



Regional District of Central Kootenay  
REGULAR BOARD MEETING  
Open Meeting Revised

**Date:** Thursday, October 19, 2023  
**Time:** 9:00 am  
**Location:** Hybrid Model - In-person and Remote

Directors will have the opportunity to participate in the meeting electronically. Proceedings are open to the public.

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Pages

**1. WEBEX REMOTE MEETING INFO**

To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings in-person or remote (hybrid model).

**Meeting Time:**

9:00 a.m. PST/MST

**Join by Video:**

<https://nelsonho.webex.com/nelsonho/j.php?MTID=m251c8efb49c1fe8ecbc1810891770eb4>

**Join by Phone:**

1-844-426-4405 Canada Toll Free  
+1-604-449-3026 Canada Toll (Vancouver)

**Meeting Number (access code):** 2772 721 5567

**In-Person Location:**

Boardroom  
202 Lakeside Drive Nelson, BC

**2. CALL TO ORDER & WELCOME**

**2.1 TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT**



We acknowledge and respect the indigenous peoples within whose traditional lands we are meeting today.

## **2.2 ADOPTION OF THE AGENDA**

### **RECOMMENDATION:**

(ALL VOTE)

The agenda for the October 19, 2023 Regular Open Board meeting be adopted with the following amendments:

- inclusion of Item 4.4.4 Village of Silverton - RDCK Board Alternate Director;
- inclusion of Item 4.4.14 Director Tierney - UBCM;
- inclusion of Item 4.4.15 Director Cunningham - UBCM;
- inclusion of Item 4.4.16 Director Hewat - FCM/UBCM; and
- addition of the addendum

before circulation.

## **2.3 ADOPTION OF THE MINUTES**

26 - 43

### **RECOMMENDATION:**

(ALL VOTE)

The minutes from the September 14, 2023 Regular Open Board meeting be adopted as circulated.

## **2.4 INTRODUCTIONS**

CAO Horn will introduce the following staff:

- Allison Fletcher, Bylaw Enforcement Officer, moving from the planning department;
- Kelly Hodder, GIS Technician;
- Bogdan Dimitrijevic, Accounts Receivable Clerk, replacing Linda De Waal;
- Siyamack Rezaie, IT Systems Administrator;
- Dauna Ditson, Community Resilience Coordinator;
- Laura Christie, Planning Technician replacing John Purdy; and
- Julia Fry, Administrative Assistant - Environmental Services replacing Ellen Skagerberg.

## **2.5 DELEGATIONS**

### **2.5.1 West Kootenay Climate Hub Judy O'Leary - Nelson**

44 - 64

Marianne Hobden - Area D/Rural Kaslo  
Elizabeth Quinn - Creston  
Laura Sacks - Area I

### 3. BUSINESS ARISING OUT OF THE MINUTES

#### 3.1 Bylaw 2908: Building Amendment

Staff is requesting to bring the Building Bylaw No. 2908, 2023 to the November 16, 2023 Board meeting to allow for more time for consultation with the municipalities.

### 4. COMMITTEES & COMMISSIONS

#### 4.1 FOR INFORMATION

- |       |  |         |
|-------|--|---------|
| 4.1.1 | <b>Area E Advisory Planning and Heritage Commission: minutes July 13, 2023</b><br>Staff has received the recommendations for the Development Permits and Strata Title Conversion.  | 65 - 68 |
| 4.1.2 | <b>Creston Valley Agricultural Advisory Commission: minutes August 10, 2023</b><br>Staff has received the recommendations regarding the Development Variance Permit application.   | 69 - 72 |
| 4.1.3 | <b>Area B Advisory Planning and Heritage Commission: minutes August 30, 2023</b><br>Staff has received the recommendations regarding the Temporary Use Permit and Development Variance Permit application.                 | 73 - 76 |
| 4.1.4 | <b>Riondel Commission: minutes September 5, 2023</b><br>Staff has received the recommendations regarding community support for clean-up.   | 77 - 82 |
| 4.1.5 | <b>Kaslo and Area D Economic Development Commission: minutes September 11, 2023</b>  | 83 - 85 |
| 4.1.6 | <b>Castlegar and District Community Complex Recreation Commission: minutes September 12, 2023</b>  | 86 - 89 |
| 4.1.7 | <b>Nelson, Salmo, E, F and G Regional Parks Commission: minutes September 12, 2023</b><br>Staff has received the recommendations regarding slope stability and options for a management plan for the Great Northern Trail. | 90 - 92 |
| 4.1.8 | <b>Winlaw Regional and Nature Park Commission: minutes September 13, 2023</b>  | 93 - 94 |
| 4.1.9 | <b>Area E Advisory Planning and Heritage Commission: minutes</b>   | 95 - 97 |

**September 28, 2023**

Staff has received the recommendation regarding the Development Permit application.

**4.1.10 Riondel Commission: minutes October 3, 2023** 98 - 102

**4.1.11 West Transit Services Committee: minutes October 4, 2023** 103 - 108

The recommendation to enter into a Memorandum of Understanding with B.C. Transit will be addressed in Item 9.4.1 Memorandum of Understanding: West Kootenay Transit Three (3) Year Improvements of the Board agenda.

**4.2 WITH RECOMMENDATIONS**

**4.2.1 West Kootenay Transit Committee: minutes September 26, 2023** 109 - 113

Staff has received the recommendations regarding staff developing a U-Pass plan.

**RECOMMENDATION:**

(PO WGT)

**STAFF RECOMMENDATION**

That the Board direct staff to reach out to members of the West Kootenay Transit Service to jointly write a letter to Premier Eby and Minister Rob Fleming requesting the Provincial government make transit one of its top three priorities for funding.

**4.2.2 All Recreation Committee: minutes September 27, 2023** 114 - 117

**RECOMMENDATION:**

(ALL VOTE)

That the Board create an RDCK Recreation Inclusion and Access Select Committee with the Board appointing Directors Vandenberg and Davidoff to the Committee; AND FURTHER, that the Committee bring back a report on the specific goals and objectives on the initiatives including:

1. Specific details on available support services;
2. Detailed goals and objectives for updating the RDCK Leisure Access Program;
3. Development of a sustainable delivery model that includes funding required to provide suitable staffing, volunteers, training, equipment, communications, work space, administrative support etc; and
4. To work with staff to develop a budget for Board consideration at the January 2024 Open Board meeting.

**4.2.3 Water Services Committee: minutes October 4, 2023** 118 - 132

**RECOMMENDATION:**

(ALL VOTE)

1. That the Board direct staff to prepare an amendment to the draft Decommissioning of Asbestos Cement Pipe Policy No. 600-03-08 by removing reference to making the asbestos pipe mapping information available to the public.

**RECOMMENDATION:**

(ALL VOTE)

**STAFF RECOMMENDATION**

2. That the Board adopt the Decommissioning of Asbestos Cement Pipe Policy No. 600-03-08, effective immediately.

**RECOMMENDATION:**

(ALL VOTE)

3. That the Board adopt Policy Number 600-03-07 Drinking Water Systems Pathogen Risk Water Quality Management, effective immediately.

**RECOMMENDATION:**

(ALL VOTE)

4. Board Resolution #534/17, being:

That the Regional District Board of Directors direct Staff to implement the following water quality action plan for the Burton Water System:

1) Issue a long term Water Quality Advisory for Burton that can be eventually removed if there is a satisfactory history of good water sampling results.

2) Public facilities such as the campground, school, community center, food and beverage establishments, and the future senior's facility will be encouraged to install their own onsite water disinfection systems.

3) The water system will be flushed more frequently in areas where water consumption might be low.

4) The school and campground will be encouraged to flush and disinfect their water systems when not used for extended periods of time.

5) Continue with more frequent bacteriological water sampling. The Regional District is currently sampling from the wells, two distribution locations and the water storage reservoir on a weekly basis.

6) Consumption level chlorination will be added to the Burton water system for a minimum two week period, twice annually.

be rescinded.

**RECOMMENDATION:**

(ALL VOTE)

5. That the Board direct to staff to take no further action regarding a Water Smart Ambassador program at this time.

**4.2.4 Creston Valley Services Committee: minutes October 5, 2023**

133 - 138

The recommendation to receive the Ktunaxa RDCK Traditional Use Study Summary Report will be addressed in Item 9.1.1 Ktunaxa RDCK Traditional Use Study Summary Report of the Board agenda.

Staff has received the recommendation to include in the 2024 draft financial budget a grant to Creston Valley Tourism Society.

**RECOMMENDATION:**

(PO WGT)

1. That the Board send a letter of support to the Creston Community Forest for Goat Mountain Bike Trails project.

**RECOMMENDATION:**

(PO WGT)

2. That the Board send a letter of support to the Creston Valley Tourism Society for their Economic Trust of the Southern Interior (ETSI) grant application.

**RECOMMENDATION:**

(ALL VOTE WGT)

3. That the RDCK Board to renew the lease for the Creston Education Centre for five years commencing on November 1, 2023 and ending on October 31, 2028 and further that the costs be allocated to Creston and District Community Facilities, Recreation and Leisure Services Area Service - S224 - and General Administration – S100.

**4.2.5 Castlegar and District Community Complex Recreation Commission: minutes October 10, 2023**

139 - 142

**RECOMMENDATION:**

(ALL VOTE WGT)

That the RDCK Board to enter into a one year lease of the concession at the Castlegar and District Community Complex, starting January 2024, to Chef's Choice, with the option to renew for an additional two years.

**4.2.6 Community Sustainable Living Committee: minutes October 17, 2023**

143 - 146

**RECOMMENDATION:****(ALL VOTE WGT)**

1. That the Board approve the hiring of three (3) full time, permanent Assistant Supervisors, with the start date to be no earlier than January 1, 2024, with a cost of \$288,783 to be allocated to Resource Recovery A102.

**RECOMMENDATION:****(ALL VOTE WGT)**

2. That the Board authorize staff to enter into a Services Agreement with Tip-It Waste Solutions (Kootenay) Inc. for Waste Transfer Services for the period of November 1, 2023 to October 31, 2026 with the eligibility of two one year extensions, equating to an estimated total 3 year contract value of \$169,470 plus GST, and that the Chair and Corporate Officer be authorized to sign the necessary documents; AND FURTHER, that the costs be paid from Service S186 East Resource Recovery processed from the applicable Contracted Services account.

**RECOMMENDATION:****(ALL VOTE)**

3. That Board Resolution No. 376/22, being:

*The Board direct staff to enter into negotiation with Tip-It Waste Solutions and request a proposal to partner with the RDCK for Eco-Depot operations and Extended Producer Responsibility collections in the Creston area.*

BE RESCINDED

**RECOMMENDATION:****(ALL VOTE)**

4. That the Board direct staff to issue a Request for Proposals for a Creston and Area Eco-Depot: Design, Build, Operate and Maintain.

**4.3 MEMBERSHIP****4.3.1 Edgewood Water Services Community Advisory Committee****RECOMMENDATION:**

That the Board appoint the following individual to the Edgewood Water Services Community Advisory Committee for a term to end December 31, 2025:

Jennifer Irmen

#### 4.3.2 Erickson (Area B) Water Services Community Advisory Committee

**RECOMMENDATION:**

(ALL VOTE)

That the Board appoint the following individuals to the Erickson Water Services Community Advisory Committee for a term to end December 31, 2025:

Don Low (Area B)  
Elizabeth Quinn (Area B)  
Margaret Beaudry (Area B)

#### 4.3.3 Town of Creston Appointments to the RDCK

186 - 187

**RECOMMENDATION:**

(ALL VOTE)

1. That the recommendation from the Town of Creston appointing Mayor Arnold DeBoon as the RDCK Director and Councillor Denise Dumas as the RDCK Alternate Director be ratified.

**RECOMMENDATION:**

(ALL VOTE)

2. That the recommendation from the Town of Creston appointing Mayor Arnold DeBoon as the representative and Councillor Denise Dumas as the alternate for the Creston Valley Services Committee be ratified.

**RECOMMENDATION:**

(ALL VOTE)

3. That the recommendation from the Town of Creston appointing Councillor Anthony Mondia as the representative and Mayor Arnold DeBoon as the alternate for the East Resource Recovery Committee and Joint Resource Recovery Committee be ratified.

**RECOMMENDATION:**

(ALL VOTE)

4. That the recommendation from the Town of Creston appointing Councillor Denise Dumas as the representative and Councillor Anthony Mondia as the alternate for the Arrow Creek Water Treatment and Supply Commission be ratified.

**RECOMMENDATION:**

(ALL VOTE)

5. That the recommendation from the Town of Creston appointing Councillor Denise Dumas as the representative and Councillor Anthony Mondia as the alternate for the RDCK Water Services

Committee be ratified.

**4.3.4 Riondel Water and Drainage Services Community Advisory Committee**

**RECOMMENDATION:**

(ALL VOTE)

That the Board appoint the following individuals to the Riondel Water and Drainage Services Community Advisory Committee for a term to end December 31, 2025:

Sylvia Horwood  
Lawrence Elgert

AND FURTHER, amend Resolution No. 435/23 to read Riondel Water and Drainage Service Community Advisory Committee instead of Riondel Water Service Community Advisory Committee.

**4.3.5 Village of Silverton - RDCK Board Alternate Director**

188

**RECOMMENDATION:**

(ALL VOTE)

That the recommendation from the Village of Silverton appointing Councillor Leah Main as the RDCK Alternate Director be ratified.

**4.4 DIRECTORS' REPORTS**

Each Director will be given the opportunity to provide a brief summary of the work they have been doing within their communities.

**4.4.1 Director Jackman**

**4.4.1.1 CBRAC/RCC/UBCM**

189 - 190

**4.4.1.2 Letter of Support: Riondel Golf Course**

191 - 192

**4.4.2 Director Tierney**

**4.4.2.1 Letter of Support: Francophone School in Creston**

193 - 194

**4.4.2.2 Letter of Support: Goat Mountain - Mountain Bike Trail Network**

195 - 196

**4.4.2.3 Letter of Support: Creston Market Park Project - Phase 2**

197 - 198

**4.4.3 Director Vandenberghe: UBCM and Activities**

199

**4.4.4 Director Watson**



4.4.4.1	2023 October Activities	200 - 202
4.4.4.2	Columbia Basin Trust: Board Highlights	203
4.4.5	Director Graham	
4.4.5.1	2023 August and September Activities	204 - 205
4.4.5.2	2023 UBCM	206 - 209
4.4.6	Director Popoff: 2023 September Activities	210 - 212
4.4.7	Director Davidoff	
4.4.7.1	Letter of Support: Administrator and Coordinator Economic Development in Castlegar	213 - 214
4.4.7.2	Letter to the Editor: Innocent Child Prisoners	215 - 217
4.4.8	Director Weatherhead: UBCM/CBRAC	218 - 219
4.4.9	Director McFaddin: 2023 UBCM	220 - 221
4.4.10	Director DeBoon: UBCM Conference	222 - 223
4.4.11	Director McLaren-Caux: UBCM	224 - 235
4.4.12	Director Lockwood: UBCM	236 - 237
4.4.13	Director Ferguson: UBCM	238 - 240
4.4.14	<i>Director Tierney: UBCM</i>	241
4.4.15	<i>Director Cunningham: UBCM</i>	242
4.4.16	<i>Director Hewat: FCM/UBCM</i>	243 - 249

## 5. CORRESPONDENCE

5.1	The email dated October 4, 2023 from Tracey Harvey, Selkirk College, seeking a letter of support for the Cannabis Tourism pilot project.	250 - 254
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**RECOMMENDATION:**  
(ALL VOTE)

That the Board send a letter of support to the Director of Craft Cannabis

Association of BC (CCABC) for their application to the Rural Economic Diversification and Infrastructure Funds for the Cannabis Tourism pilot project .

## 6. COMMUNICATIONS

- 6.1 The letter dated August 31, 2023 from Jay Chalke, Ombudsperson, providing the April 1 to June 30, 2023 quarterly report. 255 - 260
- 6.2 The letter dated September 20, 2023 from Alan De Sousa, FCM, confirming the RDCK has been approved in the amount of \$200,000 a Green Municipal Fund for studying GHG emissions reduction pathways for a portfolio of facilities in the RDCK. 261 - 262
- 6.3 The email dated September 26, 2023 from Cathy Peters, BC Anti Human Trafficking Educator, thanking directors for visiting the Anti Human Trafficking Initiative Booth at the 2023 UBCM. 263 - 266
- 6.4 The email dated September 26, 2023 from Mitzi Dean, Minister of Children and Family Development, announcing October will be marked Foster Family month in B.C. 267 - 268
- 6.5 The email dated September 29, 2023 from B.C. Economic Development Association inviting communities to participate in a virtual information session on attracting and retaining international workers. 269 - 270
- 6.6 The report dated October 2023 from Leah Main, RDCK FCM Representative, providing the RDCK Board with an update on her attendance to the FCM Board Annual Conference in Toronto. 271 - 274

## 7. FOR INFORMATION: ACCOUNTS PAYABLE

The Accounts Payable Summary for September 2023 in the amount of \$4,053,333 has been received for information. 275 - 295

## 8. BYLAWS

- 8.1 Bylaw 2921: Permissive Tax Exemption 2024 296 - 299

**RECOMMENDATION:**  
(ALL VOTE)

1. The Permissive Tax Exemption Bylaw No. 2921, 2023 be read a FIRST, SECOND and THIRD time by content.

**RECOMMENDATION:**  
(ALL VOTE)

2. That the Permissive Tax Exemption Bylaw No. 2921, 2023 be ADOPTED and the Chair and Corporate Officer be authorized to sign the same.

- 8.2 Bylaw 2922: Defined Area E (Nelson Contract) Fire Service Conversion** 300 - 306  
The Board Report dated October 4, 2023 from Tom Dool, Research Analyst, seeking the Board give Defined Area E (Nelson Contract) Fire Service Conversion Bylaw No. 2922, 2023 three readings, has been received.

**RECOMMENDATION:**

(ALL VOTE)

That the Defined Area E (Nelson Contract) Fire Protection Local Service Establishment Bylaw No. 2922, 2023 be read a FIRST, SECOND, and THIRD time by content.

- 8.3 Bylaw 2923: Defined Area D Medical First Responder** 307 - 334  
The Board Report dated October 4, 2023 from Tom Dool, Research Analyst, seeking the Board give Defined Area D Medical First Responder Bylaw No. 2923 three readings, has been received.

**RECOMMENDATION:**

(ALL VOTE)

That the Defined Area D Medical First Responder Bylaw No. 2923, 2023 be read a FIRST, SECOND, and THIRD time by content.

- 8.4 Bylaw 2928: Local Conservation Fund Parcel Tax Amendment (Area F) Bylaw No. 2928, 2023** 335 - 336

**RECOMMENDATION:**

(PO WGT)

1. That the Local Conservation Fund Parcel Tax Amendment (Area F) Bylaw No. 2928, 2023 be read a FIRST, SECOND and THIRD time by content.

**RECOMMENDATION:**

(PO WGT)

2. That the Local Conservation Fund Parcel Tax Amendment (Area F) Bylaw No. 2928, 2023 be ADOPTED and the Chair and Corporate Officer be authorized to sign the same.

- 8.5 Bylaw 2929: Slocan Valley Fire Protection Service Loan Authorization Assent Vote** 337 - 342  
The Board Report dated October 4, 2023 from Tom Dool, Research Analyst, seeking the Board give three readings and adopt Slocan Valley Fire Protection Service Loan Authorization Assent Vote Bylaw No. 2929, 2023, has been received.

NOTE: Recommendation No. 1 requires a 2/3 vote.

**RECOMMENDATION:**

(ALL VOTE)

1. That participating area approval for the Slocan Valley Fire Protection Service Loan Authorization (Frontline Fire Engine) Bylaw No. 2914, 2023 be obtained for the entire service area.

**RECOMMENDATION:**

(ALL VOTE)

2. That recommendation 506/23 be amended to read:

That the Board appoint Tom Dool as Regional Voting Officer and Angela Lund as Deputy Regional Voting Officer for the Slocan Valley Fire Protection Service Loan Authorization (Frontline Fire Engine) Bylaw No. 2914, 2023 assent vote.

**RECOMMENDATION:**

(ALL VOTE)

3. That the Slocan Valley Fire Protection Service Loan Authorization Assent Vote Bylaw No. 2929, 2023 be read a FIRST, SECOND, and THIRD time by content.

**RECOMMENDATION:**

(ALL VOTE)

4. That the Slocan Valley Fire Protection Service Loan Authorization Assent Vote Bylaw No. 2929, 2023 be ADOPTED and the Chair and Corporate Officer be authorized to sign the same.

**8.6 Bylaw 2930: RDCK Bylaw Enforcement Notice and Dispute Adjudication System Amendment**

343 - 349

The Board Report dated September 28, 2023 from Todd Johnson, Environmental Services Coordinator, seeking the Board give three readings and adopt RDCK Bylaw Enforcement Notice and Dispute Adjudication System Amendment Bylaw No. 2930, 2023.

**RECOMMENDATION:**

(ALL VOTE)

1. That the Regional District of Central Kootenay Bylaw Enforcement Notice and Dispute Adjudication System Amendment Bylaw No. 2930, 2023 be read a FIRST, SECOND and THIRD time by content.

**RECOMMENDATION:**

(ALL VOTE)

2. That the Regional District of Central Kootenay Bylaw Enforcement Notice and Dispute Adjudication System Amendment Bylaw No. 2930, 2023 be ADOPTED and that the Chair and Corporate Officer be authorized to sign the same.

**9. NEW BUSINESS**

**9.1 COMMUNITY SERVICES**

- 9.1.1 Ktunaxa RDCK Traditional Use Study Summary Report** 350 - 398  
The Board Report dated October 12, 2023 from Mark Crowe, Regional Park Planner, seeking the Board receive the Ktunaxa RDCK Traditional Use Study Summary Report, has been received.

**RECOMMENDATION:**  
(PO WGT)

That the Ktunaxa RDCK Traditional Use Study Summary Report dated April 2023 be received by the Board.

**9.2 DEVELOPMENT AND COMMUNITY SUSTAINABILITY**

- 9.2.1 Service Agreement: RDCK Emergency Program Support for Yaqaan Nukiy** 399 - 411  
The Board Report dated August 21, 2023 from Jon Jackson, Emergency Program Coordinator, seeking Board approval for the Mutual Aid Service Agreement to administer Evacuation Alerts & Orders on behalf of Yaqaan Nukiy (the Band), has been received.

**RECOMMENDATION:**  
(ALL VOTE WGT)

That the Board approves the Service Agreement between the RDCK and Yaqaan Nukiy formalizing the role of the RDCK in order to issue, maintain and rescind Evacuation Alerts & Orders on behalf of the Band as required during emergencies and that the Chair and Corporate Officer be authorized to sign the necessary documents.

- 9.2.2 Kootenay and Boundary Farm Advisory Program Contract Continuation** 412 - 415  
The Board Report dated September 27, 2023 from Sangita Sudan, General Manager of Development and Community Sustainability Services, seeking the Board approve the continuation of the Kootenay and Boundary Farm Advisory Program, has been received.

**RECOMMENDATION:**  
(ALL VOTE WGT)

That the RDCK Board approve an amount not exceeding \$45,000 per year to be included in the draft 2024-2028 Financial Plan for Service S100 General Administration to continue delivering the Kootenay Boundary Farm Advisor (KBFA) Program co-funded by

RDCK, Regional District of East Kootenay, Regional District of Kootenay Boundary and Columbia Basin Trust, AND FURTHER; the Board approve accepting the responsibility of managing the contract for KBFA through the RDCK development and community sustainability department.

**9.2.3 Regional Invasive Species Working Group**

416 - 422

The Board Report dated August 22, 2023 from Paris Marshall Smith, Sustainability Planner, seeking the Board provide two appointments to the Regional Invasive Species Working Group, has been received.

**RECOMMENDATION:**  
(ALL VOTE)

That the Board appoint the following two (2) Directors to the Regional Invasive Species Working Group for a term to end September 2024:

Director \_\_\_\_\_

Director \_\_\_\_\_

**9.2.4 Temporary Use Permit - Francoeur**

423 - 438

The Board Report dated September 28, 2023 from Zachari Giacomazzo, Planner, seeking the Board approve the Temporary Use Permit - Francoeur, has been received.

**RECOMMENDATION:**  
(ALL VOTE)

That the Board APPROVE the issuance of Temporary Use Permit T2301B to Oliver Phillip Francoeur for the property located at 5601 Kitchener Road and legally described as LOT 2 DISTRICT LOT 4592 KOOTENAY DISTRICT PLAN 2354 EXCEPT PART INCLUDED IN PLAN 9577 (PID: 015-332-799) for a period of three (3) years.

**9.2.5 UBCM Complete Communities Program**

439 - 442

The Board Report dated September 27, 2023 from Dana Hawkins, Planner, seeking Board approval to apply for the UBCM Complete Communities Program, has been received.

**RECOMMENDATION:**  
(ALL VOTE)

That the Board direct staff to apply to the UBCM Complete Communities Program for growth management planning.

**9.2.6 Youth Climate Corps: Fire to Food Project**

443 - 448

The Board Report dated September 12, 2023 from Paris Marshall Smith, Sustainability Planner, seeking the Board provide a letter of

support to the Rural Economic Diversification and Infrastructure Program for the Fire to Food Youth Climate Corps - Wildsight project, has been received.

**RECOMMENDATION:**

(ALL VOTE WGT)

That the Board provide a letter of support to the Rural Economic Diversification & Infrastructure Program (REDIP) for the Fire to Food Youth Climate Corps-Wildsight project with in-kind support up to \$58,000 for training in each of the departments and oversight of development and delivery of the program.

**9.2.7 Regional Energy Efficiency Program (REEP): Bridge Funding Application**

449 - 452

The Board Report dated September 28, 2023 from Shari Imada, Senior Energy Specialist, seeking the Board applying for the Regional Energy Efficiency Program, has been received.

**RECOMMENDATION:**

(ALL VOTE WGT)

That the Board direct staff to apply to the FortisBC Conservation and Energy Management program for the Regional Energy Efficiency Program;

AND FURTHER, that staff be authorized to enter into a funding agreement with FortisBC should the RDCK be awarded the grant;

AND FURTHER, that the Board approve an amendment to the 2023 Financial Plan for Development Services A108, to increase account 43025 Grants Specified by \$25,000 and to increase Contracted Services 54030 by \$25,000.

**9.2.8 For Information: Greater Nelson Housing Entity Study - Phase 2**

453 - 481

The Board Report dated October 4, 2023 from Stephanie Johnson, Planner, providing the Board the results of the Greater Nelson Housing Study Phase Two, has been received for information.

**9.3 ENVIRONMENTAL SERVICES**

**9.3.1 Policy 600-08-06: Water and Wastewater System Community Advisory Committee**

482 - 579

The Regional District of Central Kootenay Drainage, Water and Wastewater System Community Advisory Committee Bylaw No. 2858, 2023 was adopted February 16, 2023, has been received for information.

The Policy No. 600-08-06 Water and Wastewater System Community Advisory Committee, has been received for information.

**NOTE:** The Board Report dated November 5, 2020 from Mike Morrison, Manager of Corporate Administration, re: Commission Governance Review, has been received for information.

**RECOMMENDATION:**

(ALL VOTE)

That the Board rescind Policy No. 600-03-05 Water and Wastewater System Community Advisory Committee, effective immediately.

**9.3.2 Agreement: Wildsight 2022/2023 Final Report and Proposal**

580 - 611

The Board Report dated August 9, 2023 from Todd Johnston, Environmental Services Coordinator, seeking the Board approve entering into a contract with Wildsight for the delivery of "Beyond Recycling", has been received.

**RECOMMENDATION:**

(ALL VOTE WGT)

That the Board approve the RDCK enter into a one year contract with Wildsight for the delivery of the "Beyond Recycling" Program (five subsidized programs) for the 2023/2024 school year and that the contract include the option for a two year extension with a cost not to exceed \$27,640 plus applicable taxes and that the contract be funded by Service A102; AND FURTHER, that the Chair and Corporate Officer be authorized to sign the necessary documents.

**9.4 FINANCE & ADMINISTRATION**

**9.4.1 Memorandum of Understanding: West Kootenay Transit Three (3) Year Improvements**

612 - 624

The Board Report dated October 11, 2023 from Tom Dool, Research Analyst, seeking the Board approve entering into a memorandum of understanding with B.C. Transit, has been received.

**RECOMMENDATION:**

(ALL VOTE WGT)

That the Board approve of the RDCK entering into a memorandum of understanding with BC Transit for the purpose of confirming transit service expansion plans for 2024/25 and to approve transit expansion priorities for the subsequent two years, and that the Chair and Corporate Officer be authorized to sign the necessary documents; and further, the costs associated with memorandum of understanding be included in the 5 year financial Plans for Castlegar and Area Transit Service S237, North Shore Slocan Valley Transit Service S238, Kootenay Lake West Transit S239.



**9.4.2 For Information: 2023 UBCM Meeting Notes**

625 - 629

The memorandum from Mike Morrison, Manager of Corporate Administration, providing the Board with the 2023 UBCM meeting notes, has been received.

**9.5 FIRE SERVICES**

**9.5.1 UBCM Community Emergency Preparedness Fund**

630 - 632

The Board Report dated October 5, 2023 from Nora Hannon, Regional Fire Chief, seeking Board approval to apply to the UBCM Community Emergency Preparedness Fund under the Volunteer & Composite Fire Department Training & Equipment Stream, has been received.

**RECOMMENDATION:**

(ALL VOTE WGT)

That the Board direct staff to apply to the October, 2023 UBCM Community Emergency Preparedness Fund intake for Volunteer and Composite Fire Departments, with a \$30,000 per fire hall grant application totalling \$480,000 for each of Robson, Ootischenia, Tarrys, Pass Creek, Crescent Valley, Passmore, Winlaw, Slocan, Beasley, Blewett, Ymir, Yahk Kingsgate, Riondel, North Shore, Balfour Harrop and Kaslo fire departments;

AND FURTHER, that if successful the grant funding to be allocated S101 Rural Administration Fire Services budget, and that staff proceed with the hiring of up to two, one year, full time training positions, contract training, purchase of equipment and the construction of training props.

**9.5.2 Change Order Award: Ootischenia Fire Hall Bay Addition**

633 - 636

The Board Report dated Jeannine Bradley, Project Manager, seeking the Board award the change order for the Ootischenia Fire Hall Bay addition, has been received.

**NOTE:** Item 9.5.2 will need to be addressed after Item 10 Rural Affairs Committee.

**RECOMMENDATION:**

(ALL VOTE WGT)

That the Board award a change order to extend the CCDC2 Stipulated Price Contract with NDB Construction Ltd. for construction services of a vehicle bay expansion at the Ootischenia Fire Hall for the period up to August 31, 2024, and that the Chair and Corporate Officer be authorized to sign the necessary documents to a maximum value of \$275,403.00 plus GST, increasing the total contract value to \$487,832.00 plus GST; AND FURTHER, that the cost be included in the 2023 and 2024

**9.5.3 For Information: Ootischenia and Robson Fire Chief**

In accordance with Regional District of Central Kootenay Volunteer Fire Service Regulation Bylaw No. 2769, 2023 Section 6 (3)(d), Regional Fire Chief Nora Hannon has appointed Jeff Grant as the Fire Chief of the Ootischenia and Robson Volunteer Fire Department.

