

April 9, 2020

Running Effective Virtual Meetings Webinar

Questions for Follow-up

General Comments:

- The questions below were provided through the chat function of the April 9, 2020 RMA webinar on Running Effective Virtual Meetings. They appear in the order in which they were received.
- When it comes to questions of legislative interpretation, please consult your municipal counsel.
- Regulatory requirements are changing rapidly at the moment. What is not permitted may change over coming weeks. Much of it will likely change again when the Medical Officer of Health permits large gatherings.

Question 1 – Moderation of Chat

Question: We live streamed our first council meeting yesterday. We used a streaming platform that does not allow us to disable the public chat. What are our requirements\abilities regarding: Moderation of the chat and maintaining the chat record?

Response: To our knowledge there are no requirements to moderate or maintain the chat record unless you have a policy that states something different. Should Council use the chat as a way for members of the public to pose questions to Council as part of a public input session, there may be a need to moderate the chat.

We suggest preparing and making widely available a 'helpful hints' sheet that explains how the meeting will be run, when and how members of the public may be able to address Council and, expectations for participant etiquette. The sheet should include identifying any features of the web-based platform that may be accessible but will not be applied in the context of the meeting.

Depending on the platform chosen, the meeting moderator (e.g., information technology resource) may be able to communicate with people using the chat function during the meeting to let them know what is acceptable and what is not.

These are transparent ways to notify members of the public that the chat feature, although available, will not be moderated or maintained as a record by the municipality.

Members of Council should not be engaging in the chat during the Council meeting.

Question 2 – External Use of Meeting Audio

Question: We had media take a snip of our audio recording and play it with their news story. We do not typically live stream our meetings but have started now. Our procedural bylaw says recordings are only for internal use and that audio recordings by outside parties are not allowed. How do we address this when the audio is now easily available through live streaming?

Response: Meeting recordings are records like any other that the municipality maintains. There is little difference in an organization or person transcribing Council meetings while sitting in the gallery or copying portions of the online public recording.

It is always advisable for the meeting chair to announce that the meeting is being recorded at the start of the meeting and to let people know it is for public consumption only, and that the official meeting record is the meeting minutes. A similar notice could be inserted at the top of meeting agendas and on the web pages where members of the public might find meeting information.

If recording continues after Council is once again gathering together back in Chambers, signs can be put up announcing that meetings may be recorded.

Question 3 - Negative Option Voting

Question: Our Council has been calling for anyone who is opposed to a motion to indicate to streamline teleconference meetings. is this permissible?

Response: This is a question of legislative interpretation, so you might want to consult legal counsel. As non-lawyers, we have heard of this process being used. Sections 182 and 183 of the MGA speak to voting and the requirement to vote, but do not speak to whether the vote has to be registered as either affirmative or negative. This would lead us to believe that calling for 'nay' votes would be an acceptable way to streamline the meeting.

Your Procedure Bylaw may add additional clarity on this topic of allowed methods of voting. If this is not in your Procedure Bylaw, it could be added as an acceptable manner of voting.

Question 4 - On-Site Requirements

Question: is there a requirement for any of the council to be on site at the county office?

Response: We are not aware of a requirement for any of Council to be on site at the county office. The adjustments to the MGA and its Regulations state that

neither the CAO nor members of the public are required to be in a designated location.

We suggest consulting your Procedure Bylaw to confirm whether it contains any requirements for Council to attend meetings at a specific physical location such as the county office. If so, an amendment may be required.

While not a member of Council, it may be necessary for an information technology resource person to be on site if that person is supporting the technology behind the meeting.

Question 5 - Debrief as Meeting

Question: Is a debrief done after the meeting is adjourned? If so, does that constitute another meeting itself?

Response: Our suggestion of a debrief after the meeting would be an informal gathering of feedback from participants at some point after the meeting has concluded and before plans begin for the next meeting. That is one of the reasons behind the suggested 'snag sheets.'

The intent is to determine where there may be opportunities for improvement with the technology, meeting process, etiquette and public involvement to support continuous improvement and since it is an individual exercise, it would not be considered a 'meeting'.

The debrief could take place electronically by sharing a few evaluative questions with meeting participants to gather feedback and support the compilation of a holistic 'snag sheet' that identifies technical and process glitches with the intent of rectifying them prior to the next meeting.