

COLUMBIA-KOOTENAY REGIONAL ADVISORY COMMITTEE

PROCEDURE BYLAW

Bylaw No. 1, being a bylaw to regulate the
proceedings of the
Columbia-Kootenay Regional Advisory Committee

DEFINITIONS

ACT means the “*Southern Interior Development Initiative Trust Act, 2005*” (“the Act”);

REGIONAL ADVISORY COMMITTEE means the Regional Advisory Committee established for the Columbia-Kootenay Region under the Act (“the Columbia-Kootenay RAC”);

SOUTHERN INTERIOR DEVELOPMENT INITIATIVE TRUST means the corporation (“the SIDIT”) established under the Act.

The Columbia-Kootenay RAC, for the purposes of regulating its proceedings, enacts as follows:

1) Membership Structure:

- a) The Columbia-Kootenay RAC will consist of thirteen (13) elected officials to be selected as follows:
 - i) Three (3) from Regional District of East Kootenay with a minimum of one (1) from a municipality with a population greater than 4,000;
 - ii) Three (3) from Regional District of Kootenay Boundary with a minimum of one (1) from a municipality with a population greater than 4,000;
 - iii) Three (3) from Regional District of Columbia Kootenay with a minimum of one (1) from a municipality with a population greater than 4,000;
 - iv) Two (2) from Columbia Shuswap Regional District representing areas of Revelstoke and Golden;
 - v) One MLA from the Columbia Shuswap Regional District and Regional District of East Kootenay regions and One MLA from Regional District of Columbia Kootenay and Regional District of Kootenay Boundary regions as appointed by the MLAs in that region.
- b) Each Columbia-Kootenay RAC member will be appointed for two years or until a replacement is named.

2) Proceedings of the Meetings of the Columbia Kootenay RAC

a) Statutory Meetings

The first meeting of the Columbia-Kootenay RAC in each year shall be held not later than the 31st of May and the Columbia-Kootenay RAC shall meet quarterly for the balance of the year.

- b) All meetings of the Columbia-Kootenay RAC shall take place at such times and places as the Chair may determine with 72 hours prior notice to RAC members by email or fax.
- c) Any six members of the Columbia-Kootenay RAC may at any time by notice in writing directed to the Chair require a meeting to be called, and the Chair shall within two weeks set a date for a meeting, which meeting shall be held no later than thirty days from the date of receipt of the notice in writing directed to the Chair signed by six members of the

Columbia-Kootenay RAC requiring such a meeting to be called.

- d) At the first meeting to be held in each year, which is to be held no later than the 31st day of May, the members of the Columbia-Kootenay RAC shall elect one of their number as Chair to hold office until the successor is elected, and for this purpose each member shall have one vote.
- e) The Columbia-Kootenay RAC may from time to time appoint one of its members to be Vice-Chair and such Vice-Chair has, during the absence or illness or other disability of the Chair, all powers and is subject to the same rules as the Chair.
- f) Any member may designate in writing an alternate, such alternate must be an elected official in accordance with Section 3 of the Act, to attend a meeting of the Columbia-Kootenay RAC, and that alternate shall be entitled to vote on all matters only if they have been designated in writing by the member.
- g) At the first meeting, the Secretary of the Columbia-Kootenay RAC shall present to the Chair, a certified list of those persons appointed to the Regional Advisory Committees.
- h) All Bylaws and Resolutions of the Columbia-Kootenay RAC shall be decided by a majority of votes of the members who are at the meeting and entitled to vote thereon.
- i) A Columbia-Kootenay RAC meeting may be conducted by means of visual and audio, or audio, or electronic or other communication facilities if the Chair requires or if the Committee requires; or a member of the Columbia-Kootenay RAC who is unable to attend at a meeting may participate in the meeting by means of visual and audio, audio or electronic or other communication facilities.
- j) Quorum

A majority of the members having amongst them the majority of the votes constitute a quorum for the transaction of the Columbia-Kootenay RAC. For this purpose, each member will have one vote.

- k) Open Meeting

The Columbia-Kootenay RAC shall hold its regular meetings openly and no persons shall be excluded except for improper conduct. If in the opinion of the Columbia-Kootenay RAC the public interest so required, it may by Resolution exclude from any meeting all persons other than its members. The Chair may expel and exclude from any meeting any person whom he considers has been guilty of improper conduct at such meeting.

