven (7) days before the scheduled meeting date; and
 - c. the agenda outline to be released publicly at least two (2) days before the release of the full agenda.
16. The Director of Planning Services or their designate shall legibly record the minutes of the meetings of each local trust committee, and shall record any resolutions without meeting. After the minutes of a meeting have been adopted, the Director or their designate shall certify the minutes as correct and the Chairperson or other trustee who presided at the meeting shall sign the minutes.
17. The minutes are a record of decisions, and shall include a record of every resolution of the Committee, including every resolution closing a meeting to the public, the reading and adoption of every bylaw, and every declaration made in relation to a conflict of interest.

MEETING PROCEDURE, RESOLUTIONS AND BYLAWS

18. Any question of meeting procedure that is not provided for in this Bylaw, the *Islands Trust Act*, the *Local Government Act*, the *Community Charter*, or regulations under either of those statutes, shall be resolved in accordance with the most current edition of *Robert's Rules of Order*.
19. Motions shall be in writing; and may be moved by any member of a local trust committee; the Chair may allow motions to be made verbally but must ensure the recorder reads it back correctly.
20. Bylaws may be read by title only, provided that each member of a local trust committee is in possession of a complete copy of the proposed bylaw at the meeting.
21. The Chairperson of a local trust committee, or other trustee who presided at the meeting at which it was adopted, and the Deputy Secretary of the Islands Trust, shall sign every bylaw adopted by a local trust committee, and the Deputy Secretary shall keep a certified copy of the bylaw at the principal office of the Islands Trust.

DELEGATIONS

22. A Delegation period is limited to fifteen (15) minutes in duration, and may be scheduled for each regular meeting of a local trust committee. The time limit may be extended by unanimous vote of the members present.
23. An individual, or a representative of an organization, may request to address a local trust committee as a delegation.
24. A delegation requesting permission to appear before a local trust committee shall submit a written request in the form prescribed by the Deputy Secretary. The subject of the written request and the presentation must fall within the jurisdiction of the Local Trust Committee.
25. The written request must specify the subject matter of the presentation and include either a copy of the presentation or an overview of the information to be presented. The written request must also include the name and address of the person(s) speaking.
26. All written requests to appear before the Local Trust Committee must be received by the Deputy Secretary by 12:00 noon fourteen (14) calendar days prior to the meeting.
27. Each address shall be limited to five (5) minutes unless a longer period is agreed to by unanimous vote of those Local Trust Committee members present
28. Any video presentations used as part of a delegation's address to a local trust committee will count toward the time limit permitted for the delegation.
29. In the event of a delegation presenting a petition, the petition shall contain a petitioner's full name, residential address, telephone number, and a signature or valid email address. (Note: an email address may only be associated with one signatory).
30. Where written requests have not been received by the Deputy Secretary as prescribed in section 34, an individual may address the meeting in the Public Participation period, as outlined within this bylaw.
31. A local trust committee must not permit a delegation to address a meeting of the Committee regarding a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a pre-requisite to the adoption of the bylaw.
32. The Deputy Secretary, in consultation with the Chair, may schedule delegations to another Local Trust Committee meeting.
33. The Deputy Secretary, in consultation with the Chair, may refuse to place a delegation on the agenda.
34. If the delegation wishes to appeal the Deputy Secretary's decision, the information must be distributed under separate cover to the Local Trust Committee for their consideration.

ORDER AND DECORUM

35. The Chair is to preserve order at every meeting of a local trust committee and has the power to make such rulings as are necessary to do so, including the power to rule on all points of order

and may deny any individual or a delegation the right to address a meeting if, in the Chair's opinion, the individual or the delegation:

- a. makes defamatory remarks about any person or speaks disrespectfully of any person;
- b. addresses issues not contained within the written application of the individual or delegation, as prescribed in sections 25 and 42; or
- c. immoderately raises their voice, or uses profane, vulgar or offensive language, gestures or signs.