**9.6 GRANTS**

**9.6.1 Discretionary**

637 - 645

**RECOMMENDATION:**

(ALL VOTE)

Discretionary grants out of the funds available for the following Electoral Areas/Member Municipalities be approved as designated:

**AREA A**

Creston Valley Quilters' Guild	Rental and Insurance Costs	\$750
Creston Valley Hospice Society	Creston Valley Hospice Society Volunteer Dinner	\$500

**AREA B**

Creston Valley Hospice Society	Creston Valley Hospice Society Volunteer Dinner	\$500
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**AREA C**

Creston Valley Hospice Society	Creston Valley Hospice Society Volunteer Dinner	\$500
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**AREA E**

Procter-Harrop Seniors Association BR118	Christmas Dinner	\$300
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**AREA F**

Nelson Skating Club	West Kootenay Invitational (figure skating competition)	\$500
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**AREA I**

Nelson Skating Club	West Kootenay Invitational (figure skating competition)	\$250
Glade Community Hall	Glade Community Hall 2023 Operations	\$2,000

Kootenay Boundary Regional Hospital & Health Foundation Society	Light-Up the Hospitals! Pledge Day	\$1,000
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**9.6.2 Community Development**

646 - 659

**RECOMMENDATION:**  
(ALL VOTE)

Community Development grants out of the funds available for the following Electoral Areas/Member Municipalities be approved as designated:

<b><u>AREA D</u></b>		
Lardeau Valley Opportunity LINKS Society	Community Generators	\$20,000
Argenta Community Association	ACA Emergency & Communications	\$2,320
<b><u>AREA E</u></b>		
Balfour Recreation Commission	Balfour Childcare Feasibility Study	\$24,500
<b><u>AREA F</u></b>		
Corazon Vocal Ensemble	Bridges Festival, Edmonton AB	\$600
<b><u>AREA H</u></b>		
Slocan Lake Arts Council	Winterfest	\$2,000
Slocan Park Community Hall Society	Slocan Park Hall Community Ice Rink	\$1,200
<b><u>AREA I</u></b>		
Kootenay Gallery of Art, History and Science Society	Dinner for the Cultured Soul 2023	\$1,500
Castlegar & District Chamber of Commerce	Business Awards 2023	\$500
RDCK S137 Fire Protection-Area I (Tarrys, Pass Creek)	Tarrys Fire Department - Firefighter Years of Recognition Gifts	\$1,500
<b><u>AREA J</u></b>		
Deer Park and Area Communication Society	Lease fees, liability insurance, etc.	\$4,042.24
<b><u>AREA K</u></b>		
Burton Community Association	Revitalizing Burton Historical Cemeteries	\$1,291.50
The Corporation of The Village Of New Denver	Wildsafe BC community program	\$1,000

2023

**SALMO**

Village of Salmo

Wastewater

Treatment Plant Flo \$13,000  
Meter

**9.7 CHAIR/CAO REPORTS**

660 - 665

The Chair and CAO will provide a verbal report to the Board.

**10. RURAL AFFAIRS COMMITTEE**

666 - 674

**RECOMMENDATION:**

(ALL VOTE)

**Rural Affairs Committee - Item 6.1**

**Cancel - Building Bylaw Contravention - Piuze  
Electoral Area E**

1. That the Corporate Officer be authorized to remove the Notice on Title relating to 2206 South Sheppard Road, Electoral Area E, currently owned by Matt Piuze, property legally described as LOT 1, DISTRICT LOT 304, KOOTENAY DISTRICT, PLAN 12530, the RDCK Building Department has confirmed that has confirmed that a building permit has been obtained and the deficiencies associated with the construction have been rectified.

**RECOMMENDATION:**

(ALL VOTE)

**Rural Affairs Committee - Item 6.2**

**Building Bylaw Contravention - Nature's Gallery Limited - Manufactured Home  
Electoral Area G**

2. That the Corporate Officer of the Regional District of Central Kootenay be directed to file a Notice with the Land Title and Survey Authority of British Columbia, stating that a resolution has been made under Section 57 of the Community Charter by the Regional District Board relating to land at 3838 Highway 3B, Electoral Area G, and legally described as LOT 2, PLAN NEP13779, DISTRICT LOT 1237, KOOTENAY LAND DISTRICT MANUFACTURED HOME REG. # 98880., and further, if an active Building permit or Building application is in place, that it be cancelled; and finally, that information respecting the resolution may be inspected at the office of the Regional District of Central Kootenay on normal working days during regular office hours.

**RECOMMENDATION:**

(ALL VOTE)

**Rural Affairs Committee - Item 6.3**

**Building Bylaw Contravention - Nature's Gallery Limited - Two Accessory Buildings  
Electoral Area G**

3. That the Corporate Officer of the Regional District of Central Kootenay be directed to file a Notice with the Land Title and Survey Authority of British Columbia, stating that a resolution has been made under Section 57 of the

Community Charter by the Regional District Board relating to land at 3838 Highway 3B, Electoral Area G, and legally described as LOT 2, PLAN NEP13779, DISTRICT LOT 1237, KOOTENAY LAND DISTRICT MANUFACTURED HOME REG. # 98880., and further, if an active Building permit or Building application is in place, that it be cancelled; and finally, that information respecting the resolution may be inspected at the office of the Regional District of Central Kootenay on normal working days during regular office hours.

**RECOMMENDATION:**

(ALL VOTE)

**Rural Affairs Committee - Item 6.4**

**Building Bylaw Contravention - Dombrowski**

**Electoral Area I**

4. That the Corporate Officer of the Regional District of Central Kootenay be directed to file a Notice with the Land Title and Survey Authority of British Columbia, stating that a resolution has been made under Section 57 of the Community Charter by the Regional District Board relating to land at 1696 Pass Creek Road, Electoral Area I, and legally described as LOT E, PLAN NEP2116, DISTRICT LOT 7455, KOOTENAY LAND DISTRICT FOR MHR #4937 SEE 709-08960.001, and further, if an active Building permit or Building application is in place, that it be cancelled; and finally, that information respecting the resolution may be inspected at the office of the Regional District of Central Kootenay on normal working days during regular office hours.

**RECOMMENDATION:**

(ALL VOTE)

**Rural Affairs Committee - Item 6.5**

**Bylaw Amendment and Development Variance Permit - Hallam & Pejski**

**Electoral Area J**

5. That Regional District of Central Kootenay Zoning Amendment Bylaw No. 2872, 2023 being a bylaw to amend the Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004 is hereby given FIRST and SECOND reading by content and referred to a PUBLIC HEARING.

**RECOMMENDATION:**

(ALL VOTE)

**Rural Affairs Committee - Item 6.5**

**Bylaw Amendment and Development Variance Permit - Hallam & Pejski**

**Electoral Area J**

6. That in accordance with Regional District of Central Kootenay Planning Procedures and Fees Bylaw No. 2457, 2015, Electoral Area J Director Henny Hanegraaf is hereby delegated the authority to chair the Public Hearing on behalf of the Regional District Board.

**RECOMMENDATION:**

(ALL VOTE WGT)

**Rural Affairs Committee - Item 6.6**

**Unightly Property Bylaw No. 1687, 2004 - Remedial Action Requirement -**

**Sheremeto  
Electoral Area K**

7. The Regional Board order Joseph D. Sheremeto to meet compliance with the Unsightly Property Bylaw No. 1687, 2004 within thirty (30) days, as per the Community Charter. If the work is not completed within the thirty (30) day timeline, the Board authorize Bylaw Enforcement Officers and their Agents to enter onto the property located at 221 Maple Street, Electoral Area K and legally described as LOT 23, PLAN NEP6172, DISTRICT LOT 9156, KOOTENAY LAND DISTRICT, PID 014-220-989 with a contractor to remove all offending matter such as rubbish, garbage, bottles, building materials, broken glass or other discarded materials or unwholesome materials or ashes, not properly stored or piled in a neat and organized manner, as well as all or part of any machinery such as a tractor, backhoe or similar construction equipment, or equipment which is not capable of performing the task it was originally intended to perform, all wrecked vehicles; and demolish any structure deemed unsafe with all cost incurred by the RDCK being billed to the owner of the property, identified as Mr. Joseph D. Sheremeto; AND FURTHER, the interim costs be paid from Rural Administration Service S101.

**RECOMMENDATION:**

(ALL VOTE WGT)

**Rural Affairs Committee - Item 6.6**

**Unsightly Property Bylaw No. 1687, 2004 - Remedial Action Requirement - Sheremeto  
Electoral Area K**

8. All cost incurred be added to the property tax as “taxes in arrears” should the property owner identified as Joseph D. Sheremeto not pay the bill by December 31st of the year the cleanup occurs at the property located at 221 Maple Street, Electoral Area K and legally described LOT 23, PLAN NEP6172, DISTRICT LOT 9156, KOOTENAY LAND DISTRICT, PID 014-220-989.

**RECOMMENDATION:**

(ALL VOTE)

**Rural Affairs Committee - Item 8.1**

**Community Works Fund Application - Ootischenia Fire Hall  
Electoral Area J**

9. That the Community Works Fund application submitted by the Regional District of Central Kootenay for the project titled “Ootischenia Fire Hall Bay Addition” in the amount of \$413,377.82 be approved and that funds be disbursed from Community Works Funds allocated to Electoral Area J.

**11. DIRECTORS' MOTIONS**

**11.1 Director Graham: Service Case Analysis - Whitewater Ski Resort expand Fire Service**

**RECOMMENDATION:**

(ALL VOTE)

That the Board direct staff to prepare service case analysis to explore possibilities of providing fire protection/response to Whitewater Ski Resort, including but not limited to expanding the RDCK fire service and options for the resort to establish its own water source and self protection options.

**11.2 Director Popoff: Meal Allowance**

**NOTE:** Click on the link to the CRA Meal Allowance

<https://www.canada.ca/en/revenue-agency/corporate/about-canada-revenue-agency-cra/travel-directive/appendix-b-meals-allowances-april-2023.html>

**RECOMMENDATION:**

(ALL VOTE)

That staff be directed to prepare an amendment to the Chair, Directors and Alternate Directors Remuneration Bylaw No. 2710, 2021 to amend the expense for meals not covered by stipend amount to reflect the annual approved Canada Revenue Agency allowances for meals, and that the bylaw reflect that the meal allowances will be updated annually for any change to the CRA allowances.

**12. PUBLIC TIME**

The Chair will call for questions from the public and members of the media at 11:45 a.m.

**13. IN CAMERA**

**13.1 RESOLUTION - MEETING CLOSED TO THE PUBLIC**

The Open meeting will be adjourned after In Camera without reconvening back into the open session unless there is business that needs to be addressed.

**RECOMMENDATION:**

(ALL VOTE)

In the opinion of the Board - and in accordance with Section 90 of the *Community Charter* - the public interest so requires that persons other than DIRECTORS, ALTERNATE DIRECTORS, DELEGATIONS AND STAFF be excluded from the meeting; AND FURTHER, in accordance with Section 90 of the *Community Charter*, the meeting is to be closed on the bases identified in the following subsections:

- (c) labour relations or other employee relations;
- (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- (g) litigation or potential litigation affecting the municipality;
- (i) the receipt of advice that is subject to solicitor-client privilege,

including communications necessary for that purpose;  
(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;  
(n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2);

**13.2 RESOLUTION - RECESS OF OPEN MEETING**

**RECOMMENDATION:**

(ALL VOTE)

The Open Meeting be recessed at \_\_\_\_\_ a.m./ p.m. in order to conduct the *In Camera* Board meeting and reconvened at \_\_\_\_\_ a.m./p.m.

**14. MATTERS ARISING FROM IN CAMERA MEETING**

**15. ADJOURNMENT**

**RECOMMENDATION:**

(ALL VOTE)

That the meeting adjourn at \_\_\_\_ p.m.





**Regional District of Central Kootenay  
REGULAR BOARD MEETING  
Open Meeting Minutes**

The **ninth** meeting of the Board of the Regional District of Central Kootenay in 2023 was held on Thursday, September 14, 2023 at 9:00 a.m. through a hybrid meeting model.

Quorum was maintained throughout the meeting.

**ELECTED OFFICIALS**

**PRESENT:**

Chair A. Watson	Electoral Area D	In-Person
Director G. Jackman	Electoral Area A	In-Person
Director R. Tierney	Electoral Area B	In-Person
Director K. Vandenberghe	Electoral Area C	In-Person
Director C. Graham	Electoral Area E	In-Person
Director T. Newell	Electoral Area F	In-Person
Director H. Cunningham	Electoral Area G	In-Person
Director W. Popoff	Electoral Area H	In-Person
Director A. Davidoff	Electoral Area I	
Director R. Smith	Electoral Area J	In-Person
Director T. Weatherhead	Electoral Area K	In-Person
Director M. McFaddin	City of Castlegar	In-Person
Director A. Deboon	Town of Creston	In-Person
Director R. Lang	Village of Kaslo	(a.m.)
Director H. Hewat	Village of Kaslo	(p.m.)
Director A. McLaren-Caux	Village of Nakusp	In-Person
Director K. Page	City of Nelson	In-Person
Director J. Fyke	Village of New Denver	
Director D. Lockwood	Village of Salmo	In-Person
Director C. Ferguson	Village of Silverton	In-Person
Director E. Buller	Village of Slocan	

**ABSENT DIRECTOR**

Director H. Hanegraaf	Electoral Area J
Director L. Casley	Village of New Denver
Director J. Lunn	Village of Slocan

**STAFF PRESENT**

S. Horn	Chief Administrative Officer
M. Morrison	Manager of Corporate Administration/ Corporate Officer
A. Lund	Deputy Corporate Officer
U. Wolf	General Manager of Environmental Services
J. Chirico	General Manager of Community Services
S. Sudan	General Manager of Development and Community Sustainability Services
D. Seguin	Manager of Community Sustainability Services
C. Saarie-Heckley	Human Resources Manager
T. Davison	Regional Manager – Recreation & Client Services
J. Dupuis	Bylaw Enforcement Supervisor
A. Evenson	Senior Project Manager
C. Daoust	Bylaw Enforcement Officer

P. Marshall-Smith	Sustainability Planner
C. Scott	Planner
C. Hopkyns	Corporate Administration Coordinator
D. Elliott	Communications Coordinator
T. Dool	Research Analyst

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**1. WEBEX REMOTE MEETING INFO**

To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings in-person or remote (hybrid model).

**Meeting Time:**

9:00 a.m. PST/MST

**Join by Video:**

<https://nelsonho.webex.com/nelsonho/j.php?MTID=m99513c324396f3ab21d0db9eac42134b>

**Join by Phone:**

1-844-426-4405 Canada Toll Free

+1-604-449-3026 Canada Toll (Vancouver)

**Meeting Number (access code):** 2772 489 0948

**Meeting Password:** DiBk5r2Mpu2

**In-Person Location:**

Boardroom - 202 Lakeside Drive Nelson, BC

**2. CALL TO ORDER & WELCOME**

**2.1 TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT**

We acknowledge and respect the indigenous peoples within whose traditional lands we are meeting today.

**2.2 ADOPTION OF THE AGENDA**

Moved and seconded,

And Resolved:

543/23

The agenda for the September 14, 2023 Regular Open Board meeting be adopted with the following:

- inclusion of Item 4.2.3 Creston Valley Services Committee: minutes September 7, 2023;
- inclusions of Item 4.4.5 Director Watson: September Activities and Climate Action Plan Questions;
- inclusion to Item 8.7 Chair/CAO Report a written report from the Chair regarding Climate Action Plan FAQs; and
- the addition of the addendum

before circulation.

**Carried**

**2.3 ADOPTION OF THE MINUTES**

Moved and seconded,

And Resolved:

544/23

The minutes from the August 17, 2023 Regular Open Board meeting be adopted as circulated.

Carried

**3. BUSINESS ARISING OUT OF THE MINUTES**

**3.1 Bylaw 2908: Building Amendment**

Staff is requesting to bring the Building Bylaw No. 2908, 2023 to the October 19, 2023 Board meeting to allow for more time for consultation with the municipalities.

**3.2 The letter dated July 24, 2023 from Suzanne Denbak, Cadence Resort Marketing Inc., seeking a letter of support indicating the RDCK's continued endorsement of the 2% Municipal and Regional District Tax in Areas H and K.**

Moved and seconded,  
And Resolved:

545/23

That the Board send a letter of support to the Arrow Slokan Tourism Association for the Municipal Regional District Tax Program application.

Carried

**4. COMMITTEES & COMMISSIONS**

**4.1 FOR INFORMATION**

Committee/Commission Reports for information have been received as follows:

**4.1.1 Riondel Commission: minutes August 1, 2023**

Staff has received the recommendation for the cost of the security cameras for the Riondel Community Centre.

**4.1.2 Area J Advisory Planning and Heritage Commission: minutes August 2, 2023**

Staff has received the recommendations to support the zoning bylaw amendment and development variance permit application.

**4.1.3 Area A Economic Development Commission: minutes August 14, 2023**

**4.1.4 Area I Advisory Planning and Heritage Commission: minutes August 21, 2023**

**4.1.5 South Slokan Commission of Management: minutes August 29, 2023**

**4.1.6 Nelson and District Recreation Commission No. 5: minutes August 30, 2023**

**4.1.7 Rosebery Parklands and Trails Commission: minutes August 30, 2023**

**4.2 WITH RECOMMENDATIONS**

**4.2.1 Area A Recreation Commission No. 9: minutes August 31, 2023**

Moved and seconded,  
And Resolved:

546/23

That the Board approve the payment of the following grants from the Electoral Area A Recreation Commission No. 9 Service No. S232 2023 budget:

South Kootenay Lake Community Services Society – Commercial Liability Insurance	\$1,341
Riondel & District Curling Club - Insurance	\$1,627
Boswell Memorial Hall Society – Hatha Yoga	\$1,522
Kootenay Lake East Shore Men’s Shed Society – Laptop for CNC Machine	\$951
Boswell and District Farmers’ Institute – Liability Insurance for Boswell Boat Launch and Mackie Park	\$1,689
East Shore Trail and Bike Association – Special Risk Liability Insurance	\$2,352
South Kootenay Lake Community Service Society –	

Fitness Centre Operating Liability Insurance	\$1,027
South Kootenay Lake Community Service Society – Riondel Halloween	\$776
South Kootenay Lake Community Service Society – Commercial Liability Insurance	\$959
South Kootenay Lake Community Services Society – East Shore Junior Squad	\$1,543
South Kootenay Lake Community Services Society – Directors Liability Insurance	\$780
South Kootenay Lake Art Connect Society	\$1,427
	<b>Carried</b>

**4.2.2 Joint Resource Recovery Committee: minutes September 13, 2023**

Moved and seconded,  
And Resolved:

547/23

That the Board approve the RDCK enter into a Memorandum of Understanding with the Regional District of Kootenay Boundary (RDKB) which outlines the responsibilities and expectations of the two parties in regards to the delivery and receiving of organic waste originating within the RDKB.

**Carried**

Moved and seconded,  
And Resolved:

548/23

That the Board approve the RDCK enter into a Services Agreement with Andex Sales & Rentals Ltd. for the supply & maintenance of portable toilets with sinks at various Resource Recovery Facilities for a period of 3 years at 3-year contract value of approximately \$152,257 including GST (subject to annual adjustments for inflation);

AND FURTHER, that the Chair and Corporate Officer be authorized to sign the necessary documents;

AND FURTHER, that the costs be paid from:

- Service S186 East Sub-Region Resource Recovery Service of approximately \$47,796;
- Service S187 Central Sub-Region Resource Recovery Service not to exceed \$43,496; and
- Service S188 West Sub-Region Resource Recovery Service of approximately \$60,964.

**Carried**

Moved and seconded,  
And Resolved:

549/23

That the Regional District of Central Kootenay Resource Recovery Facilities Regulatory Amendment Bylaw No. 2926, 2023 be read a FIRST, SECOND, and THIRD time by content.

**Carried**

Moved and seconded,  
And Resolved:

550/23 That the Regional District of Central Kootenay Resource Recovery Facilities Regulatory Amendment Bylaw No. 2926, 2023 be ADOPTED and the Chair and Corporate Officer be authorized to sign the same.

**Carried**

**4.2.3 Creston Valley Services Committee: minutes September 7, 2023**

Moved and seconded,  
And Resolved:

551/23 That the Board authorize the Corporate Officer to sign the Creston Valley Transit three (3) Year Transit Expansion Memorandum of Understanding (MOU) with BC Transit for the purpose of confirming transit service expansion plans for 2024/25 and to approve transit expansion priorities for the subsequent two years; AND FURTHER, that the costs associated with MOU be included the 5 Year Financial Plan.

**Carried**

**4.3 MEMBERSHIP**

**4.3.1 Creston Valley Community Forest**

Moved and seconded,  
And Resolved:

552/23 That the Board appoint the following individuals to the Creston Valley Community Forest Board for a term to end December 31, 2026:

John Chisamore

**Carried**

Moved and seconded,  
And Resolved:

553/23 That Item 4.4 Directors' Reports be postponed to after Item 12 In Camera, with Item 5 Correspondence considered at this time.

**Carried**

**5. CORRESPONDENCE**

**5.1 The email dated August 16, 2023 from Monika Laube, Ministry of Public Safety and Solicitor General, seeking feedback about increasing BC licence cap for Cannabis and Producer Retail Store Licensees.**

**5.2 The email dated August 16, 2023 from Monika Laube, Ministry of Public Safety and Solicitor General, providing a proposed regulatory amendment for temporary relocation for liquor retailers in BC.**

**5.3 The letter dated August 23, 2023 from Michael Zimmer, Okanagan Nation Alliance, seeking Board support for the Columbia River salmon reintroduction efforts.**

Moved and seconded,  
And Resolved:

554/23 That the Board send a letter of support to the Okanagan Nation Alliance for the Columbia River salmon reintroduction efforts.

**Carried**

- 5.4 The email dated September 5, 2023 from Martin Suchy, International Kootenay Lake Board of Control, inviting the Board to attend a public meeting on the Kootenay Lake and Corra Linn Dam operations.

<https://ijc.org/en/klbc/new-kootenay-lake-visualization-tool-helps-understand-water-levels>

6. **FOR INFORMATION: ACCOUNTS PAYABLE**

The Accounts Payable Summary for August 2023 in the amount of \$7,095,531 has been received for information.

7. **BYLAWS**

7.1 **Bylaw 2810: Alternate Approval Process (AAP) Regional District of Central Kootenay Local Conservation Fund Service Establishment Amendment (Area F)**

Moved and seconded,  
And Resolved:

555/23

That the Regional District of Central Kootenay Local Conservation Fund Services Establishment Amendment (Area F) Bylaw No. 2810, 2022 be ADOPTED and the Chair and Corporate Officer be authorized to sign the same.

**Carried**

7.2 **Bylaw 2904: Regional Accessibility Advisory Committee**

Moved and seconded,  
And Resolved:

556/23

That the Regional Accessibility Advisory Committee Bylaw No. 2904, 2023 be read a THIRD time by content.

**Carried**

Moved and seconded,  
And Resolved:

557/23

That the Regional Accessibility Advisory Committee Bylaw No. 2904, 2023 be ADOPTED and the Chair and Corporate Officer be authorized to sign the same.

**Carried**

**Municipal Appointment**

Directors A. DeBoon and A. McLaren-Caux were nominated.

The Directors were provided the opportunity to speak.

Corporate Officer (CO) distributed the secret ballots.

CAO Horn and Deputy Corporate Officer (DCO) Lund received the electronic votes.

CAO Horn and CO Morrison left the room to count the ballots.

CAO Horn announced Director A. DeBoon as the representative for the RDCK Municipalities.

**Electoral Area Appointment**

Directors K. Vandenberg and A. Davidoff were nominated.

The Directors were provided the opportunity to speak.

Corporate Officer (CO) distributed the secret ballots.

CAO Horn and Deputy Corporate Officer (DCO) Lund received the electronic votes.

CAO Horn and CO Morrison left the room to count the ballots.

CAO Horn announced Director A. Davidoff as the representative for the RDCK Electoral Areas.

Moved and seconded,  
And Resolved:

558/23

That the Board appoint the following Directors to the Regional Accessibility Advisory Committee for the term to end December 31, 2024:

Director Davidoff (rural)  
Director DeBoon (municipal)

**Carried**

Moved and seconded,  
And Resolved:

559/23

That the ballots for the Regional Accessibility Advisory Committee appointments to be destroyed.

**Carried**

### **7.3 Bylaw 2909: West Transit Services Committee**

The Board Report dated August 30, 2023 from Tom Dool, Research Analyst, seeking the Board adopt the West Transit Services Committee Bylaw No. 2909, has been received.

Moved and seconded,  
And Resolved:

560/23

That the West Transit Services Committee Bylaw No. 2909, 2023 be read a FIRST, SECOND, and THIRD time by content.

**Carried**

Moved and seconded,  
And Resolved:

561/23

That the West Transit Services Committee Bylaw No. 2909, 2023 be ADOPTED and the Chair and Corporate Officer be authorized to sign the same.

**Carried**

Moved and seconded,  
And Resolved:

562/23

That the inaugural meeting of the West Transit Service Committee be held from 1:00 p.m. on Wednesday, October 4, 2023 at 202 Lakeside Drive in Nelson, BC.

**Carried**

### **7.4 Bylaw 2911: Regional District of Central Kootenay Election and Assent Voting Amendment**

The Board Report dated August 30, 2023 from Tom Dool, Research Analyst, seeking Board adopt the Regional District of Central Kootenay Election and Assent Voting Amendment Bylaw No. 2911, has been received.

Moved and seconded,  
And Resolved:

563/23 That the Regional District of Central Kootenay Election and Assent Voting Amendment Bylaw No. 2911, 2023 be read a FIRST, SECOND, and THIRD time by content.

**Carried**

Moved and seconded,  
And Resolved:

564/23 That the Regional District of Central Kootenay Election and Assent Voting Amendment Bylaw No. 2911, 2023 be ADOPTED and the Chair and Corporate Officer be authorized to sign the same.

**Carried**

#### **7.5 Bylaw 2917 and 2920: North Shore Fire Protection**

The Board Report dated August 30, 2023 from Tom Dool, Research Analyst, seeking Board give three readings to North Shore Fire Protection Bylaws No. 2920 and 2917, has been received.

Moved and seconded,  
And Resolved:

565/23 That the North Shore (Area F) Fire Protection Local Service Establishment Bylaw No. 2920, 2023 be read a FIRST, SECOND and THIRD time by content.

**Carried**

Moved and seconded,  
And Resolved:

566/23 That North Shore Fire Protection Service Loan Authorization (Frontline Fire Engine) Bylaw No. 2917, 2023 be read a THIRD time by content.

**Carried**

#### **7.6 Bylaw 2921: Permissive Tax Exemption 2024**

The Board Report dated August 30, 2023 from Tom Dool, Research Analyst, providing the Board with the Permissive Tax Exemption Bylaw No. 2921 for review, has been received.

Moved and seconded,  
And Resolved:

567/23 That the Board receive a draft of Permissive Tax Exemption Bylaw No. 2921, 2023 for information and that comments be submitted to staff no later than October 4, 2023.

**Carried**

### **8. NEW BUSINESS**

#### **8.1 COMMUNITY SERVICES**

##### **8.1.1 Award: Parks, Trails and Water Access Strategy**



The Board Report dated August 31, 2023 from Mark Crowe, Park Planner, seeking Board approve the contract award for the Parks, Trails and Water Access Strategy, has been received.

Moved and seconded,  
And Resolved:

568/23

That the Board award the contract for the Parks, Trails and Water Access Strategy to RC Strategies; and that the Chair and Corporate Officer be authorized to sign the necessary documents to a maximum value of \$79,740.60 plus GST; AND FURTHER, that the Board direct staff to fund the Parks, Trails and Water Access Strategy from Service A104.

**Carried**

## **8.2 DEVELOPMENT AND COMMUNITY SUSTAINABILITY**

### **8.2.1 Regional Invasive Species Working Group**

The Board Report dated August 22, 2023 from Paris Marshall Smith, Sustainability Planner, seeking Board appoint two members to the Regional Invasive Species Working Group, has been received.

Moved and seconded,  
And Resolved:

569/23

That the Terms of Reference for the Regional Invasive Species Working Group be received and comments be provide to staff by October 4, 2023.

**Carried**

### **8.2.2 Kootenay Lake Timber Supply Area Review Response**

The Board Report dated July 5, 2023 from Angela French, Wildfire Mitigation Supervisor, seeking Board approval to submit the Kootenay Lake Timber Supply Area Review response to the Ministry of Forests, Lands and Natural Resource Operations, has been received.

**Recess/  
Reconvened**

The meeting recessed at 10:34 a.m. for a break and reconvened at 10:45 a.m.

Moved and seconded,  
And Resolved:

570/23

That the Board direct staff to submit the Kootenay Lake Timber Supply Area Review response, as amended at the September 14, 2023 Open Board meeting, to the Ministry of Forests, Selkirk Resource District; AND FURTHER, as the RDCK Board has not had time for a fulsome review, the RDCK will be sending further comments by October 31, 2023.

**Carried**

## **8.3 ENVIRONMENTAL SERVICES**

### **8.3.1 Award: Fauquier Water System Watermain Replacement - Willow Street and Oak Street**

The Board Report dated August 31, 2023 from AJ Evenson, Senior Project Manager, seeking Board approval to award the contract for the Fauquier Water System Watermain Replacement, has been received.

Moved and seconded,  
And Resolved:

571/23

That the Board award the contract for the Fauquier Water System Watermain Replacement to Speers Construction Inc., and that the Chair and Corporate Officer be authorized to sign the necessary documents to a maximum value of \$349,007.00 plus GST; AND FURTHER, that the funds be drawn from Water-Utility-Def K-Fauquier Service S254.

**Carried**

**8.3.2 Arrow Creek Open Reservoir: Asset Transfer to Town of Creston and SRW**

The Committee Report dated July 20, 2023 from Eileen Senyk, Water Services Liaison, presenting the option to the Water Services Committee to go forward with a land transfer agreement for the former Arrow Creek open reservoir, has been received for information.

Moved and seconded,  
And Resolved:

572/23

That the Board approve the Offer to Purchase Agreement with the Town of Creston for land legally described as Lot 1, District Lot 891, Kootenay District Plan 9964 (See Plan as to Limited Access) PID 013-048-856 in the amount of \$1.00 for the purpose of public green space and wildlife habitat; and that the Chair and Corporate Officer be authorized to sign the necessary documents.

**Carried**

**8.4 FINANCE & ADMINISTRATION**

**8.4.1 Policy 200-04-03: Staff Safety and Harassment**

The Board Report dated August 30, 2023 from Mike Morrison, Manager of Corporate Administration, seeing the Board adopt Policy 200-04-03 Staff Safety and Harassment, has been received.

Moved and seconded,  
And Resolved:

573/23

That the Board adopt Policy Number 200-04-03 Staff Safety and Harassment Policy, effective immediately.

**Carried**

**8.4.2 2023-2026 Draft RDCK Strategic Plan**

The DRAFT RDCK Strategic Plan prepared by Tracey Lorenson, has been received. The Board can elect to adopt the plan as prepared or refer it to staff for further input, either via email from the Board or by way of a further workshop session.

Moved and seconded,  
And Resolved:

574/23

That the Board direct staff to coordinate a workshop for further discussion on the draft 2023-2026 Strategic Plan.

**Carried**

**8.5 FIRE SERVICES**

**8.5.1 Assent Vote: Balfour Harrop (Area E) - Replacing Frontline Engine**

Moved and seconded,  
And Resolved:

575/23

That the resolution 400/23 being:

*That the Board direct staff to prepare a loan authorization bylaw in the amount of \$750,000 to be repaid over 20 years for the purpose of replacing the frontline engine in the Balfour Fire Hall from S141 Fire Protection Area E Balfour Harrop SUBJECT TO staff conducting a public consultation process; AND FURTHER, that voter approval, for the bylaw, be undertaken by means of Assent voting;*

BE RESCINDED.