- l) Minutes

The minutes of the proceedings of all meeting of the Columbia-Kootenay RAC shall be drawn up and entered in a book to be kept for that purpose, and shall be certified as correct by the Secretary of the Columbia-Kootenay RAC and shall be signed by the Chair or other member presiding at such meeting or at the next meeting at which they are adopted. The minutes shall be open for inspection of any person who may make copies thereof and extracts there from at all reasonable times on payment each time at a fee to be set by the Columbia-Kootenay RAC.

- m) Opening Proceedings

Call to Order – As soon after the hour of the meeting as there shall be a quorum present,

the Chair shall take the Chair and call the members to order.

Non-Attendance of the Chair – In the event the Chair or Vice-Chair does not attend within fifteen minutes after the time appointed for the meeting, the Secretary shall call the members to order and, if a quorum be present, the chairman shall be chosen who shall preside during the meeting or until the arrival of the Chair or Vice-Chair.

No Quorum after fifteen minutes – Adjournment – In the event there shall be no quorum present within fifteen minutes after the time appointed for the meeting, the Secretary shall record the names of the members then present and the Columbia-Kootenay RAC shall then stand adjourned for that meeting.

n) Reading the Minutes

Immediately after the Chair has called the meeting to order, the minutes of the preceding meeting, which shall have been previously circulated, shall be considered for adoption as written, and any mistake therein may be corrected in the adoption of the minutes by the Columbia-Kootenay RAC.

o) Duties of Presiding Chair

The Chair, if present, shall preside at all meetings of the Columbia-Kootenay RAC. In all cases where the votes of the members then present are equal for and against the question, the question shall fail, and it shall be the duty of the presiding member of the Columbia-Kootenay RAC to so declare.

p) Points of Order

The Chair shall preserve order and decide all points of order which may arise, but subject to appeal to the other members of the Columbia-Kootenay RAC.

q) Appeal from Decision

If an Appeal be taken by a member of the Columbia-Kootenay RAC from a decision of the Chair, the question shall be immediately put to him, and decided without debate, "Shall the Chair be sustained?" and the Chair shall be governed by the vote of the majority of the members of the Columbia-Kootenay RAC then present (exclusive of himself), and the names of the members of the Columbia-Kootenay RAC voting for or against the question "Shall the Chair be sustained?" shall be recorded in the minutes and in the event of the votes being equal, the question shall pass in the affirmative.

r) Agenda

The Secretary shall distribute, prior to each meeting, an Agenda outlining the business to be transacted at such meeting. The Chair shall have the right to add additional items of business if in his opinion he considers it to be in the best interest of the Columbia-Kootenay RAC.

s) Resolutions

i) All resolutions to be at a meeting of the Columbia-Kootenay RAC shall be regularly moved and seconded, and the Chair shall declare the motion to be put and also declare the mover and the seconder.

- ii) A resolution that is approved in writing, or by facsimile, email, telephone or other similar means of communication confirmed in writing or other graphic communication by a majority of the members is as valid as if it were passed at a meeting of the members properly called and constituted.

t) Voting

No member shall speak upon any motion or question more than once, save as hereinafter provided. After the motion has been made and seconded, or a question properly put before the meeting, the mover of the motion or the member putting the question to the Columbia-Kootenay RAC, shall be allowed to speak upon it and thereafter all members who so desire may speak upon the motion or question and when all members have spoken, or such members of the Columbia-Kootenay RAC as may wish to speak upon the question or motion, the mover of the motion or the member raising the question shall be allowed a reply but shall be confined to replying to matter and things raised by other members of the Columbia-Kootenay RAC and when the mover of such motion or the members has put such question to the Columbia-Kootenay RAC has been heard in reply, the motion or question shall be put to a vote.

After the question is finally put by the Chair of the meeting, no member shall speak to the question nor shall any other motion be made until after the result of the vote has been declared and the decision of the Chair of the meeting as to whether the question has been finally put and as to the outcome of any vote thereon, shall be conclusive.