36. Individuals and delegations will not be heard at regular meetings of the Local Trust Committee on the following:

- a. the promotion of commercial products or services which have no connection to the business of the Local Trust Committee;
- b. matters on which a local trust committee has approved commencement of prosecution and on which judgment has not been rendered;
- c. publicly tendered contracts or proposal calls for the provision of goods and services for the Local Trust Committee, between the time that such contract or proposal call has been authorized and the time such contract or proposal call has been awarded, either by a local trust committee or Islands Trust staff; or
- d. Topics which are normally dealt with by Islands Trust staff as a matter of routine.

37. A local trust committee member may, on recognition by the Chair, ask or answer questions of a member of the public who is addressing a local trust committee. Debate with, or by, any member of a local trust committee or staff is not permitted.

38. The Chair or person presiding may expel and exclude a person from a meeting of a local trust committee for improper conduct.

INVITED PRESENTATIONS

39. Members of a local trust committee may, with the Chair's approval, invite a person, persons, or organizations(s) to make a presentation to the Local Trust Committee. Time permitting, the Deputy Secretary shall include the subject of the presentation and the designated speaker on the meeting agenda.

PUBLIC PARTICIPATION

40. A public participation period, limited to fifteen (15) minutes in duration, may be scheduled for each regular meeting of a local trust committee and may be extended by majority vote of the Local Trust Committee members present.

41. A member of the public may have three (3) minutes to address a local trust committee during the public participation period, unless extended by unanimous vote of the Local Trust Committee members present.

42. Persons wishing to address a local trust committee must state their first and last name and topic involved.

43. Subjects must relate strictly to matters under the jurisdiction of a local trust committee, but other subjects may be permitted by majority vote of the Local Trust Committee.

44. Subjects must be brief and to the point.

ELECTRONIC MEETINGS

45. Regular or special meetings of a local trust committee beyond the minimum number of in-person physical meetings identified in Section 5 may be conducted entirely by means of electronic or other communication facilities if a majority of the members of a local trust committee have agreed by resolution, and provided the Deputy Secretary has received sufficient notice and can make the necessary arrangements.
46. An individual Local Trust Committee member who is unable to attend at the physical location of a local trust committee meeting that is held in-person may choose to participate by means of electronic or other communication facilities, provided the Deputy Secretary has received sufficient notice and can make the necessary arrangements.
47. For each local trust committee meeting, not more than one Local Trust Committee member may participate by means of electronic or other facilities when the meeting has been scheduled for an in-person meeting.
48. An individual member of a local trust committee may not participate by means of electronic or other communication facilities in two consecutive regular Local Trust Committee meetings that are held in-person.
49. A local trust committee may waive the restrictions in sections 47 and 48 by unanimous resolution, of the Local Trust Committee.
50. Members of a local trust committee who use electronic or other communication facilities to participate in a meeting conducted in accordance with this bylaw are deemed present at the meeting.
51. Members of a local trust committee may begin participation in a meeting by electronic communication facilities after the meeting has been called to order.
52. Where members of a local trust committee are participating in a meeting through electronic or other communication facilities, the facilities must enable all meeting participants to hear, or watch and hear, each other and must provide notice when participants join or leave the meeting.
53. Where members of a local trust committee are participating in a meeting through electronic communication facilities, the facilities must enable the public to hear, or watch and hear, all meeting participants at a place specified in the meeting notice, unless the meeting has been properly closed to the public.
54. For the duration of a local Trust Committee meeting conducted by electronic or other communication means that is open to the public, a designated staff member shall be in attendance at the place specified in the meeting notice for the public to hear, or watch and hear, the meeting.
55. If communication is lost to one or more trustees participating electronically during the meeting:
 - a. the affected trustee participating electronically will attempt to reestablish the link and, in the interim, will be deemed to have left the meeting and this will be recorded in the minutes;
 - b. if there is not a quorum, the Local Trust Committee Chair or person presiding will call a recess until the link is reestablished; and,

- c. if, after 15 minutes, a link cannot be reestablished and there is not a quorum of Local Trust Committee members, the meeting will be deemed adjourned and the item under discussion at the time of loss of communication and the remainder of the agenda will be added to the next agenda.