**Carried**

**8.6 GRANTS**

**8.6.1 Discretionary**

Moved and seconded,  
 And Resolved:

576/23

Discretionary grants out of the funds available for the following Electoral Areas/Member Municipalities be approved as designated:

**AREA A**

Creston Valley Rotary Club	Drive for Rotary Golf Tournament fund raiser	\$500
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**AREA B**

Creston Valley Thunder Cats Junior Hockey Association	Creston Valley Thunder Cats Golf Tournament	\$400
Creston Valley Rotary Club	Drive for Rotary Golf Tournament fund raiser	\$500

**AREA C**

Creston Valley Rotary Club	Drive for Rotary Golf Tournament fund raiser	\$500
Creston Valley Thunder Cats Junior Hockey Association	Creston Valley Thunder Cats Golf Tournament	\$400

**AREA E**

Balfour Senior Citizens Association Branch 120	Hot meals and social functions	\$999
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**AREA G**

Salmo District Arts Council	Tech matching funds	\$570
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**AREA I**

Shoreacres Hall Society	Operation Costs	\$1,000
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**AREA K**

Edgewood Volunteer Fire Department Society	Burn Pile Maintenance	\$500
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**Carried**

**8.6.2 Community Development**

Moved and seconded,  
 And Resolved:

577/23

Community Development grants out of the funds available for the following Electoral Areas/Member Municipalities be approved as designated:

**AREA A**

Friends of Kootenay Lake Stewardship Society	Emergency Operational Support	\$2,000
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**AREA B**

Yahk Allied Horse Club	Equestrian Facility	\$5,000
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**AREA C**

Town of Creston	Creston Valley Health Working Group - recruitment request	\$2,000
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**AREA E**

Balfour Senior Citizens Association Branch 120	Seniors Christmas dinner	\$985
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Nelson Search and Rescue Society	SAREX 2023	\$500
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Procter-Harrop Seniors Association BR118	Acoustic Panels	\$1,846.77
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**AREA F**

Nelson Search and Rescue Society	SAREX 2023	\$500
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**AREA I**

Tarrys and District Community Hall Society	Offset 2023 operational costs	\$2,000
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Pass Creek Community Hall	Pass Creek Community Hall Society Support for 2023 Operations	\$2,000
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Union of Spiritual Communities of Christ	Brilliant Cultural Centre Operation	\$4,500
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Nelson Search and Rescue Society	SAREX 2023	\$500
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**AREA K**

Arrow and Slocan Lakes Community Services	Burton Food Security	\$800
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**SALMO**

The Corporation of the Village of Salmo	Well Pump Motor	\$10,574
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**Carried**

**8.7 CHAIR/CAO REPORTS**

The Chair's Report regarding Question for RDCK and City Councils to Answer before Approving Climate Action Plans, has been received.

Chair Watson provided an overview of the Chair's report and the responses to the emails received regarding the Climate Action Plan. There is discussion around holding a workshop for new Directors regarding the Climate Action Plan.

The 2023 UBCM Convention will be held next week and the ministry meetings for the RDCK have been confirmed and approved.

CAO Horn had no report.

**9. RURAL AFFAIRS COMMITTEE**

The Committee Report dated August 2, 2023 from Jordan Dupuis, Bylaw Enforcement Supervisor, regarding remedial action required for unsightly property - Tessier, has been received.

The Committee Report dated August 30, 2023 from Charmaine Daoust, Bylaw Enforcement Officer, regarding remedial action required for unsightly property - Jia, has been received.

The Committee Report dated August 30, 2023 from Corey Scott, Planner, regarding the letter to Canadian Forest Products Ltd., has been received.

The spelling of Todd Francoeur in the Rural Affairs Committee September 13, 2023 minutes for Item 5 Delegations needs to read "Francoeur" instead of "Fancoeur".

Moved and seconded,  
And Resolved:

- 578/23 That the Board direct staff to provide notification of the Board's intention to consider Temporary Use Permit application T2301B by Oliver Phillip Francoeur for the property located at 5601 Kitchener Road, Electoral Area B and legally described as LOT 2, DISTRICT LOT 4592, KOOTENAY DISTRICT PLAN 2354, EXCEPT PART INCLUDED IN PLAN 9577 (PID: 015-332-799) at the next available opportunity.

**Carried**

Moved and seconded,  
And Resolved:

- 579/23 That the Board APPROVE the issuance of Development Variance Permit V2304B to Tobias Tomas Rempel for the property located at 1016 27th Avenue South, Electoral Area B and legally described as THAT PART OF LOT 2, DISTRICT LOT 812, KOOTENAY DISTRICT PLAN 730B, LYING NORTH OF A LINE WHICH BISECTS THE EASTERLY AND WESTERLY BOUNDARIES OF THE SAID LOT (PID: 016-111-532) to vary Section 23.5 of Rural Creston Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013 in order to permit the maximum depth of the Farm Residential Footprint to be 350 metres from the Front Lot Line whereas the bylaw requires that the maximum depth of the Farm Residential Footprint shall not exceed 60 metres from the Front Lot Line.

SUBJECT TO:

1. The Farm Residential Footprint shall be confined to the northern portion of the lot and be substantially in accordance with "Attachment 'D' - Conceptual Farm Residential Footprint Plan".

**Carried**

Moved and seconded,  
And Resolved:

- 580/23 That the Board APPROVE Strata Title Conversion ST2301E for the property located at 1155 Insight Drive, Electoral Area E and legally described as LOT A, DISTRICT LOT 5665, KOOTENAY DISTRICT PLAN NEP66434, EXCEPT PLAN NEP68359 (PID 024-736-449) for the conversion of the existing building to 16 strata units:

SUBJECT TO:

1. Confirmation of water and wastewater services to the satisfaction of the RDCK and Interior Health Authority.

2. Preparation of a restrictive covenant on title for each proposed Strata Unit in order to notify individual unit owners that the use of the units is limited to those uses approved for the F2 category in the BC Building Code and if other uses are proposed, a building permit would be required and;
3. Preparation of a restrictive covenant on title for each proposed Strata Unit in order to notify individual unit owners that the on-site wastewater system is only designed to accommodate conventional domestic waste and other treatment solutions (e.g. pre-treatment) are required to be installed by the unit owner if commercial or industrial waste/by-products are handled/processed or to be flushed down any of the drains that feed into the shared septic system.

**Carried**

Moved and seconded,  
And Resolved:

- 581/23 That the Corporate Officer be authorized to remove the Notice on Title relating to 1076 Columbia Heights, Robson, Electoral Area J, currently owned by Amber & Henry McLachlan, property legally described as LOT 11, DISTRICT LOT 301A, KOOTENAY DISTRICT, PLAN 2692, the RDCK Building Department has confirmed that a building permit has been obtained and the deficiencies associated with the construction have been rectified.

**Carried**

Moved and seconded,  
And Resolved:

- 582/23 That the Board waive the \$750 Notice on Title fee relating to 1076 Columbia Heights, Robson, Electoral Area J, currently owned by Amber & Henry McLachlan, property legally described as LOT 11, DISTRICT LOT 301A, KOOTENAY DISTRICT, PLAN 2692 due to historical considerations.

**Carried**

Moved and seconded,  
And Resolved:

- 583/23 That the Regional Board approve the inclusion of the Lardeau Valley Museum buildings, identified as having heritage value, be included on the Regional District of Central Kootenay Community Heritage Register, and that pursuant to Section 592 of the Local Government Act, the Regional District of Central Kootenay give notice of this to the owner of the heritage property; and pursuant to Section 595 of the Local Government Act, the Regional District of Central Kootenay must give notice of this to the provincial heritage minister.

**Carried**

Moved and seconded,  
And Resolved:

- 584/23 That the Board APPROVE the issuance of Development Variance Permit V2303K to Helena Ondrysek and Roman Ondrysek for the property located at 209 Kilarney Crescent, Electoral Area K and legally described as LOT 14, DISTRICT LOTS 182A AND 183A KOOTENAY DISTRICT PLAN 6069 (PID: 014-211-149) to vary Division 607 (5) of Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004 in order to permit a total of six (6) persons who are not a resident of the dwelling to be employed in the Home Based Business whereas the bylaw allows a maximum of two (2) persons who are not a resident of the dwelling to be employed in the Home Base Business.

Moved and seconded,  
And Resolved:

- 585/23 The Regional Board order Carl Tessier to meet compliance with the Unsightly Property Bylaw No. 1687, 2004 within thirty (30) days, as per the Community Charter. If the work is not completed within the thirty (30) day timeline, the Board authorize Bylaw Enforcement to enter onto the property located at 1864 Airport Road, Electoral Area G and legally described as, LOT 2, PLAN NEP 14561, DISTRICT LOT 1236, KOOTENAY LAND DISTRICT PID: 009-996-800. with a contractor to remove all offending matter such as rubbish, garbage, bottles, building materials, broken glass or other discarded materials or unwholesome materials or ashes, property not stored or piled in a neat and organized manner, all or part of any machinery such as a tractor, backhoe or similar construction equipment, or equipment which is not capable of performing the task it was originally intended to perform, all wrecked vehicles and demolish any structure deemed unsafe with all cost incurred by the RDCK being billed to the owners of the property, identified as Carl Tessier and Erin Tessier; AND FURTHER, the interim costs be paid from Rural Administration Service S101.

**Carried**

Moved and seconded,  
And Resolved:

- 586/23 All cost incurred be added to the property tax as “taxes in arrears” should the property owners identified as Carl Tessier and Erin Tessier not pay the bill by December 31st of the year the cleanup occurs at the property located at 1864 Airport Road, Electoral Area G and legally described as, LOT 2, PLAN NEP 14561, DISTRICT LOT 1236, KOOTENAY LAND DISTRICT, PID: 009-996-800.

**Carried**

Moved and seconded,  
And Resolved:

- 587/23 The Regional Board order Remedial Action Requirement to Lily Jia to meet compliance with the Unsightly Property Bylaw No. 1687, 2004 within thirty (30) days, as per the Community Charter. If the work is not completed within the thirty (30) day timeline, the Board authorize Bylaw Enforcement to enter onto the property located at 562 Willow Street, Electoral Area K and legally described as LOT 44, PLAN NEP6172, PID: 008- 406-367, DISTRICT LOT 9156800 with a contractor to remove all offending matter such as rubbish, garbage, bottles, building materials, broken glass or other discarded materials or unwholesome materials or ashes, property not stored or piled in a neat and organized manner, all or part of any machinery such as a tractor, backhoe or similar construction equipment, or equipment which is not capable of performing the task it was originally intended to perform, all wrecked vehicles and demolish any structure deemed unsafe with all cost incurred by the RDCK being billed to the owner of the property, identified as Lily Jia; AND FURTHER, the interim costs be paid from Rural Administration Service S101.

**Carried**

Moved and seconded,  
And Resolved:

- 588/23 All cost incurred be added to the property tax as “taxes in arrears” should the property owner identified as Lily Jia not pay the bill by December 31st of the year the cleanup occurs at the property located at 562 Willow Street, Electoral Area K and legally described as LOT 44, PLAN NEP6172, PID: 008-406-367, DISTRICT LOT 9156800.

**Carried**

Moved and seconded,  
And Resolved:

- 589/23 That the Board direct staff to respond to Canadian Forest Products Ltd. regarding "Draft 2023 Forest Stewardship Plan" as described in the Committee Report "Forestry Referral R2335ABC – Canfor Forest Stewardship Plan", dated August 30, 2023.

**Carried**

**ORDER OF AGENDA CHANGED** The Order of Business was changed to address public time, with Item 11 Public Time considered at this time.

**11. PUBLIC TIME**

The Chair called for questions from the public and members of the media at 11:38 a.m.

Members of the public asked questions regarding the HB mine and recovering costs, the Climate Action Plan and recording Directors votes at the Board meeting.

**RECESS/ RECONVENED** The meeting recessed at 11:55 a.m. for lunch and reconvened at 1:00 p.m.

**ORDER OF AGENDA RESUMED** Item 10.1 was considered at this time.

**DIRECTOR ABSENT & PRESENT** Director Lang left the meeting at 11:55 a.m. and Director Hewat joined the meeting at 1:00 p.m.

**10. DIRECTORS' MOTIONS**

**10.1 Director Graham: Recording Votes - RDCK Procedure Bylaw Amendment**

Moved and seconded,  
And Resolved:

- 590/23 That the Board direct staff to prepare an amendment to the RDCK Procedure Bylaw No. 2576, 2019 to include a provision that at the RDCK Board Open meeting Directors "opposed" be recorded in the minutes.

**Defeated**

Moved and seconded,  
And Resolved:

- 591/23 That the Board direct staff to prepare a report with the pros, cons and options to support transparency, including the potential to record those votes that are opposed to motions.

**Carried**

**12. IN CAMERA**

**12.1 RESOLUTION - MEETING CLOSED TO THE PUBLIC**

The Open meeting will be adjourned after In Camera without reconvening back into the open session unless there is business that needs to be addressed.

Moved and seconded,  
And Resolved:



592/23 In the opinion of the Board - and in accordance with Section 90 of the *Community Charter* - the public interest so requires that persons other than DIRECTORS, ALTERNATE DIRECTORS, DELEGATIONS AND STAFF be excluded from the meeting; AND FURTHER, in accordance with Section 90 of the *Community Charter*, the meeting is to be closed on the bases identified in the following subsections:

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (c) labour relations or other employee relations;
- (g) litigation or potential litigation affecting the municipality;
- (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act;
- (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;
- (n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2);

**Carried**

**12.2 RESOLUTION - RECESS OF OPEN MEETING**

Moved and seconded,  
And Resolved:

593/23 The Open Meeting be recessed at 1:37 p.m. in order to conduct the *In Camera* Board meeting and reconvened at 2:51 p.m.

**Carried**

**13. MATTERS ARISING FROM IN CAMERA MEETING**

Moved and seconded,  
And Resolved:

594/23 That the Board approve the RDCK enter into a Funding Agreement with Columbia Basin  
IC55/23 Broadband Corporation in the amount of \$1,663,620 to develop and implement backbone and last mile fibre for areas within Electoral Areas G, H and K, Salmo, Silverton, and New Denver, that the Chair and Corporate Officer be authorized to sign the necessary documents, and that the funding from the RDCK and municipalities be provided to CBBC no later than March 31, 2027.

**Carried**

Moved and seconded,  
And Resolved:

595/23 That the Board appoint Ryan Durand and Tyson Ehlers to the Local Conservation Fund –  
IC57/23 Technical Review Committee for a three-year term ending in December 2025.

**Carried**

**RECESS/  
RECONVENED**

The meeting recessed at 2:51 for a break and reconvened at 2:58 p.m.

**DIRECTOR  
ABSENT**

Director Davidoff left the meeting at 2:54 p.m.

Moved and seconded,  
And Resolved:

596/23 That Item 4.4 Directors' Reports be considered at this time.

**Carried**

**4.4 DIRECTORS' REPORTS**

Moved and seconded,  
And Resolved:

597/23 That Item 4.4 Directors' Reports verbal reports **BE REFERRED** to the October 19, 2023 Board meeting.

**Carried**

**4.4.1 Director Jackman: CBRAC/RCC**

**4.4.2 Director Watson: Letter of Support - JB Fletcher Store Museum**

**4.4.3 Director Graham: Letter of Support - Harrop Procter Community Cooperative**

**4.4.4 Director McLaren-Caux: CKFPC/CRTLGC/RIC-RED-RAC/Activities**

**4.4.5 Director Watson: September Activities and the Climate Action Plan**

**14. ADJOURNMENT**

Moved and seconded,  
And Resolved:

598/23 That the meeting adjourn at 3:01 p.m.

**Carried**

---

Aimee Watson, RDCK Board Chair

---

Angela Lund, Deputy Corporate Officer

# **RDCK Residents Support Local Climate Action**

## Outline

- Introduction
- Climate action imperative
- Local opportunities
- Local support for climate plan





**WEST  
KOOTENAY**  
CLIMATE HUB

# Accelerating climate action in the West Kootenay

We facilitate communication and collaboration among dedicated individuals and our partner organizations.

<https://www.westkootenayclimatehub.ca/>





**WEST  
KOOTENAY**  
CLIMATE HUB



- **23** partner organizations
- **900+** newsletter subscribers
- **Webinar** series
- **Engaging** local government
- **Educational** opportunities





# Climate Action Imperative





# ENVIRONMENTAL RESEARCH LETTERS

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LETTER • OPEN ACCESS

## Greater than 99% consensus on human caused climate change in the peer-reviewed scientific literature

Mark Lynas<sup>4,1</sup>, Benjamin Z Houlton<sup>2</sup> and Simon Perry<sup>3</sup>

Published 19 October 2021 • © 2021 The Author(s). Published by IOP Publishing Ltd

[Environmental Research Letters](#), [Volume 16](#), [Number 11](#)

# The Majority of Area Residents Are Worried About Climate Change

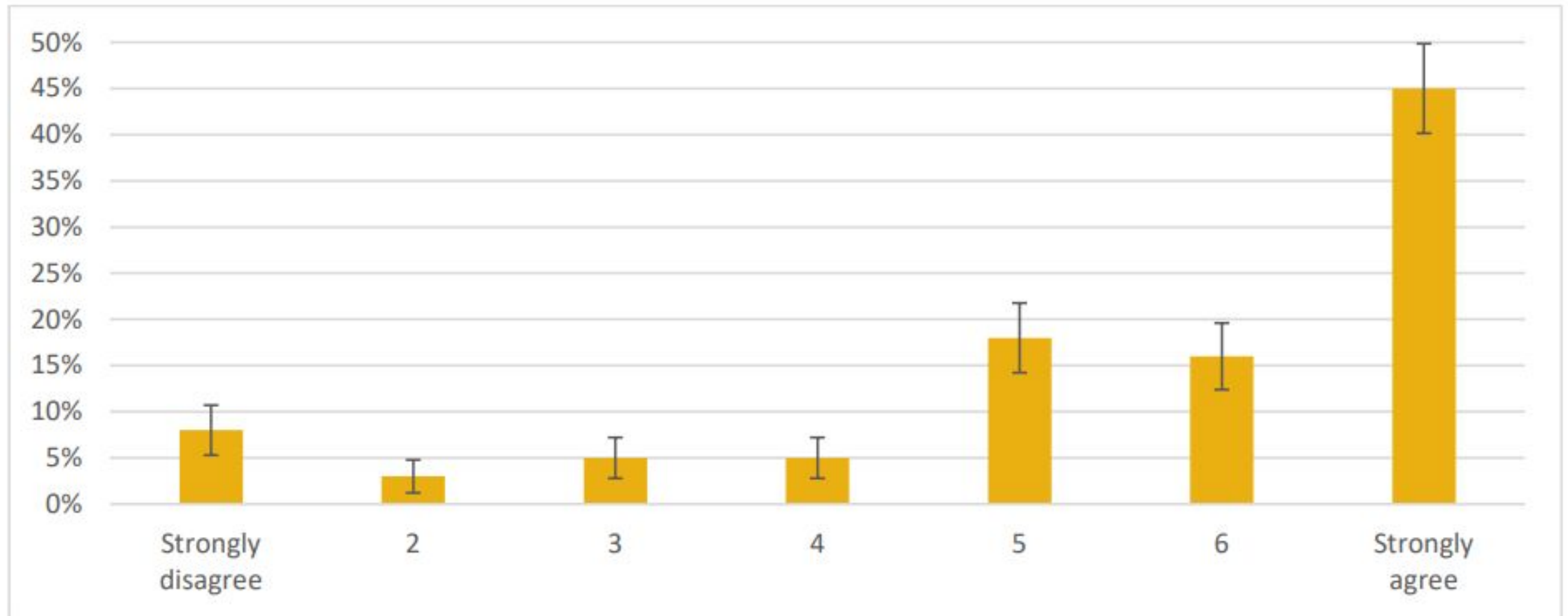
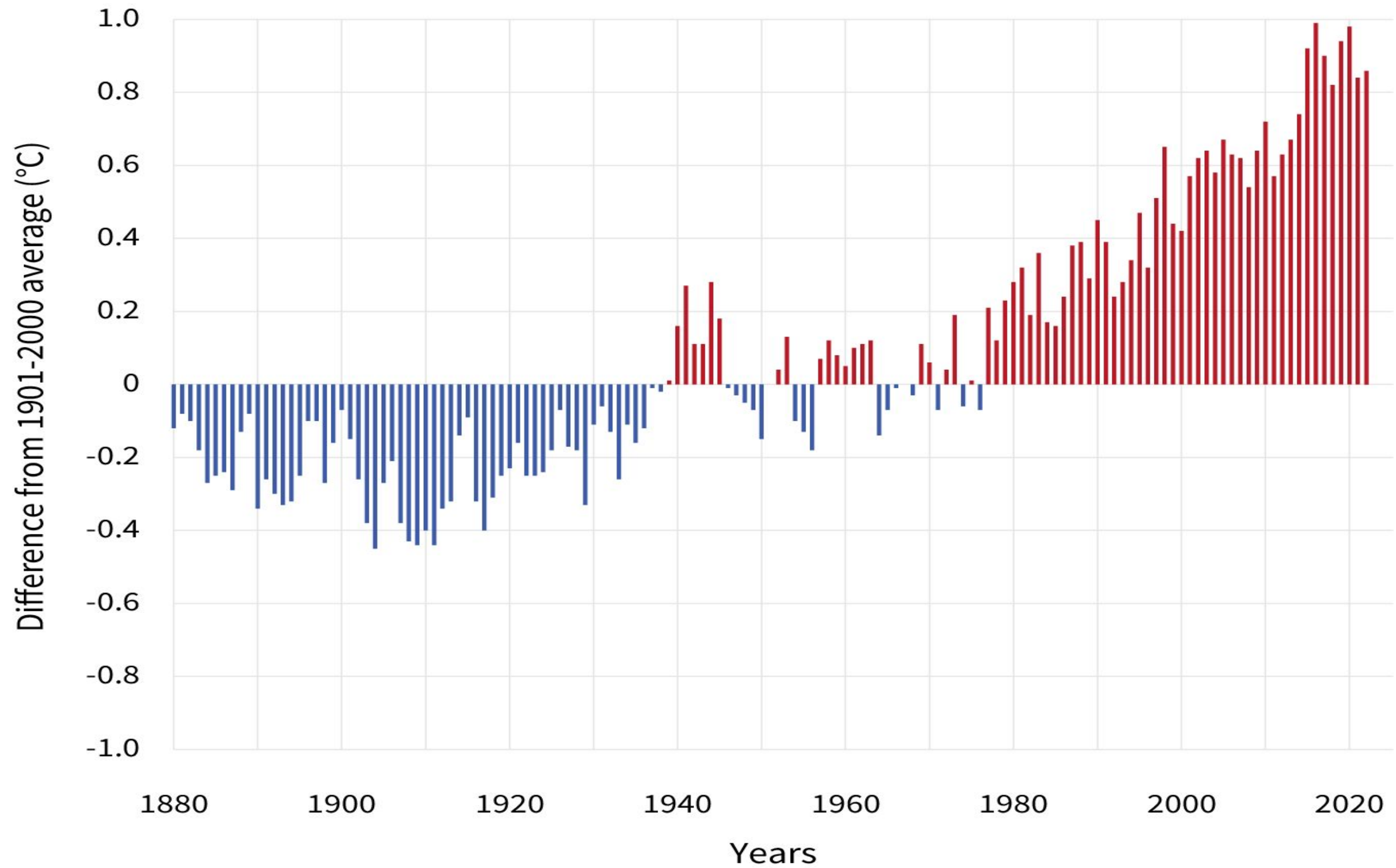


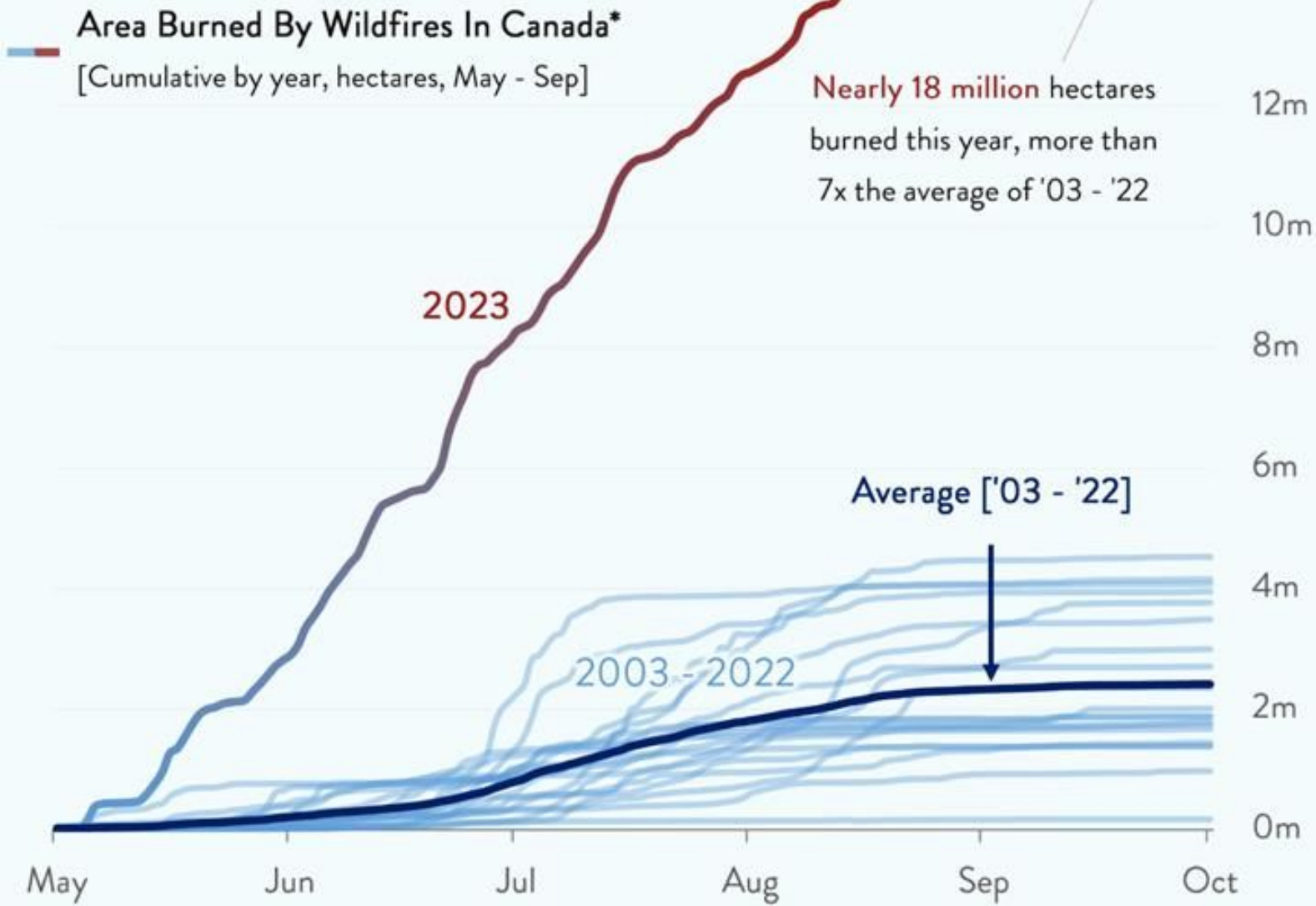
Figure 18: Worry about the Impacts of Climate Change, 2021



# GLOBAL AVERAGE SURFACE TEMPERATURE

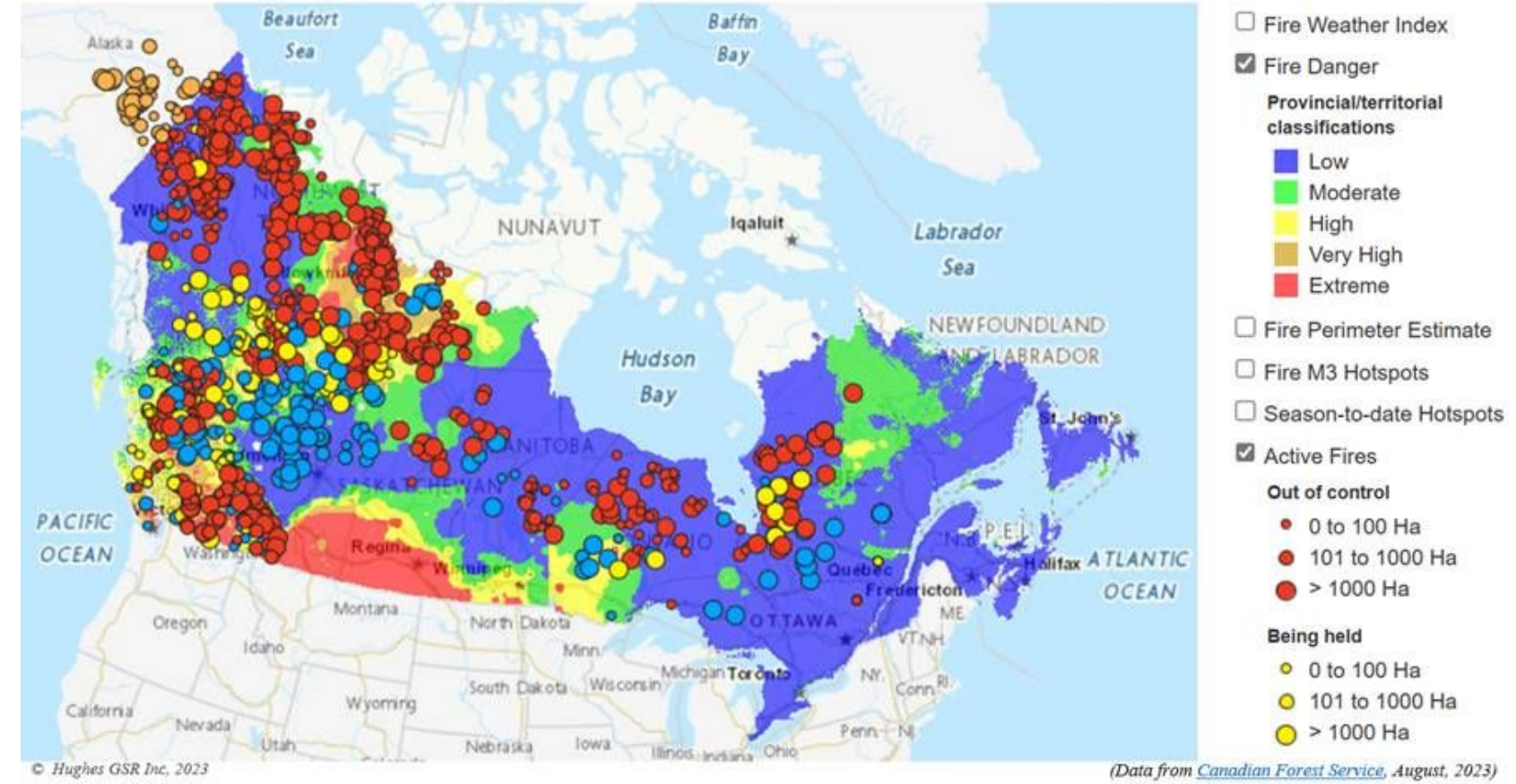


# Canada's Wildfires Have Been Off The Charts This Year



Source: Canadian Wildfire Information System **chart** \*Estimates from satellite hotspots

Canada Forest Fires burning on August 18<sup>th</sup>, 2023





# Kelowna declares state of emergency after wildfire jumps Okanagan Lake, prompting more evacuations

CBC News · Posted: Aug 16, 2023 6:30 PM PDT | Last Updated: August 18



Winston Szeto/CBC





TMTV



CTV News



Ministry of Transportation





## **NORTH THOMPSON STAR/JOURNAL**

### Climate change cost B.C. tourism '\$100s of millions, never to be recovered'

Provincial, regional tourism leaders are calling for quick, immediate relief after wildfire season

[WOLF DEPNER](#) / Sep. 19, 2023 6:30 a.m. / [BUSINESS](#) / [NEWS](#) / [VIDEO](#)



2017 wildfires caused **\$38 million loss** in sales revenue and layoff of **431 people**

**Our Choice:**

**Fear the Future**

or

Face it, embracing  
**local opportunities**



# Strengthening Momentum in Rural Communities



# Welcome to the BC 15 Minute/Smart City Coalition

<https://bcrising.ca/>

September 24, 2023



[Visit our Website](#)

Subscribe Now To our BC 15  
Min/Smart City Coalition Newsletter  
To Receive Weekly News, Updates  
and Zoom Mtg Invitation Links

[Subscribe Now](#)

## Why is it important to get involved?

Aspects of Municipal and Regional District Climate Action plans are of great concern. The plans include costly home renovations, restricted transportation and mobility, increased surveillance and subversive changes to land use by-laws and zoning which could herald in 15-minute cities and the social credit system. The climate action plans can have severe economic consequences for businesses, farmers and home and land owners with possible bankruptcy and loss of residence





# CLIMATE SUMMIT

WHAT IF IT'S  
A BIG HOAX AND  
WE CREATE A BETTER  
WORLD FOR NOTHING?

