

Proposed Revisions to Section 3.3.2 Decision-making Cowichan Watershed Board Governance Manual

- Black text below is copied directly from the current Governance Manual.
- Recommended changes are in **purple**
- Other options to consider are in **orange**.

3.3.2 Decision-making

- Members will work to achieve consensus as much as possible **and welcome a diversity of opinions in the process.**
- For routine, procedural, minor and non-controversial decision making the Board will use “general consensus” decision making to move forward efficiently in meetings. **General Consensus is defined as a position which the majority can live with, even if individual members of that majority might prefer something somewhat different. If one or more can't live with that position, they have the right to append a statement explaining why the decision is unacceptable to them, but the decision is nevertheless a decision of the Board and just as valid as a unanimous decision**
- In consensus decision making a position of “I can live with that’ can contribute to consensus. **If members feel they cannot live with a proposed motion, they may either:**
 - a) **State a dissenting opinion to be recorded in the minutes, but stand aside to allow consensus to proceed or,**
 - b) **State a dissenting opinion to be recorded in the minutes and move to block the motion from proceeding.**
[Another option is to allow ‘stand aside’ as a 4th option but I suggest that if someone “can't live with” the motion, it would benefit the group to have a statement about why that is the case.]
- If decisions are complex or substantive or if there is significant disagreement among members then **the co-Chairs may specify that** the decision making process will be according to Robert’s Rules of Order.
Alternate: If more than 2 members block or express dissent, or any time the Co-Chairs feel consensus is not present, then the co-Chairs may either defer the matter for further discussion or specify that the decision making process will be according to Robert’s Rules of Order.

Question: Does the Board want to retain: “If decisions are complex or substantive”?

The threshold for a decision to pass under Robert’s Rules of Order is a super-majority of 2/3 of those present voting in favour of the motion.

- In consensus decision making a motion, a second, and as required discussion will take place before calls for a response on the motion. **(re-ordered for flow)**
- Members will be mindful and make best efforts to act in accordance with the “Ground rules” itemized in Attachment 1

Attachment 1 – Ground Rules for Members

1. Members accept the responsibility to educate themselves on issues and come to meetings prepared for discussion.
2. Members will recognize the legitimacy of the concerns and interests of others, whether or not they are in agreement with them.
3. Members will seek to share discussion time, encouraging everyone to participate fully.
4. Members will seek to state their own concerns and interests clearly, listen carefully to others, and explore issues from all points of view before forming conclusions.
5. Members commit to:
 - Creatively searching for opportunities.
 - Speaking with respect and courtesy and not interrupting. This includes not holding side conversations when others are speaking.
 - Suspending judgments and assumptions and checking rumours prior to drawing conclusions.
 - Attempting to reach consensus on major decisions.
 - Advocating for the adopted plan.
6. All members will be mindful of the impacts of their public and private statements will have on the climate of this effort; particularly the spirit of attempting to solve problems collectively. Members shall also take special care to differentiate between representing the CWB versus personal opinion when writing or speaking independently.

Input Received

[David Anderson]

-generally speaking I am against too much in the way of analysis—consensus is something you know you have, when you have. and something that you know you don't when you don't.

- Rules for consensus may be misleading—for instance if Cowichan Tribes is not in favour of a course of action, I don't think the Board would have consensus. If Board member David Anderson disagrees, well, that is orders of magnitude less significant. So it varies with the players, and more important yet, it varies with the intensity of the dissenting view. These things are not easy to quantify and put down in writing.

- Generally, consensus is a position which the majority can live with, even if individual members of that majority might prefer something somewhat different. If one or more can't live with that position, they have the right to append a statement explaining why the decision is unacceptable to them, but the decision is nevertheless a decision of the Board and just as valid as a unanimous decision.

- In place of majority, a definition on voting procedure and governance can substitute 60 percent, or two-thirds, or whatever level is needed for a valid decision, but that does not affect the principle.

David.

[Jan 29 Board Meeting Discussion]

General agreement that:

- If someone objects or stands aside, that should be recorded in the minutes.
- Setting a threshold for consensus as everyone minus 1 or 2 would be good to allow decisions to proceed under consensus rather than Roberts Rules
- If we have to go to Roberts Rules, support for super-majority of 2/3.
- Repeated blocking is not grounds for removal a member from Board