Resolutions Without Meeting (RWM)

Principles

- 56. Normally most issues will be discussed and motions voted on at a properly called and constituted meeting.
- 57. In exceptional circumstances, a resolution-without-meeting may be conducted if an issue is deemed by the chair of a local trust committee to meet three criteria:
 - a. it is time sensitive, and,
 - b. it cannot be deferred to a scheduled meeting, and,
 - c. it does not require discussion.
- 58. A resolution-without-meeting cannot be conducted if:
 - a. an issue is deemed by the chair of a local trust committee to require a staff report, a Briefing, or a Request For Decision to be presented to that local trust committee, or,
 - b. at least one member of the pertinent local trust committee wishes to debate the issue.
- 59. The resolution-without-meeting process is dependent on the timely contribution and response of trustees. If a trustee expects to be absent and not able to access their Islands Trust email account, they must notify the Secretary or their delegate of that situation. If such notification is provided, the absent Trustee will not be assumed to be abstaining from voting.

Voting

- 60. A Resolution Without Meeting is carried where a majority of the members of a local trust committee entitled to vote on the resolution inform the Secretary or their delegate of their approval in person or by telecommunication.
- 61. Subject to Section 59 when a simple majority of members is required to carry the resolution, and only one or less of the eligible votes received are in favour after two business days from the calling of the vote, those entitled to vote who did not inform the Secretary or their delegate of their vote will be considered to be abstaining.

Legislated Limitations

- 62. Boards of Variance and Advisory Planning Commissions are enacted under the *Local Government Act*, and do not have the ability to conduct votes outside of a meeting.
- 63. If a member of a local trust committee considers that they are not entitled to participate in a vote pursuant to Section 100(2) of the Community Charter (regarding a conflict of interest), the member must make a declaration giving the general reason(s) for the conflict of interest and must withdraw from voting and any discussion thereof. The declaration is as per Appendix B of Islands Trust Council Policy 2.1.1 (Statutory Rules of Conduct).

Conducting of the Resolution Without Meeting

64. Any member of a local trust committee or staff may notify the chair of that local trust committee of an apparent need for a resolution-without-meeting and will provide text for the proposed motion to the chair to consider.
65. The chair of the local trust committee will decide if a resolution-without-meeting is appropriate and, if so, will request designated staff to conduct the resolution-without-meeting.
66. All members of the local trust committee entitled to vote will be given simultaneous notice of a resolution-without-meeting and the ability to view information on the subject of the resolution where available.
67. If any member of the local trust committee who is entitled to vote believes that the motion requires debate, they must notify the chair of that local trust committee of their belief as soon as possible after receiving the notice of the resolution-without-meeting. The chair of that local trust committee must then declare that the resolution-without-meeting is cancelled.
68. If the chair of a local trust committee deems the issue:
 - a. remains time sensitive and cannot wait until the next scheduled meeting, the chair can request designated staff to conduct a resolution-without-meeting to establish a special meeting, or,
 - b. is not urgent, designated staff will add the issue to the agenda of the next scheduled meeting unless the chair directs otherwise.
69. Designated staff will request or call for a mover and a seconder to the proposed motion and will notify the chair when there is a mover and a seconder.
70. The chair of the local trust committee will authorise staff to send out the Call for a Vote.
71. A member entitled to vote may vote either “in favour”, or “opposed”, or they can declare that they abstain from voting. An abstention vote is recorded in the affirmative (“in favour”), and a notation will be made beside the name of the member who abstained.

Results of the Vote

72. Once the vote has been conducted, staff will notify the chair of the vote results.
73. The chair will declare the vote to be carried or defeated in accordance with the results.
74. All members of the local trust committee will be notified of the results of the vote and will be provided a copy of the completed resolution-without-meeting, if applicable.
75. Staff will provide a report on each completed resolution-without-meeting that will be placed on the agenda of the next regular meeting and recorded in the minutes of that meeting.

READ A FIRST TIME THIS	13 TH	DAY OF	MARCH,	2025
READ A SECOND TIME THIS	13 TH	DAY OF	MARCH,	2025

READ A THIRD TIME THIS 13TH DAY OF MARCH, 2025

ADOPTED BY 2/3 VOTE THIS 18TH DAY OF JUNE, 2025

LAURA PATRICK, CHAIR

DAVID MARLOR, SECRETARY