



Administrative Report

Office of the Director of Council & Community Services/Clerk

To: Warden McNamara and Members of County Council

**From: Mary Birch
Director of Council & Community Services/Clerk**

Date: Thursday, March 26, 2020

Subject: Amendment to the Procedure By-law #41-2018

Report #: 2020-03-26-CCS-R001-MB

Purpose

To seek County Council approval to amend the Procedure By-law #41-2018 to allow for the holding of electronic County Council meetings during a period of a declared emergency and to establish an Emergency Electronic Meeting Protocol.

Background

On March 17, 2020, a Declaration of Emergency was made by the Province of Ontario pursuant to section 7.0.1 of the Emergency Management and Civil Protection Act related to COVID-19 and the County of Essex followed with a complementary municipal declaration of emergency on March 22, 2020.

On March 19, 2020, the Municipal Act, 2001 was amended to allow for electronic participation in meetings by Members of Council when an emergency has been declared to exist in all or part of the municipality.

Section 238 of the Municipal Act specifically contemplates that a "meeting" shall be at a "place" where a quorum of members is "present" and where members discuss or otherwise deal with matters that materially advances the business or decision making of Council rendering the holding of meetings during the pandemic situation impractical because of closures and social

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distancing requirements recommended by health practitioners to stop the spread of the COVID-19 virus.

The protection of the health and safety of the public and staff is a paramount concern, and given the unknown timeframe of the current and other potential pandemic situations, Administration is recommending that the Procedure By-law be amended in order to allow municipal operations to continue to be directed by Council through the holding of electronic meetings where Members may participate in the future through electronic means.

Discussion

The open meeting requirements imposed for special and regular council meeting within the Municipal Act will continue to be respected through the broadcast and/or streaming of the electronic meetings. There will still be opportunities for members of the public to make submissions electronically, which will be provided to Council Members.

Council Members will participate through video conferencing software and conduct the meeting, including electronic voting through the current meeting management software (eScribe). The audio and video content will be live streamed and will be available for public viewing.

Financial Implications

Subscriptions to licensing for video conferencing software has recently been purchased by the County to provide Essex County Administration, as well as the seven local municipalities, with the technology required to hold electronic meetings at a cost of \$ 3350.00.

Recommendation

That Council enact amendments to the Procedure By-law #41-2018 to enable the electronic participation in meetings during a period of declared emergency;

And Further that any notice requirement under Procedure By-law #41-2018, be waived for the purpose of this Resolution, on the basis that the COVID-19 emergency and related social distancing and self-isolation recommendations constitute, and are considered to be, of an urgent or time sensitive nature, and affect the health or well-being of the residents of the municipality;

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And further that Essex County Council authorizes the Warden and Clerk to execute the By-Law.

Respectfully Submitted

Mary Birch

Originally Signed by

Mary Birch Director of Council & Community Services/Clerk

Concurred With,

Robert Maisonville

Originally Signed by

Robert Maisonville, Chief Administrative Officer

Appendix No.	Title of Appendix
Refer to By-law 2020-16	Agenda Item 5.1