- ENERGY INDEPENDENCE
- PRESERVE RAINFORESTS
- SUSTAINABILITY
- GREEN JOBS
- LIVABLE CITIES
- RENEWABLES
- CLEAN WATER, AIR
- HEALTHY CHILDREN
- ETC. ETC.



12/19 USA TODAY

YOUNG PITT





LVR Secondary's Green Team with SD8 electric school bus



Kaslo's new energy efficient affordable housing

Creston's Multi-Modal Transportation Plan



Castlegar's bike path on Columbia Ave





Vibrant local farm



Nakusp Secondary's solar panels



Balfour Golf Course's solar panels

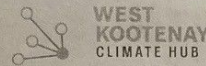


Community Fire Smarting in Queen's Bay



# **Local support for RDCK climate plan**





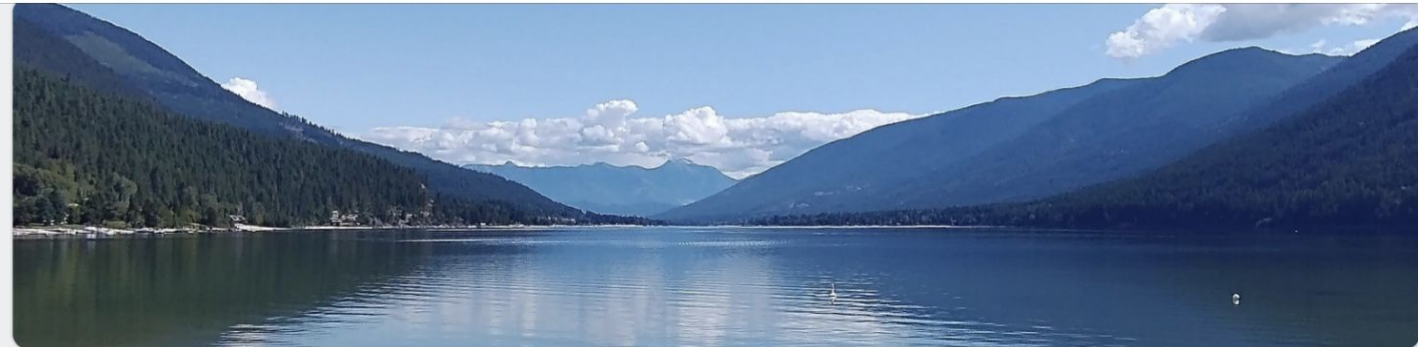
### Sign to support the Regional District of Central Kootenay Directors to approve the Climate Action Plan

Whereas we are presently facing imposing threats caused by climate change, it is the responsibility of local governments to work effectively on mitigation and adaptation to the crisis. This plan is an effective and important tool to make the transition to sustainability in our communities.

We, the undersigned residents of the RDCK, support the adoption of RDCK Climate Actions by our Directors.

Name	Address	Date	Signature

Please email wkclimatehub@gmail.com on how to return completed petitions.



## Petition: Sign to support the Regional District of Central Kootenay's Directors to prioritize climate action

We recognize that climate change is impacting our residents right now with floods, extreme heat, landslides and wildfire. It is the responsibility of local governments to work effectively on local resilience and emission reduction. The [RDCK Climate Actions plan](#) is an effective and important tool to make the transition to sustainability in our communities.

We, the undersigned residents of the RDCK, ask the Board to prioritize climate action.



# Petition

Over 700 signatures

Each a conversation with a community member





THANK YOU



**REGIONAL DISTRICT OF CENTRAL KOOTENAY**

**AREA E ADVISORY PLANNING AND HERITAGE  
COMMISSION  
OPEN MEETING MINUTES**

**3:00PM**

**Thursday, July 13<sup>th</sup>, 2023**

**Hybrid Meeting**

To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings in-person or remote.

**Join by Video:**

<https://nelsonho.webex.com/nelsonho/j.php?MTID=m59ead4bb15df3d447f3a28fe088bf655>

**Join by Phone:**

+1-604-449-3026 Canada Toll (Vancouver)

+1-587-404-3573 Canada Toll (Edmonton)

**Meeting Number (access code):** 2770 154 5384

**Meeting Password:** EEbThUxb762 (33284892 from phones)

**In-Person Location:** RDCK Board Room, 202 Lakeside Drive, Nelson, BC

**COMMISSION/COMMITTEE MEMBERS**

Commissioner Doyle	Electoral Area E, Chair
Commissioner Demers	Electoral Area E
Commissioner Gatto	Electoral Area E
Commissioner Skarbo	Electoral Area E

**DIRECTOR**

Director Graham	Electoral Area E
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**STAFF**

Nelson Wight	Planning Manager
Allison Fletcher	Planning Technician

**4 out of 4 voting Commission/Committee members were present – quorum was met.**



**1. CALL TO ORDER**

Chair Doyle called the meeting to order at 3:15 p.m

**2. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT**

We acknowledge and respect the Indigenous peoples within whose traditional lands we are meeting today.

**3. ADOPTION OF AGENDA**

The following was discussed:

- Commissioner Gatto sent out a revised agenda document yesterday to commission members
- Question from chair: Should we follow the original agenda or the revised agenda?

**MOVED** and seconded,  
AND Resolved:

The Agenda for the July 13<sup>th</sup>, 2023 Electoral Area E Advisory Planning and Heritage Commission meeting, be adopted as circulated.

**Carried**

- Question from chair: Should we discuss items **6.1, 6.2, 6.3** before the other items?

**MOVED** and seconded,  
AND Resolved:

Items **6.1, 6.2, 6.3** will be discussed first.

**Carried**

**ORDER OF AGENDA  
CHANGED**

The Order of Business was changed to address item 4 Receipt of Minutes after item 6 New Business.

**6. NEW BUSINESS**

**6.1 APHC Orientation**

Nelson Wight, Planning Manager presented information on the roles and responsibilities of the APHC.

**6.2 Minutes**

Nelson Wight, Planning Manager provided an overview of expectations regarding APHC Meeting Minutes; recent minutes from the Area B APHC meeting will be provided as an example.

**6.3 APHC Secretary**

Discussion on appointment of a Secretary and the roles of a secretary.

**MOVED** and seconded  
AND resolved;

That Planning Staff will produce the draft minutes within a week; send them to the chair; the chair then sends the minutes to all commission members; the draft minutes will then be sent back to Allison and approved at the next meeting.

**Carried**

**STAFF** Planning Manager Nelson left the meeting at 4:22pm.  
**ABSENT**

#### **4. RECEIPT OF MINUTES**

Resolution requested to be made for the following items and to be added to the May 25, 2023 Electoral Area E Advisory Planning and Heritage Commission minutes:

##### **4.1 Development Permit – Drinkwater**

**File No. DP2305E**

**6196 Mill Creek Road, Harrop**

The Development permit dated February 22, 2023 from planner Sadie Chezenko has been received.

- 4.2 The purpose of the application is to facilitate the construction of a clear span bridge across Mill Creek (Harrop Creek) and upgrade an existing access road on the northwest side of the property. The activity will be outside the ALR but located with the 15m WDPA and the 15-22m SPEA. The applicant was not in attendance.

**MOVED** and seconded,  
AND Resolved:

That the Area E Advisory Planning Commission SUPPORT the Development Permit Application DP2305E to Michael Drinkwater for the property located at 6196 Mill Creek Road/899 Lewis Creek Road, Harrop, and legally described as LOT 4 DISTRICT LOT 222 KOOTENAY DISTRICT PLAN 1189.

**Carried**

**DIRECTOR** Director Graham left the meeting at 4:35 pm.  
**ABSENT**

##### **4.3 Development Permit - Hawkins**

**File No. DP2308E**

**7810 Balfour Wharf Road**

The Development Permit dated April 19<sup>th</sup>, 2023 from planner Sadie Chezenko has been received.

The purpose of the application is to add 8 RV sites to an existing single residential property. The property is designated as Tourist Commercial (TC) and is within an Industrial and Commercial Development Permit Area (ICDPA). The Applicant was not present at the meeting or present via Webex.

**MOVED** and seconded,

AND Resolved:

That the Area E Advisory Planning Commission SUPPORT the Development Permit Application DP2308E to Colin Hawkins for the property located at 7810 Balfour Wharf Road, Balfour, and legally described as PARCEL A (BEING A CONSOLIDATION OF LOTS 1 AND 2, SEE CA7688832) DISTRICT LOT 192 KOOTENAY DISTRICT PLAN NEP61882.

- The dimensions of the proposed RV lot/road allowance exceed the width of the lot as presented. Approval is subject to the condition that there is no encroachment on neighbouring properties as confirmed by an updated survey.

**Carried**

#### 4.4 Strata Title Conversion – Ward Engineering and Land Surveying Ltd

**File No. ST2301E**

**1155 Insight Drive**

The Strata Title Conversion dated April 03<sup>th</sup>, 2023 from planner Zachari Giacomazzo has been received.

**MOVED** and seconded,

AND Resolved:

That the Area E Advisory Planning Commission SUPPORT the Strata Tile Conversion Application STC2301E to Ward Engineering and Land Surveying for the property located 1155 Insight Drive and legally described as LOT A DISTRICT LOT 5665 KOOTENAY DISTRICT PLAN NEP66434 EXCEPT PLAN NEP68359

The purpose of the application is to convert the existing vacant building to 16 separate commercial units. The applicant was represented by Peter Ward (Ward Engineering and Land Surveying) who was in attendance via Webex.

**Carried**

#### 5. DELEGATE

5.1 No delegations

#### 7. PUBLIC TIME

The Chair will call for questions from the public at \_\_\_\_ p.m.

#### 8. NEXT MEETING

The next Electoral Area E Advisory Planning and Heritage Commission Meeting is scheduled for July 27<sup>th</sup>, 2023 at 3:00pm.

#### ADJOURNMENT

**MOVED** and seconded,

AND Resolved:

The Electoral Area E Advisory Planning and Heritage Commission meeting be adjourned at 4:40 p.m.

**Carried**



**REGIONAL DISTRICT OF CENTRAL KOOTENAY**

**CRESTON VALLEY AGRICULTURAL ADVISORY  
COMMISSION  
OPEN MEETING MINUTES**

**Time: 2:00pm**

**Thursday, August 10, 2023**

**Location: Hybrid Model – In-Person and Remote**

**In-Person Location: Canyon-Lister Fire Hall (2850 Lister Road, Creston)**

To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings in-person or remote.

**Join by Video:**

<https://nelsonho.webex.com/nelsonho/j.php?MTID=mac13a2fd313c44a425a69d965030fecd>

**Join by Phone:**

+1-604-449-3026 Canada Toll (Vancouver)

+1-587-404-3573 Canada Toll (Edmonton)

**Meeting Number (access code): 2773 319 9113**

**Meeting Password: xYeQRRsM382 (99377776 from phones)**

**In-Person Location:** Canyon-Lister Fire Hall, 2850 Lister Road, Creston, BC

**COMMISSION MEMBERS PRESENT**

Commissioner Meyer	Electoral Area B
Commissioner McNamar	Electoral Area C
Commissioner Eastman	Electoral Area C
Commissioner Rast	Electoral Area C
Commissioner Mutch	Electoral Area B

**COMMISSION MEMBERS ABSENT**

Commissioner Edwards	Electoral Area B
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**STAFF**

Nelson Wight	Planning Manager
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**DIRECTORS**

Director Tierney	Electoral Area B
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Director Vandenberghe

Electoral Area C

**Guests**

Tobias Remppel  
Wayne Murphy

Applicant  
attending with Applicant

**5 out of 6 voting Commission members were present – quorum was met.**

**1. CALL TO ORDER**

Chair Meyer called the meeting to order at 2:06 p.m.

**2. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT**

We acknowledge and respect the indigenous peoples within whose traditional lands we are meeting today.

**3. ADOPTION OF AGENDA**

**MOVED** and seconded, Larry R, Dale M.  
AND Resolved:

The Agenda for the August 10, 2023 Creston Valley Agricultural Advisory Commission meeting, be adopted as circulated.

**Carried**

**4. RECEIPT OF MINUTES**

The April 4, 2023 Creston Valley Agricultural Advisory Commission minutes have been received.

**5. STAFF REPORTS- APPLICATIONS**

**5.1 Proposed Development Variance Permit application – Remppel**

**File No. V2304B**

**1016 27<sup>th</sup> Avenue South, Erickson**

The Referral Package dated July 13 2023 from Zachari Giacomazzo, Planner, re: the proposal to vary Section 23.5 of Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316. The applicant is requesting to allow a Farm Residential Footprint to be established approximately 332 metres from the front property line whereas the bylaw requires that the maximum depth of the Farm Residential Footprint shall not exceed 60 metres from the Front Lot Line.

**COMMISSIONER  
ABSENT**

Commissioner Mutch left the meeting at 2:10 p.m.

The following was discussed:

- It was noted that four Commissioners and D. Tierney met with the applicant onsite and that Important information came out of site visit, such as relevance of topography.
- Comments from applicant:
  - Improvements to property for development include: driveway, power, test pits for percolation, foundation excavation
  - Tobias believes intent of bylaw met by building in desired location in that there is less impact to the most arable lands

- Desired building location would have lesser impact on agricultural land, as soil conditions are of lower quality
- Drainage tile exists onsite that protects other properties from flooding, and would be difficult or impossible to avoid impacting if building within 60 m of road.
- Topsoil stripped from driveway and foundation area to be used elsewhere
- Questions from Commissioner regarding whether there is a plan to improve quality of trees.
  - Applicant responded saying yes, he has plans to expand garlic operation; may take more trees out; and the main interest is to establish grapes on the property

Summary of Commissioner deliberations:

- Commissioners were split on supporting the application with some contending it best to apply the regulations, and others seeing merit in supporting the variance application.
- Support for the application justified in the acknowledgement that site conditions close to the road make it challenging to build without impacting the drain tile located there,, recognizing the need to site the house and private wastewater disposal system in constrained and sometimes wetted area.
- Discussion on intent of regulations, which is to protect agricultural land

**Moved** and seconded,  
AND Resolved:

That the Creston Valley Agricultural Advisory Commission **SUPPORT** the Development Variance Permit Application to Tobias Rempel for the property located at 1016 27<sup>th</sup> AVENUE SOUTH, ERICKSON, ELECTORAL AREA 'B', legally described as THAT PART OF LOT 2 DISTRICT LOT 812 KOOTENAY DISTRICT PLAN 730B, LYING NORTH OF A LINE WHICH BISECTS THE EASTERLY AND WESTERLY BOUNDARIES OF THE SAID LOT (PID: 016-111-532) to allow a Farm Residential Footprint to be established approximately 332 metres from the front property line.

**Motion failed**

That the Creston Valley Agricultural Advisory Commission **SUPPORT** the Development Variance Permit Application to Tobias Rempel for the property located at 1016 27<sup>th</sup> AVENUE SOUTH, ERICKSON, ELECTORAL AREA 'B', legally described as THAT PART OF LOT 2 DISTRICT LOT 812 KOOTENAY DISTRICT PLAN 730B, LYING NORTH OF A LINE WHICH BISECTS THE EASTERLY AND WESTERLY BOUNDARIES OF THE SAID LOT (PID: 016-111-532) to allow a Farm Residential Footprint to be established approximately in the same location but closest to the northern property line, as opposed to extending across the property to the southern boundary.

**Carried**

## 6. PUBLIC TIME

Chair Meyer called for questions from the public at 3 p.m., and there was no response as no public were in attendance.

## 7. General Discussion

### Farm Residential Footprint (FRF) regulation

Staff provided information to the Commissioners regarding recent cases where applying the FRF regulations has been challenging and where it may have the opposite effect to the desired outcome of lessening the impact to agricultural land. Consensus of the Commissioners was that if changes are made to the regulations, ensure that the desired intent is maintained.

### Meeting format, Meeting onsite, and Voting

Staff discussed with Commissioners how to conduct onsite meetings with applicants prior to the actual CVAAC meeting, with the following points noted:

- As was done with the application on this agenda, in the future Staff will seek permission from the applicant to allow Commissioners onsite, as well as their permission to share contact information with CVAAC Chair to arrange a time for all parties, unless Staff arrange the meeting.
- Onsite meetings are an opportunity for Commissioners to gather information relevant to their deliberations. These deliberations do not take place onsite, but during the CVAAC meeting, which is open to the public.

Staff discussed the ongoing concern over the meetings being conducted publicly. It was noted that in the past, CVAAC had a practice of closing the meeting to the public prior to deliberation and considering resolutions for specific applications. This practice is inconsistent with the Agricultural Advisory Commission Bylaw. Commissioners reiterated their preference to continue that practice, such that they are not exposed to personal attacks in the community. D. Vandenberg suggested they use anonymous voting, such that any possible criticism is directed not at individual Commissioners, but to CVAAC as a whole. There was consensus among the Commissioners that this is an excellent solution.

## 8. NEXT MEETING

The next Creston Valley Agricultural Advisory Commission meeting is not yet scheduled.

## 9. ADJOURNMENT

**MOVED** and seconded,  
AND Resolved:

The Creston Valley Agricultural Advisory Commission meeting be adjourned at 4:35 p.m.

**Carried**

Approved by

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Randy Meyer, Chair



**REGIONAL DISTRICT OF CENTRAL KOOTENAY**

**AREA B ADVISORY PLANNING AND HERITAGE  
COMMISSION  
OPEN MEETING MINUTES**

**7:00 p.m.**

**Wednesday, August 30<sup>th</sup> 2023**

**Location: Hybrid Model – In-Person at the Creston & District Community Complex (CDCC) and Remote via Webex**

**COMMISSION MEMBERS:**

Commissioner Adam Mjolsness	Present
Commissioner Daryl Bjarnason	Present
Commissioner Jon Delcaro	Present
Chair Wade Brunham	Present
Commissioner Lon Main	Present
Commission Karen Kraan	Present
Commissioner Tyler Gale	Present
Director Roger Tierney (non-voting)	Present
Alternate Director Kala Hooker (non-voting)	Present

**COMMISSION MEMBERS ABSENT:**

Brock Lillicom  
Miriam Chatman  
Randy Meyer  
Jerry Bauer

**Members of the public**

Wayne Murphy  
Tobias Rempel  
Oliver Francour

**RDCK STAFF**

Nelson Wight Planning Manager

**7 out of 10 voting Commission members were present – quorum was met.**

**1. CALL TO ORDER**

Chair Brunham called the meeting to order at 7:01 p.m.



**2. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT**

We would like to acknowledge that this meeting is being held on the unceded traditional territory of the Ktunaxa Nation and the Yaqan Nuʔkiy People.

**3. ADOPTION OF AGENDA**

**MOVED** and seconded,  
AND Resolved:

The Agenda for the August 30th, 2023 Area B Advisory Planning and Heritage Commission meeting, be adopted as circulated with additional information for Item 6.2 V2304B.

**Carried**

**4. RECEIPT OF MINUTES**

The May 10, 2023 Electoral Area B Advisory Planning and Heritage Commission minutes, have been received.

**6. STAFF REPORTS – APPLICATIONS**

**6.1 Temporary Use Permit Application – Francoeur  
File No. T2301B**

**5601 Kitchener Road, Kitchener, BC**

The purpose of the proposed Temporary Use Permit is to allow the construction of a 195 m<sup>2</sup> accessory building prior to the construction of a Dwelling. The applicant has indicated that they plan to construct the principal residence in spring 2024.

The following was discussed:

- Oliver F. provided an overview of the application.
- Question regarding what is the consequence if no built within the time period allowed. Response from staff that the legislation permits an applicant to apply to extend the TUP and the local government can grant that for a period of up to an additional three years.

**Moved** and seconded,  
AND Resolved:

That the Area B Advisory Planning Commission **SUPPORT** the application for a Temporary Use Permit to allow the construction of a 195 m<sup>2</sup> accessory building prior to the construction of a Dwelling on the subject property.

**Carried**

**6.2 Development Variance Permit Application**

**File No. V2304B**

**1016 27<sup>th</sup> Avenue South, Erickson**

The purpose of the application is to vary Section 23.5 of Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316. The applicant is requesting to allow a Farm Residential Footprint to be established approximately 332 metres from the front

property line whereas the bylaw requires that the maximum depth of the Farm Residential Footprint shall not exceed 60 metres from the Front Lot Line.

Tobias Rempel, the property owner, and Wayne Murphy, his builder, were present to speak to the application. The following was discussed:

- Tobias presented a summary of the application and rationale for seeking the variance, which include:
  - Less soil depth and increasing stoniness in desired location, so lesser impact to agriculture
  - Desire to avoid clay tile that provides drainage for subject property and neighbouring properties, as well as concern over building in this area
  - Existing driveway location
  - End of cultivation boundary – disturbing least agriculturally-viable land
  - Referenced CVAAC decision, which was to conditionally support location provided the disturbance is minimized and moved to the northerly portion of the lot.
- Questions regarding the purpose of the farm residential footprint regulations. Response from staff that the purpose is to protect agricultural land.
- Question from Commissioner regarding interest in pursuing grape production. Tobias responded that neighbour is growing grapes and he is also interested.
- Question regarding if there was any previous development. Tobias indicated that there was not a house on the property previously.

Commissioners acknowledged that the desire to avoid impact to drain tile the main reason to move the build site further back. Further the land at the front most suited to agriculture, so makes sense to not build there for that reason and due to presence of water at certain times of the year.

**Moved** and seconded,  
AND Resolved:

That the Area B Advisory Planning Commission **SUPPORT** the application is to vary Section 23.5 of Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316 to allow a Farm Residential Footprint to be established approximately 332 metres from the front property line whereas the bylaw requires that the maximum depth of the Farm Residential Footprint shall not exceed 60 metres from the Front Lot Line.

**Carried**

**5. PUBLIC TIME**

The Chair called for questions from the public at 8 p.m., and there was no response.

**6. NEXT MEETING**

No meeting is scheduled at this time.

**7. ADJOURNMENT**

**MOVED** and seconded,  
AND Resolved:

The Area B Advisory Planning and Heritage Commission meeting be adjourned at 8:35 p.m.

**Carried**

Approved by

---

Wade Brunham, Area B APHC Chair



**REGIONAL DISTRICT OF CENTRAL KOOTENAY**

**RIONDEL COMMISSION  
OPEN MEETING MINUTES**

**7:00 PM**

**September 5, 2023**

**IN-PERSON MEETING LOCATION FOR HYBRID MEETING MODEL**

The following location has been determined to hold the in-person meetings for Riondel Commission of Management:

**Location Name:** Riondel Community Centre, Commission Office, Room #6

**Location Address:** 1511 Eastman Ave., Riondel BC

The facility listed above will be able to accommodate the remote requirements for the meeting.

**Meeting Link:**

<https://nelsonho.webex.com/nelsonho/j.php?MTID=m379e54c5c213884ee461a71aa5228417>

**Toll Free number:** 1-604-449-3026 Canada Toll (Vancouver)

**Meeting Number (access code):** 2770 495 0160

**COMMISSION/COMMITTEE MEMBERS**

Commissioner G. Panio	Riondel	In-person
Commissioner N. Anderson	Riondel	In-person
Commissioner T. Wilkinson	Riondel	In-person
Commissioner J. Donald	Riondel	In-person
Commissioner G. Jackman	Director – Electoral Area A	via Webex

**MEMBERS ABSENT**

**STAFF**

Roberta Van Steinburg                      Administrative Assistant

**5 out of 5 voting Commission/Committee members were present – quorum was met.**

**1. CALL TO ORDER**

Chair Panio called the meeting to order at 7:00 p.m.

**2. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT**

We acknowledge and respect the indigenous peoples within whose traditional lands we are meeting today.

**ADOPTION OF AGENDA**

**MOVED** and seconded,  
AND Resolved:

The Agenda for the September 5, 2023 Riondel Commission meeting, be adopted with the inclusion of items 8.6 – Mobile Outreach Station, 8.7 – New Town Sign, 8.8 – Roof Repair on Tennis Court Storage Shed, 8.9 – Backstop Rebuild, 8.10 – Curling Club Letter of Support, 8.11 – Display Cases, 8.12 – Rental Rates

**Carried**

**3. RECEIPT OF MINUTES**

The September 5, 2023 Riondel Commission minutes, have been received.

**4. DELEGATE**

No Delegate.

**5. PUBLIC TIME**

The Chair will call for questions from the public at 7:13 p.m.

There were two members of the public in attendance, but were there for informational purposes.

**6. OLD BUSINESS**

**6.1 Riondel Community Centre Renovations Update**

Chair Panio reported he has sent out an outline of possible approaches to the renovations required and is seeking further feedback from local residents. To date, there have been 4 responses. These responses will form the discussion for the meeting with the RCM, General Manager Joe Chirico, Project Manager AJ Evanson and architect Nelson Rocha. The meeting date is still to be announced. The hope is Columbia Basin Trust will provide significant funds for the renovations.

**6.2 Emergency Preparedness Update**

Chair Panio reported that with the record high fire season this year it might be a good idea to once again look into the idea of having the ferry as an option in case Riondel residents need to evacuate, if the road is not an option. Chair Panio asked Commission Wilkinson to consider building on his earlier evacuation work with a new approach to the government authorities involved. Also, it was pointed out that a Telus cell tower in Riondel could help with emergency preparedness planning. This is a topic later on the agenda. It may be worth talking to the MLA regarding these issues as well.

### **6.3 Outdoor Security Camera Update**

Chair Panio provided the Commission with a verbal update regarding the camera system. After having discussions with Maintenance Person Evan Salmon it was decided it may be better to have hardwired cameras as opposed to wireless. The hardwired system would be easier to manage and maintain. Options and pricing are currently being explored.

### **6.4 Recycling/Refuse Update**

Chair Panio provided the Commission with a verbal update on the recycling/refuse station. There has been a new attendant hired. Hopefully the service will be reliable. It was suggested to put up signage stating the Tip-It bins are closed for statutory holidays. Commissioners have been volunteering and opening these bins on holidays, but are no longer able to do so.. Also, a sign will be posted stating that if the station is closed, residents are not to leave any refuse or recycling at the site..

### **6.5 Radon Testing Update**

Chair Panio provided the Commission with a verbal update on radon testing. The testing levels in the Community centre are very low. More testing will be conducted in the winter months to see if there is any significant difference, but at this time of year it is very negligible. Chair Panio will also ask Evan to test other RDCK buildings in the community as well.

## **7. NEW BUSINESS**

### **7.1 Suggestion for Playground Cleanup**

Chair Panio provided the Commission with a verbal update regarding the suggestion brought forward for a playground cleanup. There is a young resident who is looking for work in the community. It was suggested to bring this young resident on either this year or next spring/summer to do odd jobs, i.e. weed the playground, arbour area,, , etc. The position will pay minimum wage. We will initially look at about 8 hours of work. In future, there may be some funding available for a summer student through various grants.

**MOVED and Seconded,**  
**AND Resolved:**

That Nils will contact the young resident and offer him the position and if he is interested, Nils will provide direction on the work required.

**Carried**

### **7.2 Discussion of RV's and Water Usage**

Chair Panio provided the Commission with a verbal update regarding the RV's and water usage in town. Chair Panio has found that there is a bylaw regarding RV's and water usage, however there is currently no enforcement of the bylaw due to shortage of funding and of staffing.

### **7.3 Installation of Hot Air Hand Dryers in the Washrooms.**

Chair Panio provided the Commission with a verbal update regarding the installation of hot air hand dryers in the Community Centre washrooms. Chair Panio will look to get an estimate on the costs for the units and installation. The Commission was in support of this.

**7.4 Installation of Acoustic Panels in the Band Room**

Chair Panio provided the Commission with a verbal update regarding the installation of acoustic panels in the Community Centre Band Room. These panels were put in place by volunteers who use the Band Room.

**7.5 Proposed Ferry Schedule Changes**

Chair Panio provided the Commission with a verbal update regarding the proposed ferry schedule changes. The committee looking at possible schedule changes is looking for letters of support for this initiative.. The RCM supports the Committee's work and Chair Panio will draft a letter for the RCM to review.

**7.6 Mobile Station**

Chair Panio provided the Commission with a verbal update regarding the proposed B.C. Services Mobile Outreach Station. This station will provide basic government services on the spot, and will be housed in a mobile van parked outside of the Community Centre on the days the service is offered in Riondel.

**7.7 New Riondel Town Sign**

Chair Panio provided the Commission with a verbal update regarding the need for a new Riondel town sign. Nils offered to take this project on. It was suggested to check with Graphic Signs in Creston for a quote.

**7.8 Roof Repair on the Tennis Court**

Chair Panio provided the Commission with a verbal update on the roof repair on the tennis court storage shed. This work will be done by a volunteer crew, and the cost would be no more than \$1,000.00. Nils will provide direction on the work required.

**MOVED and Seconded,**  
AND Resolved:

That the RCM approves this work to be done via a volunteer crew under the direction of Nils at the cost of no more than \$1,000.00.

**Carried**

**7.9 Backstop Replacement**

Chair Panio provided the Commission with a verbal update regarding the ball field backstop replacement. The RCM received \$4,000, 3 years ago to rebuild the backstop. A resident has offered to do the work on the backstop and has all of the materials and welding skills. Evan and James may assist with taking the old one down and putting the new one up. Once completed, a professional welder would be contacted to certify the work.

**7.10 Curling Club Letter of Support Request**

Chair Panio provided the Commission with a verbal update regarding the request from the Curling Club for a letter of support to the New Horizons for Seniors Program grant. The Curling Club is seeking funding to help with the costs of replacing the lounge roof of the Curling Rink. The RCM is in favour of providing the club a support letter, Chair Panio will pen the letter.

#### **7.11 Display Cases**

Chair Panio provided the Commission with a verbal update regarding display cases in the Community Centre. A user of the centre has asked if it might be possible to have a locked cabinet at the front entrance where crafts could be displayed for sale. The user also asked if a display case in the lobby that is not currently in use could be used to display jewelry for sale. The RCM was in support, but noted that there has to be a limit on the size of the cabinet for access..

#### **7.12 Rental Rates**

Chair Panio provided the Commission with a verbal update regarding rental rates for users. There has been a request from Community Connections wanting to rent the media room and possibly the gymnasium as well for a youth group. The RCM suggested offering the group the first month free to see how the program goes. In the meantime, Chair Panio will discuss with Community Connections (Jacqueline) to see what their budget is to determine what rate would be charged should they wish to continue the program through to February.

### **8. CORRESPONDENCE**

#### **8.1 Telus – Cell Tower Initiative Revisit**

Chair Panio provided the Commission with a verbal update regarding revisiting the cell tower initiative. Two letters have been received from residents. The writers would like RCM to support and write to Telus asking them to reconsider their position. It is felt there is significant support in Riondel to revisit this initiative. Director Jackman noted that the main reason the tower was not installed previously was that the Federal Government said Telus did not fulfil their obligation to answer all of the questions that the residents asked of them. . Telus chose not to pursue the Riondel tower project, and has since invested in infrastructure elsewhere.

**MOVED and Seconded,**  
AND Resolved:

That Chair Panio will draft a letter for review by the RCM to Telus asking them to revisit the cell tower initiative.