Every member, including the Chair, who shall be present when the question is put shall vote and any member when present who abstains from voting shall be deemed to have voted in the affirmative.

u) Motion to Commit

A motion for commitment, until it be decided, shall preclude all amendment of the main question.

v) Motions Allowed During Debate

When a question is under consideration, no motion shall be received unless:

- i) To commit;
- ii) To amend;
- iii) To lay on the table;
- iv) To postpone indefinitely;
- v) To postpone to a certain time;
- vi) To move the previous question
- vii) To adjourn.

w) Order of Precedence

These several motions shall be precedence in the order in which they are named in Section 22 and the last five shall be neither amendable nor debatable.

x) Motion to Adjourn

The motion to adjourn the Columbia-Kootenay RAC or to adjourn the debate shall always be in order, but if such motion be defeated, no second motion to the same effect shall be introduced until after some other business or proceedings shall have been dealt with and

there shall be no debate permitted upon a motion to adjourn and upon a motion to adjourn being moved and seconded, question thereon shall be put forthwith and determined.

y) Amendments in General

Moving Amendments

A member shall have the right of moving an amendment to a motion without giving notice thereof.

The amendment may propose:

- (a) To leave out certain words;
- (b) To leave out certain words and to insert or add others;
- (c) To insert or add certain words.

z) Amendment Failed

Only one amendment shall be allowed to an amendment, as an amendment once failed by the Columbia-Kootenay RAC cannot be proposed a second time.

aa) Motions Ruled Out of Order

Whenever the Chair is of opinion that a motion offered by the Columbia-Kootenay RAC is contrary to the rules and privileges of the Columbia-Kootenay RAC, he shall immediately apprise the Columbia-Kootenay RAC of the same and before putting the question thereof, he shall if requested by any member of the Columbia-Kootenay RAC, cite the rule or authority applicable to the case. No argument or comment shall ensue, except an appeal to the Columbia-Kootenay RAC as provided by Section 17 hereof.

bb) Division of a Question

When the question under consideration contains distinct propositions, upon the request of any member of the Columbia-Kootenay RAC, the vote upon each proposition shall be taken separately.

cc) Reconsideration

Motion to Rescind

A motion to rescind a resolution passed by the Columbia-Kootenay RAC may be made at any time but only by a member of the Columbia-Kootenay RAC who declared that he voted in the affirmative when such resolution was passed.

After any question except one of indefinite postponement has been decided any member may at a first meeting held thereafter move for a reconsideration thereof but no discussion of the main question shall be allowed and no debate had thereon unless the motion to reconsider has been adopted.

dd) Privilege

Whenever a matter of privilege arises, it shall be immediately taken into consideration.

ee) Proceedings Relating to the Passage of Bylaws

No Bylaw shall be introduced either in blank or in an incomplete form. Every Bylaw shall be printed or typewritten before it is introduced and each member of the Columbia-

Kootenay RAC shall be provided with a copy thereof. Every Bylaw shall be introduced upon motion duly seconded by the question "Bylaw No. be now introduced and passed by the Columbia-Kootenay Regional Advisory Committee", and upon this motion being carried, the Bylaw second motion either at the same meeting or a subsequent meeting where the question is "Bylaw No. be now reconsidered and adopted by the Columbia-Kootenay Regional Advisory Committee". There shall be no amendments on the motion to reconsider and finally adopt the Bylaw.

ff) Signature of the Chair

Every Bylaw shall be signed by the Chairman or by the person legally presiding at the meeting at which the Bylaw has been passed, and by the Secretary of the Columbia-Kootenay RAC.

3) Unprovided Matters

- a) In all matters relating to procedure not expressly provided for in this procedure Bylaw, the provisions of the Columbia-Kootenay RAC relating to proceedings at municipal council meetings shall be followed and applied insofar as the same shall be applicable. In all other unprovided cases in the proceedings of the Columbia-Kootenay RAC, in the event that the *Community Charter* not cover the situation, the provisions of "Roberts Rules of Order" insofar as the same shall be applicable, shall be followed and applied.

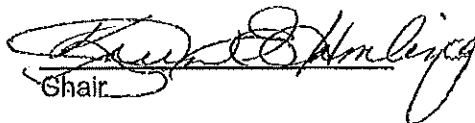
4) Amendment of the Procedure Bylaw

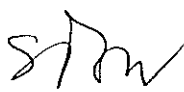
- a) This Procedure Bylaw relating to the procedure of the Columbia-Kootenay RAC shall not be altered or amended except by Bylaw passed at a regular meeting of the Columbia-Kootenay RAC in pursuance of the notice in writing given and openly announced at a preceding regular meeting of the Columbia-Kootenay RAC.

Introduced and Passed by the Columbia-Kootenay Regional Advisory Committee on the 19th day of August, 2006.

Reconsidered and finally Adopted by the Columbia-Kootenay Regional Advisory Committee on the 19th day of August, 2006.

Amended on April 10, 2014.


Chair


Secretary