**Carried**

### **9. AREA A DIRECTOR'S REPORT**

Director Jackman provided the Commission with a verbal report. He recently attended a meeting in Wyndell on Climate Action Planning. The next scheduled Climate Action Planning meeting will be in Crawford Bay, Sept 11, 2023 from 4pm -7pm for community input.

### **10. FINANCIAL REPORTS**



No Items.

**11. PUBLIC TIME**

The Chair called for questions from the public at 8:15 p.m.

A local resident had a question about the proposed ferry schedule changes around how they propose to staff it for additional times when they can't staff the existing schedule? It was suggested residents should attend the meeting in Crawford Bay and get more informed on the proposal.

**12. NEXT MEETING**

The following Riondel Commission meeting will be held on October 3, 2023 at 7:00 pm.

**13. ADJOURNMENT**

**MOVED** and **seconded**,  
AND Resolved:

The Riondel Commission meeting be adjourned at 8:23 pm.

**Carried**

**Approved by**

---

Gerald Panio, Chair



**REGIONAL DISTRICT OF CENTRAL KOOTENAY**

**Kaslo and Area D Economic Development  
Commission S109  
OPEN MEETING MINUTES**

**1:00 p.m.**

**Monday, September 11, 2023**

**Village of Kaslo Council Chambers**

To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings in-person or remote.

**Join by Video:**

Join Zoom Meeting

<https://us02web.zoom.us/j/84838839557>

Meeting ID: 848 3883 9557

One tap mobile

+16475580588,,84838839557# Canada

+17789072071,,84838839557# Canada

**Join by Phone:**

+1 778 907 2071 Canada

**Meeting Number (access code):** 848 3883 9557

**Meeting Password:** 848 3883 9557

**In-Person Location:** 413 4th St, Kaslo BC – City Hall

Commissioner Hewat	Village of Kaslo
Commissioner Lang	Village of Kaslo
Commissioner Davie	Village of Kaslo
Commissioner Watson	Area D
Commissioner Brown	Area D
Commissioner Jones	Area D

**REGRETS**

Commissioner Nay	Village of Kaslo
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**STAFF**

Catherine Allaway                      CO, Village of Kaslo  
Karissa Stroshein                      Administration

**6 out of 7 voting Commission members were present – quorum was met.**

**GUESTS**

Jen Comer

**1. CALL TO ORDER**

Chair Matthew Brown called the meeting to order at 1:00 p.m.

**2. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT**

We acknowledge and respect the indigenous peoples within whose traditional lands we are meeting today.

**3. ADOPTION OF AGENDA**

**MOVED** and seconded,  
AND Resolved:

The Agenda for the September 11, 2023 Kaslo & Area D Economic Development Commission S109 meeting, be adopted as circulated.

**Carried**

**4. RECEIPT OF MINUTES**

The August 14, 2023 Kaslo & Area D Economic Development Commission S109 minutes have been received.

**5. DELEGATE**

**5.1** Sarah Sinclair, representative for the Rural Northern Immigration Pilot Program, was unable to attend the meeting.

**6. STAFF REPORTS**

**7. NEW BUSINESS**

**7.1 Rural Economic Diversification and Infrastructure Program (REDIP)**

Commissioner Jones presented a timeline for applying to the Rural Economic Diversification and Infrastructure Program and asked for feedback from the commission.

**7.2 Imagine Kootenay**

Commissioner Hewat gave a verbal update on the Imagine Kootenay meeting she attended on Aug 29, 2023.

**7.3 Rural Northern Immigration Pilot (RNIP)**

**8. PUBLIC TIME**

The Chair called for questions from the public at 1:49 p.m.

**9. NEXT MEETING**

The next Kaslo & Area D Economic Development Commission S109 meeting is scheduled for October 16, 2023 at 1:00 p.m.

**10. ADJOURNMENT**

**MOVED** and seconded,  
AND Resolved:

The Kaslo & Area D Economic Development Commission S109 meeting be adjourned at 1:50 p.m.

**Carried**

Approved by

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Matthew Brown, Chair



**REGIONAL DISTRICT OF CENTRAL KOOTENAY**

**CASTLEGAR AND DISTRICT COMMUNITY  
COMPLEX RECREATION COMMISSION  
OPEN MEETING MINUTES**

**4:00 p.m. - 5:30 p.m.**

**Tuesday, September 12, 2023**

**Castlegar & District Community Complex – Columbia Room  
2101 6 Avenue, Castlegar, BC**

To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings remotely.

**Join by Video:**

<https://nelsonho.webex.com/nelsonho/j.php?MTID=mb4c07d0fc7e7f9c687968a6403f613e6>

**Join by Phone:**

1-844-426-4405 Canada Toll Free

**Meeting Number (access code):** 2771 631 8766

**Meeting Password:** ZqhigDTf327

**In-Person Location:** Castlegar & District Community Complex – Columbia Room  
2101 6 Avenue, Castlegar, BC

**COMMISSION MEMBERS PRESENT**

Commissioner M. McFaddin	City of Castlegar
Commissioner B. Bogle	City of Castlegar
Commissioner S. Heaton-Sherstobitoff	City of Castlegar
Commissioner A. Davidoff	Electoral Area I
Commissioner R. Smith	Alternate Electoral Area J

**MEMBERS ABSENT**

Commissioner H. Hanegraaf	Electoral Area J
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**STAFF PRESENT**

Stuart Horn	Chief Administrative Officer
Joe Chirico	General Manager of Community Services
Craig Stanley	Regional Manager – Operations and Asset Management

Trisha Davison	Regional Manager – Recreation and Client Services
Tia Wayling	Regional Programming Manager
Sarah Fuhr	Communications and Community Engagement Lead
Ashley Grant	Meeting Coordinator

**GUESTS PRESENT**

Chris Barlow	Chief Administrative Officer, City of Castlegar
Bree Seabrook	Communications Manager, City of Castlegar

**5 out of 5 voting Commission/Committee members were present – quorum was met.**

**1. CALL TO ORDER**

Commissioner Heaton-Sherstobitoff called the meeting to order at 4:03 p.m.

**2. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT**

We acknowledge and respect the indigenous peoples within whose traditional lands we are meeting today.

**3. ADOPTION OF AGENDA**

**MOVED** and seconded,  
AND Resolved:

The Agenda for the September 12, 2023 Castlegar and District Community Complex Recreation Commission meeting, be adopted as circulated.

**Carried**

**3.1 Agenda be adopted as amended**

**4. RECEIPT OF MINUTES**

The June 6, 2023 Castlegar and District Community Complex Recreation Commission minutes, have been received.

**5. STAFF REPORTS**

**5.1 Community Engagement Update**

Commission Report dated September 7, 2023 from Sarah Fuhr, Communications and Community Engagement Lead, re: Castlegar and District Community Complex Engagement, has been received.

Much discussion was had around the public engagement process and the involvement of the Commissioners. Commissions will see the RFP and will be updated as the project evolves. Key to the success of the engagement process is for Commissioners to attend the engagement sessions to hear from the entire area.

**Stuart Horn joined meeting at 4:13pm**

**Staff Direction:** Direct staff to procure a consultant to lead a public engagement process to develop and execute a public survey, facilitate task force meetings, to analyze and extract key themes, to support in person public meetings and to present an interim reports on the initial public engagement process and recommend next steps to improve Castlegar and District Recreation Services as per the June 2023 Strategic Planning Session.

Staff Note: The 2023 – 2027 Financial Plan includes Budgets of \$25,000 in 2023 and \$20,000 in 2024. During the 2024 – 2028 Financial Plan process, staff will identify and present projected consulting cost for Commission consideration.

## 5.2 CDRD Programming Update

Commission Report dated September 7, 2023 from Tia Wayling, Regional Programming Manager, re: Castlegar and District Community Complex Programming Update

Tia Wayling, Regional Programming Manager, reviewed with the Commission the CDRD Spring Programming Update and answered Commission’s questions.

## 6. PUBLIC TIME

The Chair will call for questions from the public at [Time] – no public present.

## 7. IN CAMERA

### 8.1 MEETING CLOSED TO THE PUBLIC

Moved and Seconded,  
And Resolved:

In the opinion of the Board - and, in accordance with Section 90 of the *Community Charter* – the public interest so requires that persons other than DIRECTORS, ALTERNATE DIRECTORS, DELEGATIONS AND STAFF be excluded from the meeting;

AND FURTHER, in accordance with Section 90 of the *Community Charter*, the meeting is to be closed on the basis(es) identified in the following Subsections:

90. (1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;

(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;

(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

**Carried**

**8. RECESS OF OPEN MEETING**

Moved and Seconded,  
And Resolved:

The Open Meeting be recessed at 5:26pm in order to conduct the Closed in Camera meeting.

**Carried**

**9. NEXT MEETING**

The next Castlegar and District Community Complex Recreation Commission meeting has been rescheduled from October 3, 2023 at 4:00 p.m. to October 11, 2023 at 4:00 p.m.

**10. ADJOURNMENT**

Moved and Seconded,  
And Resolved:

The Castlegar and District Community Complex Recreation Commission meeting be adjourned at 6:28pm.

**Carried**

**Digitally Approved by**

---

S. Heaton-Sherstobitoff, Chair





**REGIONAL DISTRICT OF CENTRAL KOOTENAY**

**Nelson, Salmo, E, F & G Regional Parks  
Commission Meeting  
OPEN MEETING MINUTES**

**9:00 a.m. – 10:30 a.m.**

**Tuesday, September 12, 2023**

To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings in-person or remote (hybrid model).

**Held by remote meeting**

**Join by Video:**

<https://nelsonho.webex.com/nelsonho/j.php?MTID=m1f80a6d73321cff61521ffa8585e700a>

**Join by Phone:**

1-844-426-4405 Canada Toll Free

+1-604-449-3026 Canada Toll (Vancouver)

**Join by meeting number**

Meeting number (access code): 2773 546 8379

Meeting password: yPpXBi37nP5

**In-Person Location:** Held by remote meeting until further notice

**COMMISSION/COMMITTEE MEMBERS**

Director K. Page	City of Nelson
Director D. Lockwood	Village of Salmo
Director C. Graham	Area E
Director T. Newell	Area F
Director H. Cunningham	Area G

**STAFF**

Stuart Horn	Chief Administrative Officer
Joe Chirico	General Manager of Community Services
Craig Stanley	Regional Manager – Operations & Asset Management
Trisha Davison	Regional Manager – Recreation & Client Services
Dan Elliott	Communications Coordinator

Cary Gaynor	Regional Parks Manager
Jeff Phillips	Regional Parks and Operations Supervisor
Mark Crowe	Regional Parks Planner
Pearl Anderson	Meeting Coordinator

**5 out of 5 voting Commission/Committee members were present – quorum was met.**

**1. CALL TO ORDER**

Chair Page called the meeting to order at 9:00 a.m.

**2. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT**

We acknowledge and respect the indigenous peoples within whose traditional lands we are meeting today.

**3. ADOPTION OF AGENDA**

**MOVED** and seconded,  
AND Resolved:

That Agenda for the September 12, 2023 Nelson, Salmo, Electoral Areas E, F & G Regional Parks Commission meeting be adopted as circulated.

**Carried**

**4. RECEIPT OF MINUTES**

The May 9, 2023 Nelson, Salmo, Electoral Areas E, F and G Regional Parks Commission meeting minutes have been received.

**5. CORRESPONDENCE**

**5.1 REMOVAL OF MOTORIZED USE – GREAT NORTHERN RAIL TRAIL SALMO SECTION**

Letters and an email of support regarding removal of motorized use on the great northern rail trail (Salmo section) from June and Bill Stockdale (August 19, 2023), Virginia Stockdale (August 17, 2023), Alice Nellestijn (September 2, 2023) and Jon Kinstad (email dated June 6, 2023), have been received.

**6. NEW BUSINESS**

**6.1 VOLUNTEER CONTRACT UPDATE**

The verbal Volunteer Contract update presented by Cary Gaynor, Regional Parks Manager, and Craig Stanley, Regional Manager – Operations and Asset Management, has been received.

**7. STAFF REPORTS**

**7.1 SLOPE AND FLOOD STABILITY ADJACENT TO THE GREAT NORTHERN TRAIL IN YMIR**

The report dated September 1, 2023 from Cary Gaynor, Regional Parks Manager, regarding the slope and flood stability adjacent to the great northern trail in Ymir, has been received.

**MOVED** and seconded,  
AND Resolved:

That staff continue to monitor the site of potential erosion and report back to the Commission in summer 2024.

**Carried**

**7.2 LICENSE OF OCCUPATION REQUIREMENT FOR GREAT NORTHERN TRAIL**

The report dated September 6, 2023 from Cary Gaynor, Regional Parks Manager, providing information regarding a meeting with Ministry of Transportation and Infrastructure (MoTI) and renewal of the License of Occupation of the Great Northern Trail (GNT) in 2025, has been received.

**MOVED** and seconded,  
AND Resolved:

That the Commission direct staff to provide a report for the November 14<sup>th</sup> Nelson, Salmo, Electoral Areas E, F & G Regional Parks Commission meeting providing information on potential options for a management plan to meet the requirements of Ministry of Transportation and Infrastructure (MoTI) license of occupation renewal.

**Carried**

**7.3 PARKS OPERATIONAL UPDATE**

The report dated September 6, 2023 from Cary Gaynor, Regional Parks Manager, presenting an operational update on parks within the Nelson, Salmo and Electoral Areas E, F & G Regional Parks Service area, has been received.

**7.4 2023 S202 Draft Financial Plan**

The 2023 S202 draft financial plan, as of August 16, 2023, presented by Cary Gaynor, Regional Parks Manager, has been received.

**8. PUBLIC TIME**

The Chair called for questions from the public at 9:58 a.m.

**9. NEXT MEETING**

The next Nelson, Salmo, Electoral Areas E, F & G Regional Parks Commission meeting is scheduled for November 14, 2023 at 9:00 a.m.

**10. ADJOURNMENT**

**MOVED** and seconded,  
AND Resolved:

That the Nelson, Salmo, Electoral Areas E, F & G Regional Parks Commission meeting be adjourned at 10:40 a.m.

**Carried**

Approved by

---

Keith Page, Chair



**REGIONAL DISTRICT OF CENTRAL KOOTENAY**

**Winlaw Regional & Nature Park Commission  
OPEN MEETING MINUTES**

**7:00 p.m.**

**Wednesday, September 13, 2023**

**Held by remote meeting**

**COMMISSION MEMBERS**

Director Popoff	Electoral Area H
Commissioner C. Lawrence	Area H
Commissioner V. Carleton	Area H
Commissioner K. Ellis	Area H
Commissioner H. Sebelius	Area H

**MEMBERS ABSENT**

Director C. Ferguson	Village of Silverton
Director L. Casley	Village of New Denver
Director J. Lunn	Village of Slocan
Commissioner L. Lawrence	Area H
Commissioner J. Chatten	Area H
Commissioner A. Rochette	Area H

**STAFF**

Jeff Phillips	Regional Parks Operations Supervisor
Pearl Anderson	Meeting Coordinator

**4 out of 7 voting Commission members were present – quorum was met.**

**1. CALL TO ORDER**

Director Popoff called the meeting to order at 7:26 p.m.

**2. ELECTION OF CHAIR**

**CALL FOR NOMINATIONS (3 Times)**

Director Popoff called for nominations.

Commissioner Carleton nominated Commissioner Lawrence.

Commissioner Lawrence accepted the nomination.

**DECLARATION OF ELECTED OR ACCLAIMED CHAIR**

There being no further nominations, Director Popoff, ratified the appointed Commissioner Lawrence as Chair of the Winlaw Regional & Nature Park Commission for 2023 by acclamation.

Commissioner Lawrence assumed the Chair.

**2. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT**

We acknowledge and respect the indigenous peoples within whose traditional lands we are meeting today.

**3. ADOPTION OF AGENDA**

**MOVED** and seconded,  
AND Resolved:

That the Agenda for the September 13, 2023 Winlaw Regional & Nature Park Commission meeting be adopted as circulated.

**Carried**

**4. RECEIPT OF MINUTES**

The November 23, 2022 Winlaw Regional & Nature Park Commission minutes have been received.

**5. STAFF REPORTS & UPDATES**

The verbal update regarding completed and upcoming parks projects presented by Jeff Phillips, Regional Parks Operations Supervisor, has been received.

**6. PUBLIC TIME**

The Chair called for questions from the public at 7:50 p.m.

**7. NEXT MEETING**

The next Winlaw Regional & Nature Park Commission meeting is scheduled for Wednesday, November 22, 2023 at 7:00 p.m.

**8. ADJOURNMENT**

**MOVED** and seconded,  
AND Resolved:

That the Winlaw Regional & Nature Park Commission meeting be adjourned at 7:52 p.m.

**Carried**

**Digitally Approved,**

Craig Lawrence, Chair  
September 15, 2023



**REGIONAL DISTRICT OF CENTRAL KOOTENAY**

**AREA E ADVISORY PLANNING AND HERITAGE  
COMMISSION  
OPEN MEETING MINUTES**

**3:00PM**

**Thursday, September 28, 2023**

**Hybrid Meeting**

To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings in-person or remote.

**Join by Video:**

<https://nelsonho.webex.com/nelsonho/j.php?MTID=m567d6abee66f0226b4ff84d432e4eb42>

**Join by Phone:**

+1-604-449-3026 Canada Toll (Vancouver)

+1-587-404-3573 Canada Toll (Edmonton)

**Meeting Number (access code):** 2771 390 7977

**Meeting Password:** yFg4GmigM83 (93444644 from phones)

**In-Person Location:** RDCK Board Room, 202 Lakeside Drive, Nelson, BC

**COMMISSIONERS**

Commissioner Demers

Electoral Area E

Commissioner Gatto

Electoral Area E, Acting Chair

Commissioner Skarbo

Electoral Area E

**STAFF**

Sadie Chezenko

Planner

**PUBLIC**

John Pollock

Applicant

**3 out of 4 voting Commission/Committee members were present – quorum was met.**

**1. CALL TO ORDER**

Acting Chair Gatto called the meeting to order at 3:15 p.m



**2. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT**

We acknowledge and respect the Indigenous peoples within whose traditional lands we are meeting today.

**3. ADOPTION OF AGENDA**

**MOVED** and seconded,  
AND Resolved:

The Agenda for the September 28<sup>th</sup>, 2023 Electoral Area E Advisory Planning and Heritage Commission meeting, be adopted as circulated.

**Carried**

**4. RECEIPT OF MINUTES**

The July 13, 2023 Electoral Area E Advisory Planning and Heritage Commission minutes, have been received.

**5. DELEGATE**

5.1 No delegations

**6. NEW BUSINESS**

**6.1 Development Permit Application - Pollock**

The Referral Package dated August 22, 2023 from Planner Sadie Chezenko, has been received.

- Commissioners directed questions at the applicant regarding waterline installation, strata and effluent discharge
- Commissioner expressed concern over the subdivision/strata having a communal effluent system but the 5-6 lots all having separate water sources, and the resultant cumulative impact of the development along Kootenay Lake.

**MOVED** and seconded,  
AND Resolved:

That the Area E Advisory Planning Commission SUPPORT the Development Permit Application to John Pollock for the property located 6826 Marian Lane, Balfour and legally described as STRATA LOT 3 DISTRICT LOT 6498 KOOTENAY DISTRICT STRATA PLAN EPS4977 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V provided that the recommendations from the Riparian Assessment are followed

**Carried**

**7. PUBLIC TIME**

No public present

**8. NEXT MEETING**

The next Electoral Area E Advisory Planning and Heritage Commission Meeting is scheduled for October 26<sup>th</sup>, 2023 at 3:00pm.

**ADJOURNMENT**

**MOVED** and seconded,  
AND Resolved:

The Electoral Area E Advisory Planning and Heritage Commission meeting be adjourned at 3:43 p.m.

**Carried**

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Acting Chair Gatto



**REGIONAL DISTRICT OF CENTRAL KOOTENAY**

**RIONDEL COMMISSION  
OPEN MEETING MINUTES**

**7:00 PM  
October 3, 2023**

**IN-PERSON MEETING LOCATION FOR HYBRID MEETING MODEL**

The following location has been determined to hold the in-person meetings for Riondel Commission of Management:

**Location Name:** Riondel Community Centre, Commission Office, Room #6  
**Location Address:** 1511 Eastman Ave., Riondel BC

The facility listed above will be able to accommodate the remote requirements for the meeting.

**Meeting Link:**

<https://nelsonho.webex.com/nelsonho/j.php?MTID=m379e54c5c213884ee461a71aa5228417>

**Toll Free number:** 1-604-449-3026 Canada Toll (Vancouver)

**Meeting Number (access code):** 2770 495 0160

**COMMISSION/COMMITTEE MEMBERS**

Commissioner G. Panio	Riondel	In-person
Commissioner N. Anderson	Riondel	In-person
Commissioner T. Wilkinson	Riondel	In-person
Commissioner J. Donald	Riondel	In-person
Commissioner G. Jackman	Director – Electoral Area A	In-person

**STAFF**

Roberta Van Steinburg

**5 out of 5 voting Commission/Committee members were present – quorum was met.**

**1. CALL TO ORDER**

Chair Panio called the meeting to order at 7:05 p.m.

**2. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT**

We acknowledge and respect the indigenous peoples within whose traditional lands we are meeting today.

**3. ADOPTION OF AGENDA**

**MOVED** and  
seconded,  
AND Resolved:

The Agenda for the October 3, 2023 Riondel Commission meeting, be adopted as presented with the following additions:

- 7.11 Drainage Update
- 8.8 Riondel Community Association
- 8.9 Radon Tester

**Carried**

**4. RECEIPT OF MINUTES**

The September 5, 2023 Riondel Commission minutes, have been received.

**5. DELEGATE**

No Delegate

**6. PUBLIC TIME**

Chair Panio called for questions from the public at 7:07 p.m. A local resident was in attendance to speak to correspondence the Commission received regarding the revisiting of the Telus Cell Tower site. The resident suggested that considering this is the 4<sup>th</sup> fire season since the original tower discussion, it is time to revisit provision of cell phone service in the Riondel area. It is essential to have clear concise, updated and accessible communication in the event of emergencies. The high risk factors is that Riondel residents live in a fire-vulnerable forest, with only one road into and out of the town.. Current emergency awareness provides an opportunity to put pressure from above to get companies to do the right thing for improved communication.

**7. OLD BUSINESS**

**7.1 Cell Service Discussion**

Chair Panio is requesting to rescind the motion from the September 5, 2023 RCM Meeting, based on errors in procedural protocols. Chair Panio will draft a new letter for the Commission to review for the November 7, 2023, RCM Meeting.

**MOVED** and seconded,  
AND Resolved:

That the RCM rescind the motion from the September 5, 2023, RCM Meeting directing Chair Panio to write Telus asking them to revisit the cell tower initiative.

**Carried**

**7.2 Riondel Community Centre Renovations Update**

Chair Panio reported that there still has not been a meeting with the architect, Joe Chirico, and AJ Evanson the project manager. The reason the meeting has not occurred is because the Community Centre needed to have a building assessment review done. . Once the assessment is filed, it will be forwarded to the architect and will help to determine what the next steps will be.

**7.3 Outdoor Security Camera Update**

Chair Panio reported this initiative is ongoing. There are no updates to provide

at this time.

**7.4 Playground Cleanup**

Commissioner Anderson provided a verbal update regarding playground cleanup. A work day was arranged with an eager young local resident to do some cleanup at the playground, but he did not show. Commissioner Anderson has set up another date to meet again to do the work and will provide an update at the next meeting.

**7.5 Installation of Hot Air Hand Dryers in the Washrooms**

Chair Panio provided the Commission with a verbal update regarding the installation of hot air hand dryers in the public washrooms. Chair Panio contacted Joe Chirico to see if he could provide some information on the dryers for costing measures. This is still in process.

**7.6 Proposed Ferry Schedule Changes**

Chair Panio reviewed the draft letter of support written for improvements in ferry service. Chair Panio will revise the letter to include points raised during tonight's discussion, and recirculate it to the Commissioners for review and comment. Pending no objections, Chair Panio will send the letter out.

**7.7 New Riondel Town Sign**

Commissioner Anderson provided the Commission with a verbal update on new town signage. Director Jackman reported on a "Wayfinding" and "Directional Signs" funding project for Area's A, B, C and the town of Creston, with the first priority being signage. Riondel Community is listed as a number one priority. Director Jackman forwarded contact information to Chair Panio to follow up. Maintenance person Evan Salmon has indicated he knows someone who may be able to design new signs for us, and Director Anderson will also contact a sign company in Creston for an estimate.

**7.8 Backstop Replacement**

Chair Panio provided the Commission with a verbal update including a local resident who is willing to replace the current structure. The hope is that this will be completed soon and the \$4,000 grant will not be lost. Chair Panio also reported that he is working on getting quotes for an irrigation system for the ball field as Teck is willing to donate funds. Director Jackman informed the Chair to contact Larry Brown at RDCK as he has a wealth of knowledge that may be beneficial on this subject.

**7.9 Rental Rate Discussion**

This discussion is tabled to the November 7, 2023 Commission meeting.

**7.10 Emergency Preparedness Update**

Commissioner Wilkinson provided a verbal report regarding Emergency Preparedness including an update on a questionnaire that was sent out earlier in the year. He has been in discussion with the Emergency Preparedness Coordinator from Brittney Anderson's office who will help advocate for a road to be possibly built from the bridge to Johnson's Landing as well if there was need for the ferry to pull into Galena Bay in emergency situations. Director Jackman also provided contact information for the new Creston Valley and East Shore

MoTI representative as a resource.

#### **7.11 Drainage Update**

Chair Panio provided a verbal update regarding drainage including an inquiry into what the \$36,000 was budgeted under capital expenditures for drainage was in reference to. The response was the capital budget for Riondel drainage was added to address an emerging issue as a property owner applied for a property development; however, the property owner is not going to pursue the development. It is hoped that some work can still be done on replacing some decaying wooden intake manholes.

### **8. NEW BUSINESS**

#### **8.1 Book Exchange Location**

Chair Panio provided the Commission with a verbal update regarding the location for the book exchange including that the attendant shack by the recycle bin is being used for a book drop and exchange. It was recommended a “Books Only, Please” sign be installed. Director Jackman provided a contact for funding for Libraries and Reading Centres through Regional District Service. Chair Panio will write a letter asking for funds to assist with the purchase of a paper guillotine which can remove the spine of the books for recycling purposes.

#### **8.2 New Riondel Community Association**

Chair Panio provided the Commission with a verbal update including that the Seniors Association will be winding up, and it will be reincarnated as the Riondel Community Association. This will be a new society with a new mandate and should be up and running by the end of the year.

#### **8.3 Upgrades to Media Lab**

Chair Panio provided the Commission with a verbal update regarding the proposed upgrades to the media lab including the purchase of a new Media Quest 3 Headset for the lab.

#### **8.4 Display of Historical Information**

Chair Panio provided the Commission with a verbal update regarding the display of historical information on Riondel found in storage. It was suggested to hang these posters in the entrance hallway so they can be seen by the users of the facility.

#### **8.5 Air Purifier donation**

Chair Panio provided the Commission with a verbal update regarding the donation of an Epurair air purifier. The purifier has been installed in the library. A thank you letter has been sent to the donor from the Commission as well as from the library.

#### **8.6 Furnace Service Repair**

Chair Panio provided the Commission with a verbal update regarding the recent furnace service and repair including an issue with the furnace in the basement was discovered. The technician repaired it, and serviced all of the furnaces. The technician also noted the baseline temperature on the thermostats should be 60 degrees, as well as all vents should remain open for optimal furnace operation.



**8.7 Call for Commissioners**

Chair Panio provided the Commission with a verbal update regarding the current vacancies on the Riondel Commission Management. Commissioner Wilkinson mentioned that he may not be seeking another term.

**8.8 Radon Tester**

Chair Panio provided the Commission with a verbal update regarding the purchase of a radon tester to loan out to residents, distributed by the library or Commission staff. Director Jackman reported that the BC Lung Association, bclung.ca, could provide radon testers. Director Jackman will follow up.

**9. CORRESPONDENCE**

Chair Panio reported there has been some more correspondence regarding the cell tower, both from those in favour and those who are not in favour. This correspondence has been forwarded to the Commission members.

**10. AREA A DIRECTOR'S REPORT**

Director Jackman provided the Commission with a verbal report including the importance to have at least two more community members step up to be on the newwater and drainage advisory committee. It is currently inactive and this is a disservice to the community as a whole.

**11. FINANCIAL REPORTS**

No report, 3<sup>rd</sup> quarterly financials will be provided to the Commission in the next couple of weeks which will be a good summary that is intended to be useful for yearend projections and next fiscal year budget preparation.

**12. PUBLIC TIME**

No public.

**13. NEXT MEETING**

The following Riondel Commission meeting will be held on November 7, 2023 at 7:00 pm.

**14. ADJOURNMENT**

**MOVED** and  
seconded,  
AND Resolved:

The Riondel Commission meeting be adjourned at 9:14 p.m.

**Carried**

**Approved by**

---

**Gerald Panio, Chair**



## Regional District of Central Kootenay WEST TRANSIT SERVICES COMMITTEE Open Meeting Minutes

Wednesday, October 4, 2023

1:00 pm PST

Hybrid Model - In-person and Remote

RDCK Board Room – 202 Lakeside Drive, Nelson, BC

### COMMITTEE MEMBERS PRESENT

Chair S. Hewat	Village of Kaslo	
Director G. Jackman	Electoral Area A	In-person
Director A. Watson	Electoral Area D	
Director C. Graham	Electoral Area E	
Director T. Newell	Electoral Area F	
Director H. Cunningham	Electoral Area G	In-person
Director W. Popoff	Electoral Area H	In-person
Director A. Davidoff	Electoral Area I	
Director M. McFaddin	City of Castlegar	
Director A. McLaren-Caux	Village of Nakusp	
Director K. Page	City of Nelson	
Director D. Lockwood	Village of Salmo	In-person
Director J. Lunn	Village of Slocan	

### COMMITTEE MEMBERS ABSENT

Director H. Hanegraaf	Electoral Area J
Director T. Weatherhead	Electoral Area K
Director L. Casley	Village of New Denver
Director C. Ferguson	Village of Silverton

### STAFF PRESENT

M. Morrison	Corporate Officer
T. Dool	Research Analyst
Y. Malloff	Chief Financial Officer

C. Hopkyns  
C. Feeney

Meeting Coordinator  
Meeting Coordinator

## GUESTS PRESENT

D. White

BC Transit Manager, Government Relations

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### 1. WEBEX REMOTE MEETING INFO

To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings in-person or remote (hybrid model).

**Meeting Time:**

1:00 p.m. (PST)

**Join by Video:**

<https://nelsonho.webex.com/nelsonho/j.php?MTID=m668b781fd588f675b9325fbbec339bc2>

**Join by Phone:**

+1-604-449-3026 Canada Toll (Vancouver)

**Meeting Number (access code):** 2772 251 5536

**Meeting Password:** mH4JeJcG64 (64453552 from phones)

**In-Person Location:** RDCK Head Office - Board Room, 202 Lakeside Dr, Nelson, BC

### 2. CALL TO ORDER & WELCOME

The RDCK Corporate Officer, Mike Morrison, called the meeting to order at 1:00 p.m.

### 3. ELECTION OF CHAIR

#### 3.1 CALL FOR NOMINATIONS (3 Times) CALL FOR NOMINATIONS (3 Times)

The Corporate Officer called for nominations the first time.

Directors Davidoff and Hewat were nominated.

Director Davidoff withdrew his nomination.

The Corporate Officer called for nominations the second and third time.

#### 3.2 DECLARATION OF ELECTED CHAIR

Being none, RDCK Corporate Officer ratifies the appointed Director Hewat as Chair of the West Transit Services Committee for 2023/2024 by acclamation.

### **CHAIR'S ADDRESS**

Chair Hewat thanks Director's Lockwood and Cunningham for the nomination. Going forward, she shared that she will be attending the meeting in-person and she looks forward to chairing the committee.

## **4. COMMENCEMENT OF REGULAR WEST TRANSIT SERVICES COMMITTEE**

The West Transit Services Committee Chair assumed the chair.

### **4.1 TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT**

We acknowledge and respect the indigenous peoples within whose traditional lands we are meeting today.

### **4.2 ADOPTION OF THE AGENDA**

Moved and seconded,  
And resolved:

The agenda for the October 4, 2023 West Transit Services Committee meeting be adopted as circulated.

**Carried**

### **4.3 DELEGATION**

No delegation.

## **4.4 ITEMS**

### **4.4.1 FOR INFORMATION: BC TRANSIT 101**

Daynika White, BC Transit Manager, Government Relations, provided a presentation to the Committee regarding BC Transit. She shared an overview of the BC Transit and partnership model. Daynika reviewed the different transit services available and the BC Transit share services model with local governments.

Daynika provided an overview of the regional transit system and she shared ridership stats showing BC has returned to pre-Covid levels. Daynika reviewed BC Transit future service plan, sharing the critical, short term and infrastructure priorities for the region. She also provided an overview of the Transit Improvement Program with the Committee.

Daynika concluded by sharing the local transit initiatives being implemented in the region:

- the new Nelson transit exchange - completion target of summer of 2024;
- the implementation of the Next Ride customer facing technology, and;
- the electronic fare collection - Umo mobile app.

Daynika answered the Committee's questions.

#### **4.4.2 FOR INFORMATION: RDCK TRANSIT FUNDING SERVICES**

The presentation dated November 16th, 2022 from Tom Dool, Research Analyst, re: Public Transit Services at the Regional District of Central Kootenay, has been received.

Tom Dool, Research Analyst, presented to the Committee the West Kootenay transit system services in the RDCK:

- S237 – Castlegar & Area;
- S238 Transit – North Shore/Slocan Valley Transit;
- S239 Transit – Kootenay Lake West; and
- Health Connections.

Tom answered the Committee's questions.

#### **4.4.3 FOR INFORMATION: KOOTENAY WEST PARA CHANGE OF CONTRACTOR**

The memorandum dated August 18, 2023 from Daynika White, BC Transit Manager - Government Relations, re: Kootenay West Para Change Of Contractor, has been received.

Daynika White, BC Transit Manager - Government Relations, provided an overview to the Committee regarding the Kootenay West Para change of contractor. With the NextGen Transit contract expiring, BC Transit is interested in exploring a mutually beneficial agreement with the City of Nelson to provide Transit Management Services for the Kootenay West portion of the region. Daynika answered the Committee's questions.

#### **4.4.4 STAFF UPDATE**

Tom Dool provided an overview to the Committee regarding emerging transit issues:

- Hwy 3A pullout paving is complete. Paving was completed using Minor Transit Betterment Funds.
- Staff are preparing plans for next year's shelter installs. If Directors are interested in additional shelters in their areas, they should let staff know.
- The ETSI-BC Economic Trust of the Southern Interior is making \$650,000 dollars available in Grants. Staff will be seeking additional information.
- Asset Management Planning is ongoing. Staff are in the process of selecting a software platform for shelter inspection and record keeping.
- Dr. Sarah Breen from Selkirk College and her students are preparing an analysis of transit services in Salmo and Area G. Staff will review the study and arrange for presentation to the committee.

#### **4.4.5 MEMORANDUM OF UNDERSTANDING: WEST KOOTENAY TRANSIT THREE YEAR EXPANSION PLAN**

The Committee Report dated September 27, 2023 from Tom Dool, RDCK Research Analyst, re: 2023 West Kootenay Transit Three Year Expansion Plan Memorandum of Understanding, has been received.

The Committee had a lengthy discussion regarding the different service options and financial implications to certain areas. They discussed possible amendments to the recommendation. The Committee members will spend the time before the October Board meeting to further investigate the options presented in the report. The Committee will reach out to staff if they need further clarification.

Moved and seconded,

And resolved that it be recommended to the Board:

That the Board approve of the RDCK entering into a memorandum of understanding with BC Transit for the purpose of confirming transit service expansion plans for 2024/25 and to approve transit expansion priorities for the subsequent two years, and that the Chair and Corporate Officer be authorized to sign the necessary documents.; and further, the costs associated with memorandum of understanding be included in the 5 year financial Plans for Castlegar and Area Transit Service S237, North Shore Slocan Valley Transit Service S238, Kootenay Lake West Transit S239.

**Carried**

#### **4.4.6 WEST TRANSIT SERVICES COMMITTEE MEETING DATES**

The West Transit Services Committee had a discussion regarding meeting dates for 2023/24.



**STAFF DIRECTION:** Staff will send out poll for potential meeting dates for the middle of January.

**4.5 PUBLIC TIME**

The Chair called for questions from the public and members of the media at 3:01 p.m.

No public were present.

**4.6 ADJOURNMENT**

Moved and seconded,  
And resolved:

The West Transit Services Committee meeting adjourn at 3:02 p.m.

**Carried**

Digitally Approved by

---

Suzan Hewat, Chair

**RECOMMENDATION(S) TO THE BOARD OF DIRECTORS**

1. That the Board approve of the RDCK entering into a memorandum of understanding with BC Transit for the purpose of confirming transit service expansion plans for 2024/25 and to approve transit expansion priorities for the subsequent two years, and that the Chair and Corporate Officer be authorized to sign the necessary documents.; and further, the costs associated with memorandum of understanding be included in the 5 year financial Plans for Castlegar and Area Transit Service S237, North Shore Slocan Valley Transit Service S238, Kootenay Lake West Transit S239.



CITY OF NELSON

# WEST KOOTENAY TRANSIT COMMITTEE

## MINUTES

September 26, 2023 | 10:00 a.m.

Regional District of Kootenay Boundary

RDKB Boardroom, 843 Rossland Avenue, Trail, BC

In Person and Virtual Meeting

### In attendance

Rik Logtenberg, Chair	City of Nelson
Linda Worley, Vice Chair	Area B, RDKB
Chris Jury	City of Nelson
Jody Koehle	City of Nelson
Baron Gould	City of Nelson
Brian Bogle	City of Castlegar
Diana Lockwood	Village of Salmo
Tom Newell	Area E, RDCK (via Teams)
Walter Popoff	Area H, RDCK (via Teams)
Steve Morissette	Village of Fruitvale
Terry Martin	City of Trail
Daynika White	BC Transit
Anthony Mirando	BC Transit
Tessa Stewart	BC Transit
Trevor Stach	NextGen Transit Inc.
Sherry McCuaig	NextGen Transit Inc.
Sarah Breen	Selkirk College
Tom Dool	RDCK (via Teams)
James Chandler	RDKB
Anitra Winje	RDKB

### **1) Call to Order**

Chair Rik Logtenberg called the meeting to order at 10 a.m.

### **2) Territorial Acknowledgement**

In the spirit of respect, truth and reconciliation, we honour and thank the Indigenous Peoples on whose traditional and unceded lands we operate. We would also like to acknowledge the enduring presence of the Indigenous Peoples of this region.

### 3) Approval of the Agenda

**Moved by Director Worley and seconded:**

That the agenda for the September 26, 2023 meeting of the West Kootenay Transit Committee be approved as presented.

CARRIED.

### 4) Approval of the Minutes

**Moved by Director Morissette and seconded:**

That the minutes of the West Kootenay Transit Committee June 6, 2023 meeting be approved as presented.

CARRIED.

### 5) Communications/Correspondence

- a) Presentation from Dr. Sarah-Patricia Breen PhD, Regional Innovation Chair in Rural Economic Development, Selkirk College  
*Selkirk College Moving Forward: Determining the Influence of Place on Public Transit in Rural Canada*

She explained that there has been minimal rural transit research in Canada. She has identified five key issues: rural areas are treated as uniform; there is an uneven knowledge of different regions and communities; a lack of integration exists; and there is a narrow focus on traditional solutions. Her team formulated a “triangle” to illustrate the influence of place: macro = applies universally across rural areas; meso = applies over larger rural areas; and micro = applies on case-by-case basis. Her theoretical framework was designed to be tested in case studies (four to six). Data collected will be analysed and shared with participants. The first case study is for the West Kootenay transit system.

Preliminary findings in a current study in Salmo and Area G: 38% of respondents currently use transit and 90% of respondents would be willing to use transit if improvements were made. Most respondents also shared they are willing to pay for transit. Many want to travel to Nelson and Trail during weekday office hours.

Dr. Breen anticipates that the findings from the case studies could affect policies at the Provincial and Federal levels.

Mayor Lockwood shared that she cannot rely on transit to transport her from Salmo to Nelson.

Director Popoff raised the issue of seniors accessing transit in the Slokan Valley and recommended that more buses be added to the route.

Mr. Dool shared that many of the issues raised will be addressed in the Transit Future Services Plan.

Ms. White suggested that the Salmo and Area G case study could help the RDCK with decision-making around transit expansion.

Mr. Dool remarked that there are two approaches to consider: tactical and strategic. Plans need to be revisited and updated regularly. He said that a different metric is needed in rural areas to measure success.

Chair Logtenberg said that the Province just released its rural strategy, of which transportation is a key component. The vision is for a rural transit system that will be affordable, equitable and deliver riders to healthcare. MLA Anderson has asked to engage with the Committee on a bus to talk about these issues.

**Moved by Director Lockwood and seconded:**

That the West Kootenay Transit Committee write a letter to Premier Eby and Minister Rob Fleming requesting that the Provincial government make transit one of its top three priorities for funding.

CARRIED.

The transit operators shared that recruiting transit drivers is challenging. Securing affordable housing for part-time workers is one roadblock. This may affect the ability to expand transit if no drivers are available.

## 6) Reports

### a) Update on transit expansion proposals for 2024/25 implementation

*Daynika White, Government Relations Manager, BC Transit*

Ms. White shared the service expansion timeline for 2023/24. The following expansions were approved: additional service on Route 98; Route 34 expanded to Grandview Heights; and two new round trips on Route 99.

### b) U-PASS implementation process and considerations

*Tessa Stewart, Business Development Advisor, BC Transit and Tom Dool, RDCK*

Ms. Stewart provided a brief overview of the U-PASS system, which gives students unlimited access to transit in their local system for a heavily discounted rate. She discussed the benefits of the program: environmental, guaranteed annual revenue, reduced parking demand and creating lifelong transit users. Considerations include increased demand on the system, pricing, and the post-secondary institution, which can include multiple campuses and remote learning. To join, a

regional district board or municipal council must give approval, in addition to the post-secondary institution (referendum vote usually held).

Ms. Stewart said that approval must consider capacity.

Mr. Dool suggested that staff go to their Boards and Council and seek approval before moving forward with this U-PASS offer to students.

**Moved by Director Popoff and seconded:**

That the Committee recommends that staff be directed to develop a U-PASS plan to be put forward to the City of Nelson and the RDCK and RDKB prior to engaging with Selkirk College students.

CARRIED.

**c) BC Transit contract strategy for West Kootenay Transit System**

*Anthony Mirando, Regional Operations Manager, BC Transit*

Mr. Mirando updated the Committee on the status of contracts for the provision of transit services.

**d) Update on labour shortage and service delivery**

*Trevor Stach, CEO, NextGen Transit*

Mr. Stach advised that NextGen is currently short only one position, but that staffing has been a challenge. The Salmo run has been adversely affected by this, resulting in cancelled runs. He suggested that the Committee may want to investigate funding for training transit drivers.

Chair Logtenberg asked if ETSI funding could be used for training; it was determined that it is.

When the Route 98 bus arrives first thing in the morning, the doors are not open.

**Moved by Director Bogle and seconded:**

That the Committee send a letter to Selkirk College requesting that the college doors be opened at 6:35 a.m. to accommodate riders on the first Route 98 bus.

CARRIED.

**Moved by Director Lockwood and seconded:**

That the West Kootenay Transit Committee recommends to the City of Nelson, the RDKB and the RDKB support NextGen Transit Inc.'s application to ETSI-BC for funding for driver training.

**7) New Business**

None.



## **8) Adjournment**

There being no further business, the meeting adjourned at 12 p.m.

**Approved by**  
Rik Logenbergh, Chair



## REGIONAL DISTRICT OF CENTRAL KOOTENAY

# ALL RECREATION COMMITTEE OPEN MEETING MINUTES

9 a.m. – 12 p.m.  
September 27, 2023

**In-Person Location: RDCK Boardroom – Lakeside Office**  
Please use public entrance on the west side of the building as there is maintenance being done on the exterior door just outside of the boardroom.

**Join by:**

**Video:** <https://nelsonho.webex.com/nelsonho/j.php?MTID=m1774842cd2b5c81fa7a01b33b2dcbf51>

**Join by Phone:** 1-833-512-2295 Canada Toll Free

**Meeting Number (access code):** 2772 079 8271

**Meeting Password:** vyVsscZc492

### COMMITTEE MEMBERS

Director G. Jackman	Electoral Area A	In Person
Director R. Tierney	Electoral Area B	
Director K. Vandenberghe	Electoral Area C	
Director A. Watson	Electoral Area D	
Director T. Newell	Electoral Area F	
Director H. Cunningham	Electoral Area G	In Person
Director W. Popoff	Electoral Area H – Chair	In Person
Director A. Davidoff	Electoral Area I	
Director H. Hanegraaf	Electoral Area J	
Director T. Weatherhead	Electoral Area K	
Director A. DeBoon	Town of Creston	
Director S. Hewat	Village of Kaslo	
Director A. McLaren-Caux	Village of Nakusp	
Director K. Page	City of Nelson	In Person
Director D. Lockwood	Village of Salmo	
Director J. Lunn	Village of Slocan	
Director B. Bogle (Alternate)	City of Castlegar	

### MEMBERS ABSENT

Director C. Graham	Electoral Area E
Director M. McFaddin	City of Castlegar
Director C. Ferguson	Village of Silverton
Director L. Casely	Village of New Denver

**Guest**

Councilor K. Tait

City of Nelson

**STAFF**

S. Horn	Chief Administrative Officer
J. Chirico	General Manager of Community Services
C. Stanley	Regional Manager – Operations & Asset Management
T. Davison	Regional Manager – Recreation & Client Services
T. Wayling	Regional Programming Manager
A. Beavers	Regional Programmer
C. Gaynor	Parks Planner
M. Crowe	Parks Planner
S. Fuhr	Communications / Community Involvement
A. Chadwick	Meeting Coordinator
D. Hansum	Meeting Coordinator

**17 out of 20 voting Committee members were present – quorum was met.**

**1. CALL TO ORDER**

Chair Popoff called the meeting to order at 9:21 a.m. due to technical difficulty.

**2. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT**

We acknowledge and respect the Indigenous peoples within whose traditional lands we are meeting today.

**3. ADOPTION OF AGENDA**

**MOVED** and seconded,  
AND Resolved:

That the agenda for the September 27, 2023 All Recreation Committee meeting be adopted as circulated.

**Carried**

**MOVED** and seconded,  
AND Resolved:

That Councillor Tait have Freedom of the floor.

**Carried**

**4. RECEIPT OF MINUTES**

The June 28, 2023 Nelson & District Recreation Commission minutes, have been received.

**5. STAFF REPORTS**

**5.1 REGIONAL PROGRAMMING UPDATE**

The Committee Report dated September 20, 2023 from Tia Wayling, Regional Programming Manager, re: Regional Programming Update, has been received.

**5.2 TEN PUNCH PASS EXPIRTY CHANGE – UPDATE**

The Committee Report dated September 19, 2023 from Trisha Davison, Regional Manager – Recreation and Client Services, re: Ten Punch Pass Expiry Change – Update, has been received.

**5.3 FEES AND CHARGES POLICY**

Joe Chirico, General Manager of Community Services provided a presentation reviewing the RDCK Community Services Fees & Charges Policy.

**RECESS/RECONVENE** The meeting recessed at 10:38am for break and reconvened at 10:48 a.m.

**5.4 ALLOCATION POLICY AND PROCEDURES INFORMATION REFRESHER**

Craig Stanley, Regional Manager – Operations & Asset Management provided a refresher presentation on the RDCK Recreation Allocation Policy and Procedures.

**5.5 RDCK CAPITAL PROJECTS AND NEW OPERATIONAL INITIATIVES**

Craig Stanley, Regional Manager – Operations & Asset Management provided a presentation on Capital Projects and Operational Initiatives.

**5.6 RDCK INCLUSION AND ACCESS INITIATIVE**

The Committee Report dated September 11, 2019 from Marty Benson, former NDCC Manager of Recreation, was re-presented by Trisha Davison, Regional Manager – Recreation and Client Services with an updated recommendation, re: RDCK Inclusion and Access Initiative, has been received.

**DIRECTOR ABSENT:** Director Lunn left the meeting at 11:15am.

**NOMINATION OF THE RDCK RECREATION INCLUSION AND ACCESS SELECT COMMITTEE**

Chair Popoff called for nominations (3 Times)  
Directors Davidoff and Vandenberghe were nominated.

**DECLARATION OF SELECT COMMITTEE MEMBERS BY ACCLIMATION**

Chair Popoff ratified the appointments of Directors Davidoff and Vandenberghe as the RDCK Recreation Inclusion and Access Select Committee members.

**RECESS/RECONVENE** The meeting recessed at 11:23am for break and reconvened at 11:37 a.m.

**DIRECTOR ABSENT:** Director Newell left the meeting at 11:26 am.

**MOVED** and seconded,  
AND Resolved:

That the Board create an RDCK Recreation Inclusion and Access Select Committee with the Board appointing Directors Vandenberghe and Davidoff to the Committee; AND FURTHER, that the Committee bring back a report on the specific goals and objectives on the initiatives including:

1. Specific details on available support services;
2. Detailed goals and objectives for updating the RDCK Leisure Access Program;
3. Development of a sustainable delivery model that includes funding required to provide suitable staffing, volunteers, training, equipment, communications, work space, administrative support etc; and
4. To work with staff to develop a budget for Board consideration at the January 2024 Open Board meeting.

Carried

**6. PUBLIC TIME**

The Chair called for questions from the public 11:42am  
No public present.

**7. NEXT MEETING**

The next All Recreation Committee meeting will be held in March 2024, date to be determined.

**8. ADJOURNMENT**

**MOVED** and seconded,  
AND Resolved:

That the All Recreation Committee meeting be adjourned at 11:43a.m

Carried

Digitally Approved

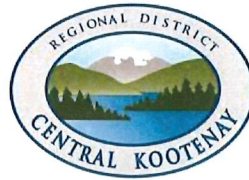
Walter Popoff, Chair  
October 4, 2023

**RECOMMENDATION(S) TO THE BOARD OF DIRECTORS**

*That the Board create an RDCK Recreation Inclusion and Access Select Committee with the Board appointing Directors Vandenberghe and Davidoff to the Committee; AND FURTHER, that the Committee bring back a report on the specific goals and objectives on the initiatives including:*

- 1. Specific details on available support services;*
- 2. Detailed goals and objectives for updating the RDCK Leisure Access Program;*
- 3. Development of a sustainable delivery model that includes funding required to provide suitable staffing, volunteers, training, equipment, communications, work space, administrative support etc; and*
- 4. To work with staff to develop a budget for Board consideration at the January 2024 Open Board meeting*





## Water Services Committee Open Meeting **MINUTES**

A Water Services Committee meeting was held on Wednesday, October 4, 2023 at 9:00 am PDT through a hybrid meeting model.

Quorum was maintained throughout the meeting.

<b>ELECTED OFFICIALS</b>	<b>Director T. Newell</b>	<b>Area F (Committee Chair)</b>	In-Person
<b>PRESENT:</b>	Director G. Jackman	Area A	In-Person
	Director R. Tierney	Area B	
	Director K. Vandenberghe	Area C	
	Director A. Watson	Area D	
	Director C. Graham	Area E	
	Director H. Cunningham	Area G	In-Person
	Director W. Popoff	Area H	In-Person
	Director H. Hanegraaf	Area J	
	Director T. Weatherhead	Area K	
<b>ELECTED OFFICIALS</b>	Councillor J. Elford	Town of Creston	
<b>ABSENT:</b>			
<b>GUEST:</b>	Councillor A. Mondia	Town of Creston	
<b>STAFF PRESENT:</b>	U. Wolf	GM – Environmental Services	In-Person
	A. Divlakovski	Water Operations Manager	In-Person
	J. McDiarmid	Utility Services Manager	In-Person
	E. Senyk	Water Services Liaison	In-Person
	N. Nick	Environmental Coordinator, Utility Services	In-Person
	S. Eckman	Meeting Coordinator	In-Person

### 1. **WEBEX REMOTE MEETING INFO**

To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings in-person or remote (hybrid model).

#### **Join by Video:**

<https://nelsonho.webex.com/nelsonho/j.php?MTID=ma1e9678d0cea9b5a3728ea695921aad7>

#### **Join by Phone:**

1-844-426-4405 Canada Toll Free

+1-604-449-3026 Canada Toll (Vancouver)

**Meeting Number (access code):** 2772 144 4906

**Meeting Password:** JcixGyh544

**In-Person Location:** RDCK Board Room, 202 Lakeside Drive, Nelson, BC

**2. CALL TO ORDER & WELCOME**

Chair Newell called the meeting to order at 9:02 am PDT.

**2.1 Traditional Lands Acknowledgement Statement**

We acknowledge and respect the indigenous peoples within whose traditional lands we are meeting today.

**2.2 Adoption of The Agenda**

**Moved** and Seconded,  
And Resolved:

The Agenda for the October 4, 2023 Water Services Committee meeting be adopted as circulated.

**Carried**

**2.3 Receipt of Minutes**

The August 2, 2023 Water Services Committee minutes, have been received.

**2.4 Freedom of the Floor**

**Moved** and Seconded,  
And Resolved:

That Councillor Mondia, Town of Creston have freedom of the floor.

**Carried**

**DIRECTOR** Director Watson left the meeting at 9:05 am.  
**ABSENT**

**DIRECTOR** Director Cunningham joined the meeting at 9:05 am.  
**PRESENT**

**3. ASSET CHALLENGE: GROUNDWATER WELLS AND THE NEED FOR REDUNDANCY**

The October 4, 2023 Asset Challenge: Water Well Failure & the Need for Redundancy presentation prepared by Jason McDiarmid, Utility Services Manager, has been received.

**DIRECTOR** Director Watson joined the meeting at 9:14 am.  
**PRESENT**

**4. ASSET CHALLENGE: LINEAR INFRASTRUCTURE RENEWAL POTENTIAL LONG-TERM RATES REQUIREMENT**

The October 4, 2023 Asset Challenge: Linear Infrastructure Renewal Potential Long-Term Water Rates presentation prepared by Jason McDiarmid, Utility Services Manager, has been received.

**DIRECTOR** Director Watson left the meeting at 9:51 am.  
**ABSENT**

**RECESS** Meeting recessed for a break from 10:02 am to 10:10 am.

**DIRECTOR** Director Watson joined the meeting at 10:10 am.  
**PRESENT**

**5. DECOMMISSIONING OF ASBESTOS PIPE POLICY**

The September 18, 2023 Committee Report from Jason McDiarmid, Utility Services Manager, presenting the proposed Board Policy – Decommissioning of Asbestos Cement Pipe in Regional District Water Services to the Water Service Committee for adoption, has been received.

**Moved** and seconded,

And resolved that it be recommended to the Board that:

Staff be directed to amend the draft Decommissioning of Asbestos Cement Pipe Policy No. 600-03-08 by removing reference to making the asbestos pipe mapping information available to the public.

**Carried**

**6. DRINKING WATER SYSTEMS PATHOGEN RISK WATER QUALITY MANAGEMENT POLICY**

The September 18, 2023 Committee Report from Jason McDiarmid, Utility Services Manager, presenting the latest Drinking Water Systems Pathogen Risk Water Quality Management Policy draft to the Water Services Committee for adoption, has been received.

**Moved** and seconded,

And resolved that it be recommended to the Board that:

The Regional District Water Services Committee recommends that the Board adopt Policy Number 600-03-07 Drinking Water Systems Pathogen Risk Water Quality Management, effective immediately.

**Carried**

**Moved** and seconded,

And resolved that it be recommended to the Board that:

Board Resolution #534/17, being:

*That the Regional District Board of Directors direct Staff to implement the following water quality action plan for the Burton Water System:*

- 1) Issue a long term Water Quality Advisory for Burton that can be eventually removed if there is a satisfactory history of good water sampling results.*
- 2) Public facilities such as the campground, school, community center, food and beverage establishments, and the future senior's facility will be encouraged to install their own onsite water disinfection systems.*
- 3) The water system will be flushed more frequently in areas where water consumption might be low.*
- 4) The school and campground will be encouraged to flush and disinfect their water systems when not used for extended periods of time.*

- 5) *Continue with more frequent bacteriological water sampling. The Regional District is currently sampling from the wells, two distribution locations and the water storage reservoir on a weekly basis.*
- 6) *Consumption level chlorination will be added to the Burton water system for a minimum two week period, twice annually.*

**be rescinded.**

**Carried**

**7. WORK PLAN TO LIFT MORATORIUM**

The September 4, 2023 Committee Report from Jason McDiarmid, Utility Services Manager, presenting a work plan to the Water Services Committee for lifting the moratorium on the intake of acquisition applications from water and wastewater systems, has been received.

**8. WATERSMART PROGRAM: REQUEST FOR DIRECTION**

The October 4, 2023 Committee Report from Eileen Senyk, Water Services Liaison, seeking direction regarding future direction for a Water Smart Ambassador program, has been received.

**Moved** and seconded,

And resolved that it be recommended to the Board that:

The Water Services Committee direct to staff to take no further action regarding a Water Smart Ambassador program at this time.

**Carried**

**RECESS** Meeting recessed for a break from 11:20 am to 11:25 am.

**9. UTILITY SERVICES FINANCIAL STATEMENTS: BUDGET & EXPENDITURES SUMMARY**

The August 2023 Summary of Utility Services Financial Statements Budget & Expenditures to Date, has been received.

**10. STAFF REPORTS**

**10.1 Water Operations & Capital Projects Update**

The September 28, 2023 Committee Report from Alexandra Divlakovski, Water Operations Manager, providing an update to the Committee and highlight the larger maintenance and capital projects completed to date in 2023, has been received.

**10.2 Water Quality Quarterly Report**

The September 14, 2023 Committee Report from Nathalie Nick, Environmental Coordinator - Utility Services summarizing the water advisories issued from May 1, 2023 to August 31, 2023 for water systems operated by the RDCK, has been received.

**10.3 2024 Budget Discussion Meetings**

Staff is in the process of scheduling a 2024 Budget Discussion meeting with the following Water Services Community Advisory Committees (WSCACs) and Commissions of Management.

1. Balfour WSCAC
2. Grandview Properties WSCAC
3. Edgewood WSCAC
4. Sanca WSCAC
5. South Slocan WSCAC
6. Woodland Heights WSCAC
7. Woodbury Village WSCAC
8. Arrow Creek Commission of Management
9. Ymir Commission of Management
10. Riondel WSCAC
11. Erickson WSCAC.

**11. CORRESPONDENCE FOR RECEIPT**

The following correspondence has been received:

- a. July 31, 2023 Sanca Park Water Community Advisory Committee meeting Discussion Notes.

**12. PUBLIC TIME**

The Chair called for questions from the public and members of the media at 11:38 am PDT.

**DIRECTOR** Director Weatherhead left the meeting at 11:44 am.

**ABSENT**

**13. ADJOURNMENT**

**Moved** and Seconded,  
And Resolved:

The October 4, 2023 Water Services Committee meeting adjourn at 11:48 am PDT.

CERTIFIED CORRECT

Approved by Chair T. Newell

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## **BOARD RECOMMENDATIONS AS ADOPTED AT THE AUGUST 2, 2023 WATER SERVICES COMMITTEE MEETING**

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### **RECOMMENDATION #1**

Staff be directed to amend the draft Decommissioning of Asbestos Cement Pipe Policy No. 600-03-08 by removing reference to making the asbestos pipe mapping information available to the public.

### **RECOMMENDATION #2**

The Regional District Water Services Committee recommends that the Board adopt Policy Number 600-03-07 Drinking Water Systems Pathogen Risk Water Quality Management, effective immediately.

### **RECOMMENDATION #3**

Board Resolution #534/17, being:

*That the Regional District Board of Directors direct Staff to implement the following water quality action plan for the Burton Water System:*

- 1) *Issue a long term Water Quality Advisory for Burton that can be eventually removed if there is a satisfactory history of good water sampling results.*
- 2) *Public facilities such as the campground, school, community center, food and beverage establishments, and the future senior's facility will be encouraged to install their own onsite water disinfection systems.*
- 3) *The water system will be flushed more frequently in areas where water consumption might be low.*
- 4) *The school and campground will be encouraged to flush and disinfect their water systems when not used for extended periods of time.*
- 5) *Continue with more frequent bacteriological water sampling. The Regional District is currently sampling from the wells, two distribution locations and the water storage reservoir on a weekly basis.*
- 6) *Consumption level chlorination will be added to the Burton water system for a minimum two week period, twice annually.*

**be rescinded.**

### **RECOMMENDATION #4**

The Water Services Committee direct to staff to take no further action regarding a Water Smart Ambassador program at this time.



Number: 600-03-07  
REGIONAL DISTRICT OF CENTRAL KOOTENAY  
**Policy Manual**

**Chapter:** 600 ENVIRONMENTAL SERVICES

**Section:** 600-03 Water/Sewer

**Subject:** Drinking Water Systems Pathogen Risk Water Quality Management

<b>Board Resolution:</b>	[Board resolution #]	<b>Established Date:</b>	[Date of policy]	<b>Revised Date:</b>	[Revised date of policy]
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## **POLICY:**

### **PURPOSE:**

The purpose of this policy is to identify and manage public health risks associated with a long term Water Quality Advisories and Boil Water Notices for the Regional District owned water services. This policy is not intended as a substitute for bringing a water system into compliance with the *BC Drinking Water Protection Act and Regulation* requirements for provision of potable water. The intent of this policy is only to provide guidance on pathogen risk water quality management where financial and budgetary limitations are delaying longer term, permanent solutions to water quality issues.

### **SCOPE:**

This policy applies to all existing and future Regional District owned water services. This policy does not override or negate any Provincial Health Orders, Provincial issued construction permits, Provincial issued Water System operating permits, or direction given by Provincial Drinking Water Officers.

### **DEFINITIONS:**

**Boil Water Notices** are issued when a health risk, or potential for a health risk, has been identified in a drinking water source or distribution system that can be mitigated by boiling the water. When a Boil Water Notice is issued, the Regional District and Interior Health recommend that all customers boil the water prior to consumption or drink a safe alternative.

**Water Quality Advisories** are issued when there is a level of risk associated with consuming the drinking water but not enough to warrant a Boil Water Notice. Typically, the Regional District issues these advisories due to increased turbidity levels, low chlorine residual, or no permanent or inadequate water system disinfection when there is a potential risk for pathogens. When a Water Quality Advisory is issued, the Regional District and Interior Health recommend, as a precaution, that young children, the elderly, and people with weak immune systems drink boiled water or a safe alternative.

**Point of Entry Treatment Systems** are treatment systems installed to provide treatment for an entire property that make the water potable.

### **POLICY:**

#### **Background**

Water systems under long term Water Quality Advisories or Boil Water Notices pose a potential public health risk and increase the risk of legal liability for the Regional District. Provision of potable water to



small water systems might not be economically feasible as treatment upgrades and treatment operations and maintenance costs can be expensive on a per capita basis, and residents may refuse approval of the long term borrowing required for such upgrades.

Provision of treatment upgrades might also have other challenges such as land ownership, or public opposition to chlorine disinfection.

### ***Potential Health Risks***

Potential health risks associated with not providing potable water include:

- 1) Customers may ignore the risk or may not perceive an adequate level of risk and may drink the water without any treatment.
- 2) Customers can inadvertently ingest untreated water during showering, bathing and food preparation.
- 3) Visitors to the community or new property owners may not be aware that the water is not potable and might drink the water.
- 4) Customers may not be aware of in-home water treatment options.
- 5) Any Regional District owned water distribution lines that pass through private property to service other customers poses additional health risks from potential cross connections or sewage disposal systems.
- 6) Water may become unsafe for use and not just non-potable and this might not be detected without regular water quality testing.

### ***Treatment Upgrades***

If a Regional District water system is under a long term Water Quality Advisory or Boil Water Notice, the first priority is to review treatment upgrade options and feasibility. Feasibility considerations might include:

- 1) Drinking water quality and supply risk,
- 2) Source water treatment requirements for but not limited to turbidity, types of pathogen present, potential for disinfection byproducts, chemicals and minerals,
- 3) Land ownership and access,
- 4) Regulatory requirements,
- 5) Other system challenges such as asset renewal,
- 6) Capital costs,
- 7) Operation and maintenance costs,
- 8) Grant funding availability, and
- 9) Potential customer water rates.

If treatment upgrades to reduce or mitigate health risks are economically feasible, then treatment upgrades should be pursued. If treatment upgrades are not considered to be economically feasible in the short-term, or if residents within the system refuse approval of borrowing required to install treatment works, the Regional District may consider other options for financing treatment upgrades such as grants, or increases in fees or taxes, to build up reserves over the medium to long term.



### ***Regional District Owned Point of Entry Treatment Systems***

Point-of-Entry Treatment Systems have the potential to require a significant amount of staff time to regularly monitor and test each system. Property owner agreements to provide some monitoring and testing of Point-of-Entry Treatment Systems might be considered, if approved by Interior Health, but the Regional District would continue to hold ultimate responsibility and liability for the safe operation and maintenance of Point-of-Entry Treatment Systems.

Board approval and 100 percent customer approval is generally required to implement Regional District owned Point-of-Entry Treatment Systems within a water service area. An estimation of Capital costs, long-term operation and maintenance costs, potential rates, and any customer costs shall be provided to all customers for decision.

Access agreements are required from all property owners within a water service area, if Point-of-Entry Treatment systems are to be located on private property.

### ***Public and Board Approval Requirements for Implementation of Water Quality Remedial Measures***

Public or Board approval is not required to implement the following water quality remedial measures:

- 1) **Remediation of Short-Term Health Risk** - Public or Board approval is not required to implement measures to remedy a short-term health risk that can be undertaken within approved operating and capital budgets.
- 2) **Temporary Chlorine Disinfection** – Public or Board approval is not required for short-term, temporary chlorine disinfection.

Public or Board approval is required to implement the following long-term remedial measures:

- 1) **Long-Term Borrowing** - Public approval is required for long-term borrowing in accordance with the Local Government Act and Community Charter.
- 2) **Rate Increases** - If improvements or mitigating measures implemented result in a 75% or greater increase in total water user fees and water taxation, over a five year period, specific Board approval is required to implement the improvements or mitigating measures.
- 3) **Permanent Chlorine Disinfection** - If permanent chlorine disinfection is not already implemented and is required to remedy a Water Quality Advisory or Boil Water Notice, and the majority of customers have provided documented opposition to chlorine disinfection, Board direction is required. Not implementing permanent chlorine disinfection when economically feasible and when chlorine disinfection is not likely to pose a disinfection by-product health risk might result in a potential liability to the Regional District.

### ***Grant Funding Opportunities***

The Regional District will give reasonable consideration to applying for grant funding opportunities to remediate Water Quality Advisories or Boil Water Notices, as opportunities and staff resources permit. Application in response to any grant funding opportunity needs to consider the potential for grant application success, staff resources, grant match funding requirements, land requirements, legal requirements, licencing and permits, grant funding required timelines, number of customers benefited, and prioritization of grant applications for other projects or Regional District services.



***Management of Water Services Under Long-Term Water Quality Advisories without Permanent Chlorine Disinfection***

If Public or Board approval is not granted to implement required Water Quality Advisory mitigation measures, then the following water quality management plan shall be implemented, unless otherwise directed by the Board or Interior Health.

- 1) **Long-term Water Quality Advisory** - Issue a long-term Water Quality Advisory.
- 2) **Customer Annual Notice** - Customers shall be reminded at least once annually that the water system is under a long-term Water Quality Advisory by mailed letter or billing insert.
- 3) **Public Facilities** - Public facilities such as, but not limited, to campgrounds, schools, community centers, food and beverage establishments, senior's and health facilities shall be encouraged to install their own onsite water disinfection systems.
- 4) **System Flushing** - The water system shall be flushed at least twice in areas where water consumption might be low.
- 5) **Private System Flushing** - Larger private water distributions systems shall be encouraged to flush and disinfect their water systems when not used for extended periods of time.
- 6) **Bacteriological Water Testing** - Bacteriological water sampling and testing shall be conducted at least bi-weekly and as a minimum at two locations in the distribution system each time.
- 7) **Full Comprehensive Water Testing** - Full Comprehensive Water Testing shall be conducted at least every five years.
- 8) **Temporary Scheduled Chlorination** - Consumption level chlorination shall be added to the water system for a minimum two week period, twice annually.
- 9) **Chlorination Public Notice** - Reasonable public notice shall be provided for any planned chlorination.
- 10) **Rescinding Water Quality Advisory** - If there is a history of a satisfactory water sampling results, the long-term Water Quality Advisory may be rescinded with the approval of Interior Health.
- 11) **Permanent Chlorination & Ultraviolet Disinfection** – In consultation with the Provincial Drinking Water Officer and in consideration of potential disinfection by-products, staff should recommend permanent chlorination, as a minimum level of treatment. Ultraviolet disinfection might also be recommended in consultation with the Provincial Drinking Water Officer.
- 12) **Issuance of a Boil Water Notice** – If a pathogen risk cannot be mitigated by this water quality management plan, then the water system may be placed under a Boil Water Notice.

***Management of Water Services Under Long-Term Boil Water Notices***

If Public or Board approval is not granted to implement required measures to mitigate a Boil Water Notice, then the following water quality management plan shall be implemented, unless otherwise directed by the Board or Interior Health.

- 1) **Long-Term Boil Water Notice** - Issue a long-term Boil Water Notice.
- 2) **Water Sampling** – Long-term water sampling will be implemented to gain water quality data to aid in any future water treatment upgrade design.
- 3) **Publication of Bacteriological Sample Tests Results** - The Regional District shall not be required to regularly publish bacteriological sample results, unless otherwise directed by Interior Health. Any publication shall be accompanied by a notice that the water is considered non-potable and customers should not be using water sample test results to decide whether or not to consume the water.





- 4) **Water System Boil Water Notice Signage** - Permanent Boil Water Notice signage shall be placed at the main roadway entry points to a community, unless otherwise not approved by the Ministry of Transportation and Infrastructure.
- 5) **Private Non-Potable Water Signs** - Customers shall be encouraged to post non-potable water signs at their water fixtures. Non-Potable Water plastic labels shall be made available to customers by the Regional District.
- 6) **Annual Boil Water Notice Reminder** – Customers shall be reminded at least once annually that the water system is under a long-term Boil Water Notice by mailed letter or billing insert.
- 7) **Annual Information on Health Risks** – The Regional District shall once annually provide information on water quality health risks, or make available and remind customers that the information is available on the Regional District website.
- 8) **Annual Information on Private Water Treatment Systems** – The Regional District shall once annually provide information on private water treatment systems, or make available and remind customers that the information is available on the Regional District website.

## RELATED LEGISLATION:

### ***BC Drinking Water Protection Act and Regulation***

The *BC Drinking Water Protection Act* requires the following regarding potable water:

#### ***Water supply systems must provide potable water***

- 6 *Subject to the regulations, a water supplier must provide, to the users served by its water supply system, drinking water from the water supply system that*
- (a) is potable water, and*
  - (b) meets any additional requirements established by the regulations or by its operating permit.*

The term domestic purpose is defined the *Drinking Water Protection Act* to mean the use of water for:

- (a) human consumption, food preparation or sanitation,*
- (b) household purposes not covered by paragraph (a), or*
- (c) other prescribed purposes.*

Section 3.1 of the *BC Drinking Water Protection Regulation* provides an exemption for potable water under Section 6 of Act only under the following conditions:

#### *3.1 The following are exempt from section 6 of the Act:*

- (a) a small system, if*
  - (i) each recipient of the water from the small system has a point of entry or point of use treatment system that makes the water potable, and*
  - (ii) the water supplier ensures that the location of non-potable water discharge and non-potable water piping are identified by markings that are permanent, distinct and easily recognized<sup>2</sup>;*
- (b) a water supply system, including a small system, if*
  - (i) the system does not provide water for human consumption or food preparation purposes,*



# Policy Manual

- (ii) the system is not connected to a water supply system that provides water for human consumption or food preparation purposes, and
- (iii) the water supplier ensures that the location of non-potable water discharge and non-potable water piping are identified by markings that are permanent, distinct and easily recognized.

*Note 2: The Regional District would have to conduct home inspections to ensure that permanent signage is in place on every sink, shower, tub and outside faucet in order to reduce liability.*

The *BC Drinking Water Protection Regulation, Schedule A* provides the minimum requirements for potable water. Health Officers can impose other requirements such as those laid out in the *Ministry of Health Drinking Water Treatment Objectives (Microbiological) for Surface Water Supplies in British Columbia, Version 1.1*. The *Regulation Schedule A* is as follows:

**Schedule A**  
**Water Quality Standards for Potable Water**  
**(sections 2 and 9)**

<i>Parameter:</i>	<i>Standard:</i>
<i>Fecal coliform bacteria</i>	<i>No detectable fecal coliform bacteria per 100 ml</i>
<i>Escherichia coli</i>	<i>No detectable Escherichia coli per 100 ml</i>
<i>Total coliform bacteria</i>	
<i>(a) 1 sample in a 30 day period</i>	<i>No detectable total coliform bacteria per 100 ml</i>
<i>(b) more than 1 sample in a 30 day period</i>	<i>At least 90% of samples have no detectable total coliform bacteria per 100 ml and no sample has more than 10 total coliform bacteria per 100 ml</i>

The *BC Drinking Water Protection Regulation* provides the following regarding posting of signs:

### **Public Notification**

- 10 *If water provided by a domestic water system is not or may not be potable water, the owner of a public premises that is served by the domestic water system must do both of the following:*
- (a) notify the public that the water is not potable water by posting a sign at every sink or drinking water fountain accessible to the public;*
  - (b) if normal business practices provide an opportunity, verbally advise any person who may use the domestic water system for a domestic purpose that the water is not potable water.*

### **Interior Health Operating Permit Requirements**

The *British Columbia Drinking Water Protection Act* requires that all water systems hold an Interior Health issued Operating Permit and all water systems must comply with all terms and conditions identified in the Operating Permit.



**BC Plumbing Code**

Division B, article 9.31.3.1 of Book I General of the BC Building Code requires every dwelling unit to be supplied with potable water. Further to this, the BC Building Code Book II Plumbing Systems, Division B, article 2.7.3.2 stipulates that:

*An outlet from a non-potable water system shall not be located where it can discharge into*

- a) a sink or lavatory,*
- b) a fixture into which an outlet from a potable water system is discharged, or*
- c) a fixture that is used for the preparation, handling or dispensing of food, drink or products that are intended for human consumption.*

Plumbing outlets to kitchen and bathroom sinks cannot discharge non-potable water, and non-potable water cannot be discharged to any fixture with a potable water discharge. The *BC Building Code* contains an appendix that allows for some exceptions to the requirement that non-potable water shall not be discharged to a sink or lavatory under circumstances where the use may have proven acceptable on the basis of past performance, such as, a public rest stop washroom. Given that potable water must be used for human consumption and food preparation, there are no provision for non-potable water to supply a kitchen sink.

**Guidelines for Canadian Recreational Water Quality – Third Edition**

The *Canadian Recreational Water Quality Guidelines* for E. coli for fresh water recreational primary contact activities is as follows:

*Geometric mean concentration (minimum of five samples):  $\leq 200$  E. coli/100 mL*

*Single-sample maximum concentration:  $\leq 400$  E. coli/100 mL*



<b>Chapter:</b>	600 ENVIRONMENTAL SERVICES				
<b>Section:</b>	600-03 Water/Sewer				
<b>Subject:</b>	Decommissioning Asbestos Cement Pipe in Regional District Water Services				
<b>Board Resolution:</b>	[Board resolution #]	<b>Established Date:</b>	[Date of policy]	<b>Revised Date:</b>	[Revised date of policy]

**POLICY:**

**PURPOSE:**

The purpose of this policy is to identify the requirements for abandonment in place or removal of decommissioned asbestos cement pipe for Regional District owned water services.

**SCOPE:**

This policy applies to Regional District owned water systems and only applies to decommissioning of asbestos cement pipe after the date of this policy’s adoption.

**DEFINITIONS:**

None.

**POLICY:**

***Background***

The Regional District has about 40.4 km of asbestos cement pipe in 9 of 20 water services owned by the Regional District that was installed between 1960 and 1995. Some of the pipe is due for replacement and abandonment in place, as is common practice for other types of pipe, could pose a health hazard when exposed in the future.

***Decommissioning of Asbestos Cement Pipe on Private Property***

Whenever feasible the first priority shall be to remove and properly dispose of asbestos cement pipe that is to be decommissioned on private property.

Abandonment in place of asbestos cement pipe on private property is only permitted if any of the following conditions applies:

- 1) Acts or Regulations do not permit removal of the pipe;
- 2) Removal of the pipe poses too great of a health and safety risk;
- 3) The property owner does not provide permission for pipe removal; and
- 4) The cost/benefit of removal is not favourable, and the measures referred to below can be put in place to mitigate any known health or safety risks.

If asbestos cement pipe is to be abandoned in place on private property the following measures shall be considered:



- 1) The Regional District is to maintain mapping of the abandoned in place asbestos cement pipe in perpetuity ~~and the mapping is to be made available to the public;~~
- 2) The property owner agrees to grant the Regional District a covenant under section 219 of the *Land Title Act*, acknowledging the presence of the asbestos cement pipe, agreeing to restrictions on the use of the land that will mitigate any known health or safety risks, and waiving Regional District liability;
- 3) Existing easement agreements or statutory rights of way remain on title or are replaced with new agreements that allow the Regional District access for inspection.

### ***Decommissioning of Asbestos Cement Pipe on Public Right of Ways, Regional District Owned Land or Crown Land***

Whenever feasible the first priority shall be to remove and properly dispose of asbestos cement pipe that is to be decommissioned on public right of ways, Regional District owned land or Crown Land.

Abandonment in place of asbestos cement pipe on Public Right of Ways, Regional District Owned Land or Crown Land is only permitted under the following conditions:

- 1) Acts or Regulations do not permit removal of the pipe;
- 2) Removal of the pipe poses too great of a health and safety risk;
- 3) The Province does not provide permission for pipe removal on lands under their jurisdiction; or
- 4) The estimated per meter cost of asbestos cement pipe removal is greater than 75% of the estimated per meter cost of new pipe installation.

If asbestos cement pipe is to be abandoned in place on public right of ways, Regional District owned land and or Crown Land, the following measure shall be taken:

- 1) The Regional District is to maintain mapping of the abandoned in place asbestos cement pipe in perpetuity ~~and the mapping is to be made available to the public.~~
- 2) Considerations shall be made for grouting of the pipe to improve structural support, particularly for short sections or smaller diameter pipe where grouting may be more economical than removal.

### ***Asbestos Cement Pipe Abandonment Planning and Design Considerations***

The Ministry of Transportation and Infrastructure (MOTI) typically does not give permission to trench cut new asphalt and it would be not cost effective to pave an entire road in order to remove asbestos cement pipe. The Regional District will coordinate with MOTI on an at least 5 year time horizon for asbestos pipe replacement projects.

### **RELATED LEGISLATION:**

There is no known Canadian Federal, or Canadian Provincial legislation that requires the removal of abandoned, buried and unexposed asbestos cement pipe.





## Regional District of Central Kootenay CRESTON VALLEY SERVICES COMMITTEE Open Meeting Minutes

Thursday, October 5, 2023

9:00 am MST

Hybrid Model - In-person and Remote

Creston & District Community Complex – Creston Erickson Room  
312 19th Avenue North, Creston, BC

### COMMITTEE MEMBERS PRESENT

Chair A. DeBoon	Town of Creston – In-person
Committee Member G. Jackman	Electoral Area A – In-person
Committee Member K. Vandenberghe	Electoral Area C – In-person
Committee Member R. Tierney	Electoral Area B – In-person

### STAFF PRESENT

S. Horn	Chief Administrative Officer – RDCK
M. Moore	Chief Administrative Officer – Creston
J. Chirico	General Manager of Community Services - RDCK
T. Wayling	Regional Programming Supervisor - RDCK
J. Jackson	Emergency Program Coordinator - RDCK
J. Dupuis	Bylaw Supervisor - RDCK
C. Hopkyns	Meeting Coordinator – RDCK

### GUESTS PRESENT

A. Mondia	Councillor – Town of Creston
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**4 out of 4 voting Commission/Committee members were present – quorum was met.**

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### 1. WEBEX REMOTE MEETING INFO

To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings in-person or remote (hybrid model).

**Meeting Time:**

9:00 a.m. MST

**Join by Video:**

<https://nelsonho.webex.com/nelsonho/j.php?MTID=mc9e4b676503e96371733d670841163f3>

**Join by Phone:**

1-844-426-4405 Canada Toll Free  
+1-604-449-3026 Canada Toll (Vancouver)

**Meeting Number (access code):** 2771 992 4824

**Meeting Password:** R65NgE58fFC

**In-Person Location:** Creston & District Community Complex - Creston Erickson Room,, 312 19th Avenue North, Creston, BC

**2. CALL TO ORDER**

Chair DeBoon called the meeting to order at 9:00 a.m.

**3. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT**

We acknowledge and respect the indigenous peoples within whose traditional lands we are meeting today.

**4. ADOPTION OF AGENDA**

Moved and seconded,  
And Resolved:

The agenda for the October 5, 2023 Creston Valley Services Committee meeting be adopted with the correction to the Action Item List # 36 replacing “trail access” with “trailer boat access” before circulation.

**Carried**

**5. RECEIPT OF MINUTES**

Moved and seconded,  
And Resolved:

The September 7, 2023 Creston Valley Services Committee minutes, have been received.

**Carried**

**6. DELEGATE**

**ORDER OF AGENDA CHANGED** The Order of Business was changed due to the delegation arriving later for Item 6.1, with Item 6.2 Creston Valley Tourism Society considered at this time.

**6.2 Creston Valley Tourism Society**

Jesse Willicome, Creston Valley Tourism Society Executive Director, gave a presentation to the Committee, reviewing the society's mission and goals. Jessie shared the societies marketing strategies, research and analysis. The Creston Valley Tourism Society is requesting funding for the 2024.

**7. NEW BUSINESS**

**7.1 Letter of Support - Goat Mountain Bike Trails Project**

Moved and seconded,

And resolved that it be recommended to the Board:

That the Board send a letter of support to Creston Community Forest for Goat Mountain Bike Trails Project.

**Carried**

**7.2 Creston Valley Tourism Society - Economic Trust of the Southern Interior (ETSI) Grant Application**

Moved and seconded,

And resolved that it be recommended to the Board:

That the Board send a letter of support to the Creston Valley Tourism Society for their Economic Trust of the Southern Interior (ETSI) grant application.

**Carried**

**7.3 Creston Valley Economic Development Discussion**

The Committee will have a discussion regarding Creston Valley economic development.

Moved and seconded,

And Resolved:

Councillor Mondia have freedom of the floor.

**Carried**

Councillor Mondia, Town of Creston, shared his observation for the economic development landscape of the Creston Valley. He believes it is fragmented, with resources spread out among several organizations. He is inquiring if there is an option to bring the organizations to the same table.

The Committee had a discussion regarding the background of economic development in the area and possible solutions.

CAO Horn discussed the challenges of economic development in the RDCK. He recommended that groups in the Creston Valley attend both the Kootenay Action Partnership meetings and the Creston Valley Services Committee meetings for economic development discussions and budget requests.

Moved and seconded,  
And Resolved:

That the Creston Valley Services Committee direct staff to include in the 2024 draft budget for Service 108 the allotment of \$22,000 for the Creston Valley Tourism Society.

**Carried**

#### **7.4 Creston Education Centre - Lease Agreement**

The Committee Report dated September 26, 2023 from Craig Stanley, Regional Manager – Operations and Asset Management, re: Creston Education Centre Lease Terms, has been received.

Joe Chirico, General Manager of Community Services, provided an overview to the Committee regarding renewing the Creston Education Centre lease agreement.

The Committee had a discussion regarding the Creston Education Centre. Staff answered the Committee's questions.

**STAFF DIRECTION:** That the Town of Creston organize a tour of the Creston Education Centre.

Moved and seconded,  
And resolved that it be recommended to the Board:

That the RDCK Board to renew the lease for the Creston Education Centre for five years commencing on November 1, 2023 and ending on October 31, 2028 and further that the costs be allocated to Creston and District Community Facilities, Recreation and Leisure Services Area Service - S224 - and General Administration – S100.

**Carried**

#### **7.5 For Information: Traditional Use Study**

The Ktunaxa RDCK Traditional Use Study (TUS) Summary Report will be provided to the Board for the October 19, 2023 Board meeting with the following recommendation that was passed at the May 4, 2023 Creston Valley Services Committee meeting.

*That the Ktunaxa RDCK Traditional Use Study (TUS) Summary Report dated April 2023 be received by the Board.*

The Committee had a discussion regarding the Traditional Use Study.

**STAFF DIRECTION:** That staff send a Committee Report with the Ktunaxa RDCK Traditional Use Study (TUS) Summary Report be provided to the Board for the October 19, 2023 Board meeting to provide background to the Board.

## 8. STAFF REPORTS

### 8.1 Emergency Services - Third Quarter Report

The Committee Report dated September 22, 2023 from Jon Jackson, Emergency Program Coordinator, re: Emergency Program Report: 3rd Quarter 2023, has been received.

Jon Jackson, Emergency Program Coordinator, provided an overview to the Committee regarding the Emergency Service 3<sup>rd</sup> quarter report and answered the Committee's questions.

**ORDER OF AGENDA RESUMED** Item 6.1 Letter of Support - Francophone School in Creston be considered at this time.

### 6.1 Letter of Support - Francophone School in Creston

Monique Arès and Marie-Hélène Chang, representing a group of francophone parents, presented to the Committee on their request for a letter of support to open a Francophone school in Creston. They reviewed what a Francophone school is and the benefits of having a school in the Creston Valley.

The Committee will consider the letter of support at the November 2, 2023 Creston Valley Services Committee meeting.

**RECESS/  
RECONVENE** The meeting recessed at 11:15 a.m. for a break and reconvened at 11:19 a.m.

### 8.2 Creston & District Community Complex Programming Update

The Committee Report dated September 28, 2023 from Tia Wayling, Regional Programming Manager, re: Creston & District Community Complex Programming Update, has been received.

Tia Wayling, Regional Programming Manager, provided an update to the Committee regarding the Creston & District Community Complex programming, sharing registration for summer camps and facility rentals have increased.

## 9. PUBLIC TIME

The Chair called for questions from the public and members of the media at 11:24 a.m.



1) The public shared their support for the climate action plan.

2) The public voiced their concerns regarding losing the Goat River public access to the dike due to change in ownership of the land and are requesting the Committee to look into it. Staff answered the public's questions.

3) The public shared information regarding the Creston Valley Disc Golf Association and requested the Committee's support.

**STAFF DIRECTION:** That staff add a section to the agenda to allow the Committee time to discuss the action item list.

**10. NEXT MEETING**

The next Creston Valley Services Committee meeting is scheduled for November 2, 2023 at 9:00 a.m.

**11. ADJOURNMENT**

Moved and seconded,  
And resolved:

The Creston Valley Services Committee meeting be adjourned at 12:03 p.m.

**Carried**

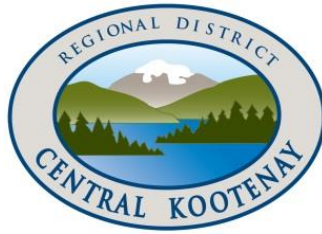
Approved by

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Arnold DeBoon, Chair

**RECOMMENDATION(S) TO THE BOARD OF DIRECTORS**

1. That the Board send a letter of support to Creston Community Forest for Goat Mountain Bike Trails Project.
2. That the Board send a letter of support to the Creston Valley Tourism Society for their Economic Trust of the Southern Interior (ETSI) grant application.
3. That the RDCK Board to renew the lease for the Creston Education Centre for five years commencing on November 1, 2023 and ending on October 31, 2028 and further that the costs be allocated to Creston and District Community Facilities, Recreation and Leisure Services Area Service - S224 - and General Administration – S100.
4. That the Ktunaxa RDCK Traditional Use Study (TUS) Summary Report dated April 2023 be received by the Board.



**REGIONAL DISTRICT OF CENTRAL KOOTENAY**

**CASTLEGAR AND DISTRICT COMMUNITY  
COMPLEX RECREATION COMMISSION  
OPEN MEETING MINUTES**

**12:30-2:00 p.m.**

**Tuesday, October 10, 2023**

**Castlegar & District Community Complex – Columbia Room  
2101 6 Avenue, Castlegar, BC**

To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings remotely.

**Join by Video:**

<https://nelsonho.webex.com/nelsonho/j.php?MTID=m097652434f5475d6e17e936b0e682d9d>

**Join by Phone:**

1-844-426-4405 Canada Toll Free

**Meeting Number (access code):** 2772 932 9229

**Meeting Password:** vFKj3RGuX89 (83553748 from phones)

**In-Person Location:** Castlegar & District Community Complex – Columbia Room  
2101 6 Avenue, Castlegar, BC

**COMMISSION MEMBERS PRESENT**

Commissioner M. McFaddin	City of Castlegar
Commissioner B. Bogle	City of Castlegar
Commissioner S. Heaton-Sherstobitoff	City of Castlegar
Commissioner A. Davidoff	Electoral Area I
Commissioner H. Hanegraaf	Electoral Area J

**MEMBERS ABSENT**

**STAFF PRESENT**

Stuart Horn	Chief Administrative Officer
Joe Chirico	General Manager of Community Services
Trisha Davison	Regional Manager – Recreation and Client Services

Tia Wayling	Regional Programming Manager
Sarah Fuhr	Communications and Community Engagement Lead
Heather Anderson	Facility Manager
Ashley Grant	Meeting Coordinator

#### **GUESTS**

Chris Barlow	Chief Administrative Officer, City of Castlegar
Bree Seabrook	Communications Manager, City of Castlegar

**\_\_5\_\_ out of \_\_5\_\_ voting Commission/Committee members were present – quorum was met.**

#### **1. CALL TO ORDER**

Commissioner Heaton-Sherstobitoff called the meeting to order at 12:30 p.m.

#### **2. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT**

We acknowledge and respect the indigenous peoples within whose traditional lands we are meeting today.

#### **3. ADOPTION OF AGENDA**

**MOVED** and seconded,  
AND Resolved:

The Agenda for the October 10, 2023 Castlegar and District Community Complex Recreation Commission meeting, be adopted as circulated.

**Carried**

#### **4. RECEIPT OF MINUTES**

The September 12, 2023 Castlegar and District Community Complex Recreation Commission minutes, have been received.

**Carried**

**Commissioner Hanegraaf moved to give permission to Chris Barlow and Bree Seabrook to speak**

**Carried**

#### **5. STAFF REPORTS**

##### **5.1 CDRD Programming Update**

Commission Report dated October 3, 2023 from Tia Wayling, Regional Programming Manager, re: Castlegar and District Community Complex Programming Update, has been received for information

Tia Wayling, Regional Programming Manager, reviewed with the Commission the CDRD Programming Update and answered the Commission's questions.

**Staff Direction:** Compare senior usage prior to Fees & Charges change and forward information to the Commission

**5.2 Castlegar and District Recreation Complex Concession Lease Award**

Commission Report dated October 1, 2023 from Craig Stanley, Regional Manager of Operations and Asset Management, re: Castlegar and District Community Complex Concession Lease Award, has been received

Joe Chirico, General Manager of Community Service, reviewed the Lease Agreement with the Commission.

Moved and Seconded,

And Resolved **that it be recommended to the Board:**

That the RDCK Board to enter into a one year lease of the concession at the Castlegar and District Community Complex, starting January 2024, to Chef's Choice, with the option to renew for an additional two years.

**Carried**

**5.3 Public Engagement RFP**

Commission report dated October 5, 2023 from Trisha Davison, Regional Manager of Recreation and Client Services, re: Public Engagement RFP, has been received for information

**6. NEW BUSINESS**

**6.1 Showers in the Women's Change Room**

Commissioner Hanegraaf to discuss

**Staff Direction** – Heather Anderson, Facility Manager to consult with Castlegar and District Recreation maintenance staff in regards to making sure all showers are functional and follow up with Commissioner Hanegraaf directly.

**7. PUBLIC TIME**

No public

**8. IN CAMERA**

**8.1 MEETING CLOSED TO THE PUBLIC**

Moved and Seconded,

And Resolved:

In the opinion of the Board - and, in accordance with Section 90 of the *Community Charter* – the public interest so requires that persons other than DIRECTORS, ALTERNATE DIRECTORS, DELEGATIONS AND STAFF be excluded from the meeting;

AND FURTHER, in accordance with Section 90 of the *Community Charter*, the meeting is to be closed on the basis(es) identified in the following Subsections:

90. (1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;

(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;

(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

**Carried**

**RECESS OF OPEN MEETING**

Moved and Seconded,  
And Resolved:

The Open Meeting be recessed at 1:48pm in order to conduct the Closed in Camera meeting.

**Carried**

**9. NEXT MEETING**

The next Castlegar and District Community Complex Recreation Commission meeting is scheduled for November 7, 2023 at 4:00 p.m.

**10. ADJOURNMENT**

Moved and Seconded,  
And Resolved:

The Castlegar and District Community Complex Recreation Commission meeting be adjourned at 2:20pm.

**Carried**

Digitally approved by

S. Heaton-Sherstobitoff, Chair





**Regional District of Central Kootenay  
COMMUNITY SUSTAINABLE LIVING ADVISORY COMMITTEE  
Open Meeting Minutes**

Tuesday, October 17, 2023 at 1:00 p.m.  
RDCK Hybrid Meeting

**COMMITTEE MEMBERS PRESENT**

Chair W. Popoff	Electoral Area H	In-person
Director G. Jackman	Electoral Area A	In-person
Director R. Tierney	Electoral Area B	In-Person
Director K. Vandenberghe	Electoral Area C	
Director A. Watson	Electoral Area D	In-Person
Director C. Graham	Electoral Area E	In-Person
Director T. Newell	Electoral Area F	In-Person
Director H. Cunningham	Electoral Area G	
Director A. Davidoff	Electoral Area I	
Director H. Hanegraaf	Electoral Area J	In-person
Director T. Weatherhead	Electoral Area K	
Director S. Hewat	Village of Kaslo	

**COMMITTEE MEMBERS ABSENT**

Director C. Ferguson	Village of Silverton
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**STAFF PRESENT**

S. Horn	Chief Administrative Officer
S. Sudan	General Manager of Development and Community Sustainability Services
D. Sequin	Manager of Community Sustainability
P. Marshall-Smith	Sustainability Planner
D. Ditson	Community Resilience Coordinator
S. Kindred	Administrative Assistant, Development & Community Sustainability Services

**1. WEBEX REMOTE MEETING INFO**

To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings in-person or remote (hybrid model).

**Meeting Time:**

1:00 PM | Pacific Time (US & Canada) | 2 hrs

**Join by Video:**

<https://nelsonho.webex.com/nelsonho/j.php?MTID=m7990ecf03da313af6ac5e9c7123d9688>

**Join by Phone:**

**Meeting Number (access code):** 2770 970 6232

**Meeting Password:** puXVMjeV367

**In-Person Location:** RDCK Boardroom | 202 Lakeside Drive | Nelson, BC

**2. CALL TO ORDER**

Chair Popoff called the meeting to order at 1:05 p.m.

**3. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT**

We acknowledge and respect the indigenous peoples within whose traditional lands we are meeting today.

**4. ADOPTION OF AGENDA**

Moved and seconded,

And Resolved:

The Agenda for the October 17, 2023 Community Sustainable Living Advisory Committee meeting be adopted as circulated.

**Carried**

**5. INTRODUCTION**

Paris Marshall Smith introduced Dauna Ditson, Community Resilience Coordinator.

**6. RECEIPT OF MINUTES**

The June 13, 2023 Community Sustainable Living advisory Committee minutes, have been received.

**7. DELEGATE**

Kate Mizenka, from Elk Root Conservation Farm Society began the presentation introducing Youth Manager Intern, Brendon Emmott.

Ms. Mizenka provided the Committee with an overview of the Regenerative Educational Community Food Gardens with a focus on alleviating food insecurity in the Regional District of Central Kootenay.

Ms. Mizenka answered the Committee's questions.

A 2/3 vote was taken by the Committee to extend the presentation time for the delegation.

Moved and seconded,

And Resolved:

That the presentation time for the delegation be extended to address questions from the Committee.

**Carried**

**8. STAFF REPORTS**

**8.1 FOR INFORMATION: UPDATE ON SUSTAINABILITY SERVICE PROJECTS & AREAS OF ACTIVITY**

The Committee Report dated October 17, 2023 from Paris Marshall Smith, Sustainability Planner, has been received.

**9. NEW BUSINESS**

**9.1 FOR INFORMATION: REVIEW OF FUNDING PROPOSALS**

The CSLAC Project Funding Overview presentation from Paris Marshall Smith, Sustainability Planner, has been received.

**9.1.1 Elk Root Conservation Regenerative Educational Community Food Gardens**

The Committee Report dated September 26, 2023 from Paris Marshall Smith, Sustainability Planner, has been received.

**9.1.2 Living Lakes Ground Water Monitoring**

The Committee Report dated November 10, 2022 from Paris Marshall Smith, Sustainability Planner, has been received.

**9.1.3 Friends of Kootenay Lake: Kootenay Lake Watershed Monitoring Program**

The Committee Report dated November 10, 2022 from Paris Marshall Smith, Sustainability Planner, has been received.

**9.2 FOR INFORMATION: CSLAC FINANCIAL STATEMENT UPDATE AND REVIEW**

The CSLAC 2023 Draft Financial Statement, has been received.

**10. PUBLIC TIME**

The Chair called for questions from the public and members of the media at 2:22 p.m.

**11. NEXT MEETING**

The next Community Sustainable Living Advisory Committee meeting is scheduled for December 12, 2023 at 1:00 p.m.

**12. ADJOURNMENT**

Moved and seconded,

And Resolved:

The Community Sustainable Living Advisory Committee meeting be adjourned at 2:23 p.m.

**Carried**

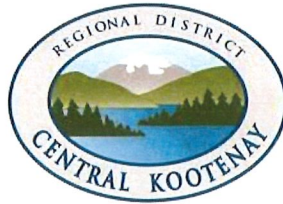
Approved by

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Walter Popoff, Chair

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Shelly Kindred, Secretary



## Regional District of Central Kootenay

### JOINT RESOURCE RECOVERY COMMITTEE MEETING

### Open Meeting Minutes

A Joint Resource Recovery Committee meeting was held on Wednesday, October 18, 2023 at 1:00 pm PDT through a hybrid meeting model.

<b>ELECTED OFFICIALS PRESENT</b>	Director G. Jackman	Electoral Area A	In-person
	Director R. Tierney	Electoral Area B	In-person
	Director K. Vandenberghe	Electoral Area C	In-person
	Director A. Watson	Electoral Area D	In-person
	Alt. Director J. Smienk	Electoral Area E	In-person
	<b>Director T. Newell</b>	<b>Electoral Area F (Chair)</b>	<b>In-person</b>
	Director H. Cunningham	Electoral Area G	In-person
	Director W. Popoff	Electoral Area H	In-person
	Director A. Davidoff	Electoral Area I	
	Director H. Hanegraaf	Electoral Area J	In-person
	Director T. Weatherhead	Electoral Area K	In-person
	Alt. Director B. Bogle	City of Castlegar	
	Director A. Mondia	Town of Creston	In-person
	Director S. Hewat	Village of Kaslo	
	Director T. Zeleznik	Village of Nakusp	
	Director K. Page	City of Nelson	In-person
	Director L. Casely	Village of New Denver	In-person
	Director D. Lockwood	Village of Salmo	
	Director C. Ferguson	Village of Silverton	In-person
Alt. Director E. Buller	Village of Slocan		
<b>STAFF PRESENT</b>	S. Horn	Chief Administrative Officer	
	U. Wolf	GM – Environmental Services	
	A. Wilson	Resource Recovery Manager	
	C. Saari-Heckley	Human Resources Manager	
	A. Kootnikoff	RR Team & Operations Supervisor	
	T. Johnston	Environmental Services Coordinator	
	S. Eckman	Meeting Coordinator	

#### 1. WEBEX REMOTE MEETING INFO

##### Join by Video:

<https://nelsonho.webex.com/nelsonho/j.php?MTID=mf81c547f2573faec2cbb35b0133ac303>

##### Join by Phone:

1-844-426-4405 Canada Toll Free

+1-604-449-3026 Canada Toll (Vancouver)



**Meeting Number (access code):** 2770 367 4728

**Meeting Password:** imMapen7t79

**In-Person Meeting Location for Hybrid Meeting Model**

The following location was determined to hold the in-person meetings for the Joint Resource Recovery Committee:

**Location Name:** RDCK Board Room

**Location Address:** 202 Lakeside Drive, Nelson, BC

The facility listed above was able to accommodate the remote requirements for the meeting.

**2. CALL TO ORDER & WELCOME**

Director Newell assumed the chair and called the meeting to order at 1:01 pm PDT.

**2.1 Traditional Lands Acknowledgement Statement**

We acknowledge and respect the indigenous peoples within whose traditional lands we are meeting today.

**2.2 Adoption of the Agenda**

**Moved** and seconded,  
And resolved:

The Agenda for the October 18, 2023 Joint Resource Recovery Committee meeting be adopted, as circulated.

**Carried**

**2.3 Receipt of Minutes**

The September 13, 2023 Joint Resource Recovery Committee Minutes have been received.

**3. IN CAMERA**

**3.1 Meeting Closed to the Public**

**Moved** and seconded,  
And resolved that:

In the opinion of the Board and, in accordance with Section 90 of the Community Charter the public interest so requires that persons other than DIRECTORS, ALTERNATE DIRECTORS, DELEGATIONS AND STAFF be excluded from the meeting; AND FURTHER, in accordance with Section 90 of the Community Charter, the meeting is to be closed on the basis identified in the following Subsections

90 (1)A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

(c) labour relations or other employee relations;

(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality.

**Carried**

**3.2 Recess of Open Meeting**

**Moved** and seconded,  
And resolved that:

The Open meeting be recessed at 1:07 pm in order to conduct the Closed In-Camera meeting.

**3.3 Reconvene in Open Session**

**Moved** and seconded,  
And resolved that:

The Open meeting reconvene at 2:29 pm.

**4. RESOURCE RECOVERY OPERATIONS TEAM: STAFFING**

The October 12, 2023 Committee Report from Amy Wilson, Resource Recovery Manager, requesting approval to develop new positions reporting to the Resource Recovery Team & Operations Supervisor to support the needs of the Resource Recovery facility staffing and maintenance, has been received.

**Moved** and seconded,  
**MAIN MOTION**

That the Board approve the hiring of three (3) full time, permanent Assistant Supervisors, with the start date to be no earlier than January 1, 2024, with a cost of \$288,783 to be allocated to Resource Recovery A102.

**Moved** and seconded,  
And resolved that:

The following recommendation **BE REFERRED** to the November 16, 2023 Board meeting:

That the Board approve the hiring of three (3) full time, permanent Assistant Supervisors, with the start date to be no earlier than January 1, 2024, with a cost of \$288,783 to be allocated to Resource Recovery A102.

**Defeated**

**Moved** and seconded,  
**MOTION ONLY:**

That the Board approve the hiring of three (3) full time, permanent Assistant Supervisors, with the start date to be no earlier than January 1, 2024, with a cost of \$288,783 to be allocated to Resource Recovery A102.

**Moved** and seconded,  
And resolved that:  
**AMENDMENT TO THE MOTION**

The foregoing motion being:

That the Board approve the hiring of three (3) full time, permanent Assistant Supervisors, with the start date to be no earlier than January 1, 2024, with a cost of \$288,783 to be allocated to Resource Recovery A102.

Be amended by changing the words 'three (3) full time' to read 'two (2) full time', thus reading:

*That the Board approve the hiring of two (2) full time, permanent Assistant Supervisors, with the start date to be no earlier than January 1, 2024, with a cost of \$288,783 to be allocated to Resource Recovery A102.*

**Defeated**

**Moved** and seconded,  
And resolved that it be **recommended** to the Board:  
**MAIN MOTION**

That the Board approve the hiring of three (3) full time, permanent Assistant Supervisors, with the start date to be no earlier than January 1, 2024, with a cost of \$288,783 to be allocated to Resource Recovery A102.

**Carried**

**Moved** and seconded,  
And resolved:

That the Board direct staff to determine options for a modification of Resource Recovery services that can reduce financial cost and optimize system performance and return to the Joint Resource Recovery Committee for further direction.

**Defeated**

5. **CONTRACT AWARD: BOSWELL & CRAWFORD BAY TRANSFER STATIONS WASTE BIN HAULING**  
The September 26, 2023 Committee Report from Larry Brown, RR Mechanical Operations & Site Supervisor, presenting the results of the Request for Proposal issued for Transfer Services at Crawford Bay and Boswell to Creston, and to seek approval from the Committee to award the contract, has been received.

**Moved** and seconded,  
And resolved that it be recommended to the Board:

That the Board authorize staff to enter into a Services Agreement with Tip-It Waste Solutions (Kootenay) Inc. for Waste Transfer Services for the period of November 1, 2023 to October 31, 2026 with the eligibility of two one year extensions, equating to an estimated total 3 year contract value of \$169,470 plus GST, and that the Chair and Corporate Officer be authorized to

sign the necessary documents;

AND FURTHER, that the costs be paid from Service S186 East Resource Recovery processed from the applicable Contracted Services account.

**Carried**

**6. CRESTON & OOTISCHENIA LANDFILL OPERATIONAL CONTRACT: OUTSTANDING BILLING**

The October 10, 2023 Committee Report from Amy Wilson, Resource Recovery Manager, advising of outstanding billing owed to GFL (Green For Life) for the Creston and Ootischenia Landfill operations and maintenance contracts due to errors in GFL billing dating back to the beginning of the current contracts, has been received.

**7. RESOURCE RECOVERY FACILITIES: COLLECTING LICENCE PLATE INFORMATION**

The September 26, 2023 Committee Report from Todd Johnston, Environmental Services Coordinator, presenting information regarding the long standing practice of collecting license plate numbers of customers using Resource Recovery facility services, has been received.

**8. CRESTON VALLEY & AREA ECO-DEPOT**

The October 12, 2023 Committee Report from Amy Wilson, Resource Recovery Manager, requesting the Board consider new direction for procurement of an Eco-Depot in Creston to supply, operate and maintain an Eco-Depot services to serve residents in Creston and the surrounding area, has been received.

**Moved** and seconded,

And resolved that it be recommended to the Board:

That Board Resolution No. 376/22, being:

*The Board direct staff to enter into negotiation with Tip-It Waste Solutions and request a proposal to partner with the RDCK for Eco-Depot operations and Extended Producer Responsibility collections in the Creston area.*

BE RESCINDED

**Carried**

**Moved** and seconded,

And resolved that it be recommended to the Board:

That the Board direct staff to issue a Request for Proposals for a Creston and Area Eco-Depot: Design, Build, Operate and Maintain.

**Carried**

**9. CORRESPONDENCE FOR RECEIPT**

a. UBCM Meeting Notes re: Improving Recycling Programs in Rural Communities

**10. PUBLIC TIME**

The Chair called for questions from the public and members of the media 3:59 pm PDT.

**11. ADJOURNMENT**  
**Moved** and seconded,  
And resolved:

The Joint Resource Recovery Committee meeting adjourn at 3:59 pm PDT.

**Carried**

CERTIFIED CORRECT

Approved by

\_\_\_\_\_  
Director T. Newell  
Chair, October 18, 2023 Joint Resource Recovery Committee meeting

**BOARD RESOLUTIONS AS ADOPTED AT THE OCTOBER 18, 2023 JOINT RESOURCE RECOVERY COMMITTEE MEETING**

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**RECOMMENDATION #1**

That the Board approve the hiring of three (3) full time, permanent Assistant Supervisors, with the start date to be no earlier than January 1, 2024, with a cost of \$288,783 to be allocated to Resource Recovery A102.

**RECOMMENDATION #2**

That the Board authorize staff to enter into a Services Agreement with Tip-It Waste Solutions (Kootenay) Inc. for Waste Transfer Services for the period of November 1, 2023 to October 31, 2026 with the eligibility of two one year extensions, equating to an estimated total 3 year contract value of \$169,470 plus GST, and that the Chair and Corporate Officer be authorized to sign the necessary documents;

AND FURTHER, that the costs be paid from Service S186 East Resource Recovery processed from the applicable Contracted Services account.

**RECOMMENDATION #3**

That Board Resolution No. 376/22, being:

*The Board direct staff to enter into negotiation with Tip-It Waste Solutions and request a proposal to partner with the RDCK for Eco-Depot operations and Extended Producer Responsibility collections in the Creston area.*

BE RESCINDED

**RECOMMENDATION #4**

That the Board direct staff to issue a Request for Proposals for a Creston and Area Eco-Depot: Design, Build, Operate and Maintain.





# Services Agreement

**Contract #: 2023-085-ENV**

**Project: Boswell & Crawford Bay Transfer Stations: Waste Transfer Services**

**GL Code: See Schedule B**

THIS AGREEMENT executed and dated for reference the:

\_\_\_\_\_ day of \_\_\_\_\_, 2023  
(Day) (Month) (Year)

## BETWEEN

**REGIONAL DISTRICT OF CENTRAL KOOTENAY**

(hereinafter called the **RDCK**)

at the following address:

Box 590, 202 Lakeside Drive

Nelson, BC V1L 5R4

Agreement Administrator: Larry Brown

Telephone #: 250.551.0043

Email: [lbrown@rdck.bc.ca](mailto:lbrown@rdck.bc.ca)

**AND**

**TIP-IT WASTE SOLUTIONS (KOOTENAY) INC.**

(hereinafter called the **Contractor**)

at the following address:

PO Box 867

Creston, BC V0B 1G0

Agreement Administrator: Kendall Johnson

Telephone: 250.550.4096

Email: [kootenayoffice@tipitwaste.ca](mailto:kootenayoffice@tipitwaste.ca)

## 1 FOR GOOD AND VALUABLE CONSIDERATION, THE RECEIPT OF WHICH IS CONFIRMED, THE RDCK AND THE CONTRACTOR AGREE AS FOLLOWS:

- (a) **SERVICES:** The Contractor shall provide the services detailed in **Schedule A** of this Agreement (the **Services**).
- (b) **CHANGES TO SERVICES:** The RDCK and the Contractor acknowledge that it may be necessary to modify the Services, the Project schedule and/or the Budget in order to complete the Project. In the event that the RDCK or the Contractor wishes to make a change or changes to the Services, the Project schedule and/or the Budget it shall notify the other of the proposed change and reason(s) therefore. The party receiving the notification shall review and consider the proposal for change and shall as soon as is reasonably possible and no longer than within five (5) working days, advise in writing the party proposing the change whether it agrees to the change. Where the parties agree to the change, such agreement will form part of this Agreement and be formalized by means of an Agreement Amendment.
- (c) **TERM:** Notwithstanding the date of execution of this Agreement the Contractor shall provide the Services described in Schedule A hereof commencing on **November 1, 2023** and ending on **October 31, 2026** (the **Term**). Agreement may be extended up to two (2) times for a one (1) year term upon mutual agreement.

- (d) **LOCATION:** The location for delivery of the Services shall be the Boswell Transfer Station located at 12575 Hephher Road, Boswell, BC, the Crawford Bay Transfer Station located at 16798 Crawford Creek Road, Crawford Bay, BC and the Creston Landfill located at 1501 Mallory Road, Creston, BC.
- (e) **CONTRACT PRICE/RATE:** At the rates and on the terms set out in Schedule B.
- (f) **BILLING DATE:** Monthly.
- (g) The following Schedules incorporated into, and form part of this Agreement.  
  
Schedule A: Description of Services  
Schedule B: Contract Payment Terms  
Schedule C: Pricing Schedules  
Schedule D: Personnel & Equipment
- (h) The following terms and conditions are incorporated into, and form part of this Agreement:

## THE CONTRACTOR'S OBLIGATIONS

- 2 The Contractor shall:
- (a) Undertake all work and supply all materials necessary to perform the Services, unless stipulated otherwise in Schedule A;
  - (b) Upon the request of the Regional District of Central Kootenay (herein after called the **RDCK**) fully inform the RDCK of the work done by the Contractor in connection with the provision of the Services and permit the RDCK at all reasonable times to inspect, review and copy all works, productions, buildings, accounting records, findings, data, specifications, drawings, working papers, reports, documents and materials, whether complete or otherwise, that have been produced, received or acquired by the Contractor as a result of this agreement;
  - (c) Comply with all applicable municipal, provincial and federal legislation and regulations;
  - (d) At its own expense, obtain all permits and licenses necessary for the performance of the Services, and on request provide the RDCK with proof of having obtained such licenses or permits;
  - (e) Promptly pay all persons employed by it;
  - (f) Not assign this Agreement, not subcontract any of its obligations under this Agreement, to any person, firm or corporation without the prior written consent of the RDCK;
  - (g) At all times, exercise the standard of care, skill and diligence normally exercised and observed by persons engaged in the performance of services similar to the Services;
  - (h) At all times, treat as confidential all information and material supplied to or obtained by the Contractor or subcontractor as a result of this Agreement and not permit the publication, release or disclosure of the same without the prior written consent of the RDCK;
  - (i) Not perform any service for any other person, firm or corporation which, in the reasonable opinion of the RDCK, may give rise to a conflict of interest;
  - (j) Be an independent Contractor and not the servant, employee or agent of the RDCK;

- (k) Ensure all persons employed by it to perform the Services are competent to perform them, adequately trained, fully instructed and supervised;
- (l) Accept instructions from the RDCK, provided that the Contractor shall not be subject to the control of the RDCK in respect of the manner in which such instructions are carried out;
- (m) At its own expense, obtain Workers Compensation Board coverage for itself, all workers and any shareholders, directors, partners or other individuals employed or engaged in the execution of the Services. Upon request, the Contractor shall provide the RDCK with proof of such compliance;
- (n) Be responsible for all fines, levies, penalties and assessments made or imposed under the *Worker's Compensation Act* and regulations relating in any way to the Services, and indemnify and save harmless fines, levies, penalties and assessments;
- (o) Ensure that all personnel hired by the Contractor to perform the Services will be the employees of the Contractor and not to the RDCK with the Contractor being solely responsible for the arrangement of reliefs and substitutions pay supervision, discipline, employment insurance, workers compensation, leave and all other matters arising out of the relationship of employer and employee;
- (p) Not in any manner whatsoever commit or purport to commit the RDCK to the payment of any money;
- (q) Establish and maintain time records and books of account, invoices, receipts, and vouchers of all expenses incurred;
- (r) Notwithstanding the provision of any insurance coverage by the RDCK, indemnify and save harmless the RDCK, its successor(s), assign(s) and authorized representative(s) and each of them from and against losses, claims, damages, actions, and causes of action (collectively referred to as **Claims**), that the RDCK may sustain, incur, suffer or be put to at any time either before or after the expiration or termination of this Agreement, that arise out of errors, omissions or negligent acts of the Contractor or its subcontractor(s), servant(s), agent(s) or employee(s) under this Agreement, excepting always that this indemnity does not apply to the extent, if any, to which the Claims are caused by errors, omissions or the negligent acts of the RDCK its other contractor(s), assign(s) and authorized representative(s) or any other persons;
- (s) Use due care that no person or property is injured and no rights infringed in the performance of the Services, and shall be solely responsible for all losses, damages, costs and expenses in respect to any damage or injury, including death, to persons or property incurred in providing the Services or in any other respect whatsoever;
- (t) The Contractor must provide the RDCK with a certificate of insurance upon execution of this Agreement in a form acceptable to the Chief Financial Officer of the Regional District and shall, during the Term of this Agreement, take out and maintain the following insurance coverage:
  - (i) Automobile Liability (third party) insurance with a minimum limit of \$5,000,000.
  - (ii) comprehensive commercial general liability insurance against claims for bodily injury, death or property damage arising out of this Agreement or the provision of the Services in the amount of **\$5,000,000 dollars per occurrence with a maximum deductible of \$5,000;**

Such insurance will:

- (A) name the Regional District, its elected officials, employees, officers, agents and others as an additional insured;

- (B) include the Contractor's Blanket contractual liability;
- (C) include a Cross Liability clause;
- (D) include occurrence property damage;
- (E) include personal injury;
- (F) include premises & operations insurance;
- (G) installation floater;
- (H) include a Waiver of Subrogation clause in favor of the RDCK whereby the insurer, upon payment of any claim(s), waives its right to subrogate against the RDCK for any property loss or damage claim(s);
- (I) be primary in respect to the operation of the named insured pursuant to the contract with the RDCK. Any insurance or self-insurance maintained by the RDCK will be in excess of such insurance policy (policies) and will not contribute to it;
- (J) require the insurer not cancel or materially change the insurance without first giving the RDCK thirty days' prior written notice; provided that if the Contractor does not provide or maintain in force the insurance required by this Agreement, the Contractor agrees that the RDCK may take out the necessary insurance and the Contractor shall pay to the RDCK the amount of the premium immediately on demand.

~~(iii) professional liability coverage in the amount of \$ **Amount of Insurance dollars per claim** and \$ **Amount of Insurance dollars aggregate**, with a **maximum deductible of \$50,000**;~~

~~(iv) pollution/environmental impairment liability insurance in the amount of \$ **Amount of Insurance dollars per occurrence** and \$ **Amount of Insurance dollars aggregate**, with a **maximum deductible of \$50,000**;~~

Such insurance will:

- ~~(A) name the Regional District, its elected officials, employees, officers, agents and others as an additional insured;~~
- ~~(B) include the Contractor's Blanket contractual liability;~~
- ~~(C) include a Cross Liability clause;~~
- ~~(D) include occurrence property damage;~~
- ~~(E) include a Waiver of Subrogation clause in favor of the RDCK whereby the insurer, upon payment of any claim(s), waives its right to subrogate against the RDCK for any property loss or damage claim(s);~~
- ~~(F) be primary in respect to the operation of the named insured pursuant to the contract with the RDCK. Any insurance or self-insurance maintained by the RDCK will be in excess of such insurance policy (policies) and will not contribute to it;~~

- ~~(G) require the insurer not cancel or materially change the insurance without first giving the RDCK thirty days' prior written notice; provided that if the Contractor does not provide or maintain in force the insurance required by this Agreement, the Contractor agrees that the RDCK may take out the necessary insurance and the Contractor shall pay to the RDCK the amount of the premium immediately on demand.~~
- ~~(v) course of construction/builders risk coverage in the amount of \$ **Amount of Insurance** dollars with a maximum \$10,000 deductible;~~
- ~~(vi) all risk property coverage in an amount sufficient to cover the cost of the contractor's equipment and tools needed for this contract, as well as work product in progress prior to delivery.~~
- (u) Inspect the site where the Services are to be performed (the **Site**) and become familiar with all conditions pertaining thereto prior to commencement of the Services;
- (v) Where materials and supplies are to be provided by the Contractor, use only the best quality available;
- (w) Where samples of materials or supplies are requested by the RDCK, submit them to the RDCK for the RDCK's approval prior to their use;
- (x) Not cover up any works without the prior approval or consent of the RDCK and, if so required by the RDCK, uncover such works at the Contractor's expense; and
- (y) Keep the Site free of accumulated waste material and rubbish caused by it or the Services and, on the completion of the Services, leave the Site in a safe, clean and sanitary condition.

### THE REGIONAL DISTRICT OF CENTRAL KOOTENAY'S OBLIGATIONS

- 3 The RDCK shall:
- (a) Subject to the provisions of this Agreement, pay the Contractor, in full payment for the Services which in the opinion of the RDCK at the times set out in Schedule B of this Agreement (herein called **Contract Price**), and the Contractor shall accept such payment as full payment for the Services;
  - ~~(b) Notwithstanding Subsection 3(a), not be under any obligation to advance to the Contractor more than 90% of the Contract Price for Services rendered in accordance with Schedule A to the satisfaction of the RDCK. The 10% holdback shall be retained and paid back in accordance with the *Builder Lien Act*;~~
  - ~~(c) Providing that it is not in breach of any of its obligations under this Agreement, holdback from the Contract Price in addition to the 10% holdback contemplated in Subsection 3(b), sufficient monies to indemnify the RDCK completely against any lien or claim of lien arising in connection with the provision of the Services;~~
  - (d) Make available to the Contractor all available information considered by the RDCK to be pertinent to the Services;
  - (e) Give the Contractor reasonable notice of anything the RDCK considers likely to materially affect the provision of the Services; and
  - (f) Examine all studies, reports, sketches, proposals and documents provided by the Contractor under this Agreement, and render decisions pertaining thereto within a reasonable time.

## TERMINATION OF AGREEMENT

- 4 In the event of a substantial failure of a party to perform in accordance with the terms and conditions of this Agreement, it may be terminated by the other party on five (5) days' written notice.
- 5 The RDCK may, at its sole discretion, terminate this Agreement on ten (10) days' notice, and the payment of funds required to be made pursuant to Section 6 shall discharge the RDCK of all of its liability to the Contractor under this Agreement.
- 6 Where this Agreement expires or is terminated before 100% completion of the Services, the RDCK shall pay to the Contractor that portion of the Contract Price which is equal to the portion of the Services completed to the satisfaction of the RDCK prior to expiration or termination.
- 7 Where the Contractor fails to perform or comply with the provisions of this Agreement the RDCK may, in addition to terminating this Agreement, pursue such remedies as it deems necessary.

## GENERAL TERMS

- 8 The RDCK shall be the sole judge of the work, material and the standards of workmanship in respect of both quality and quantity of the Services, and his decision on all questions in dispute with regard thereto, or as to the meaning and intentions of this contract, and as to the meaning or interpretation of the plans, drawings and specifications, shall be final, and no Services shall be deemed to have been performed as to entitle the Contractor to payment therefrom, until the RDCK is satisfied therewith.
- 9 The RDCK certifies that the Service purchased pursuant to this Agreement are for the use of and are being purchased by the RDCK and are therefore subject to the *Excise Tax Act* (Canada).
- 10 This Agreement shall be governed by and construed in accordance with the laws of the Province of British Columbia.
- 11 Time shall be of the essence of this Agreement.
- 12 Any notice required to be given hereunder shall be delivered or mailed by prepaid certified or registered mail to the addresses above (or at such other address as either party may from time to time designate by notice in writing to the other), and any such notice shall be deemed to be received 72 hours after mailing.
- 13 This Agreement shall be binding upon the parties and their respective successors, heirs and permitted assigns.
- 14 A waiver of any provision or breach by the Contractor of any provision of this Agreement shall be effective only if it is in writing and signed by the RDCK.
- 15 A waiver under Section 14 shall not be deemed to be a waiver of any subsequent breach of the same or any other provision of this Agreement.
- 16 Everything produced, received or acquired (the **Material**) by the Contractor or subcontractor as a result of this Agreement, including any property provided by the RDCK to the Contractor or subcontractor, shall:
  - (a) be the exclusive property of the RDCK; and
  - (b) be delivered by the Contractor to the RDCK immediately upon the RDCK giving notice of such request to the Contractor.



- 17 The copyright in the Material belongs to the RDCK.
- 18 The RDCK may, at its discretion, notify the Contractor that the terms, amounts and types of insurance required to be obtained by the Contractor hereunder be changed.
- 19 Where the Contractor is a corporation, it does hereby covenant that the signatory hereto has been duly authorized by the requisite proceedings to enter into and execute this Agreement on behalf of the Contractor.
- 20 Where the Contractor is a partnership, all partners are to execute this Agreement.
- 21 Sections 2 b), i), j), r), and 17 of this Agreement will, notwithstanding the expiration or earlier termination of the Term, remain and continue in full force and effect.
- 22 Parts 2, 3 and 4 of the Request for Proposals No. 2023-085-ENV of the RDCK issued on August 25, 2023 and the Contractor's Proposal provided in response are hereby incorporated into and forms part of this Agreement.
- 23 Except as expressly set out in this Agreement, nothing herein shall prejudice or affect the rights and powers of the RDCK in the exercise of its powers, duties or functions under the *Community Charter* or the *Local Government Act* or any of its bylaws, all of which may be fully and effectively exercised as if this Agreement had not been executed and delivered.

IN WITNESS WHEREOF the parties hereto have duly executed this Agreement as of the day and year first above written.

<b>REGIONAL DISTRICT OF CENTRAL KOOTENAY</b>	<b>TIP-IT WASTE SOLUTIONS (KOOTENAY) INC.</b>
_____ (Signature of Authorized Signatory)	_____ (Signature of Authorized Signatory)
_____ (Name and Title of Authorized Signatory)	_____ (Name and Title of Authorized Signatory)
_____ (Signature of Authorized Signatory)	_____ (Signature of Authorized Signatory)
_____ (Name and Title of Authorized Signatory)	_____ (Name and Title of Authorized Signatory)

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The Contractor is to supply all personnel, labour, materials, and equipment (bins excluded) to provide waste bin hauling services from the Crawford Bay and Boswell Transfer Stations to the Creston Landfill.

The following describe the scope of services to haul waste bins (supplied by the RDCK) from the following locations (the Sites):

- From Crawford Bay Transfer Station to Creston Landfill
- From Boswell Transfer Station to Creston Landfill
- From Boswell Transfer Station to Crawford Bay Transfer Station (wood & metal may be directed there upon request by RDCK)

The Contractor will be required to service the Sites by ensuring that full waste bins are replaced with empty waste bins of the same type, and the full waste bins are hauled to the appropriate Site. Waste bins are used to collect mixed waste, waste wood, and scrap metal. The Contractor must ensure waste bins are available and set up as tight against the bin wall as is practical, with security chains and locks unfastened, for use at each transfer station for disposal during normal operating hours.

Boswell Transfer Station uses 50 cubic yard roll off bins only. Crawford Bay uses 50 cubic yard compactor bins for mixed waste and 50 cubic yard roll off bins for other materials.

All waste bins are equipped to be underhook and cable truck compatible. Waste bins to be hauled by the Contractor may contain wood, garbage, metal, snow, yard and garden waste or other materials as determined by the RDCK. As a condition of hauling the waste bins to the appropriate site, the Contractor will be required to unload each bin at the active area of the corresponding landfill as directed by site operations staff.

The Contractor will be responsible for ensuring their drivers are performing pre-trip inspections of the bins for any damage to ensure they are safe for use according to the current WorkSafe BC regulations and ANSI standards. The Contractor will also be required to inspect bins once per calendar year and arrange any required maintenance and repairs through the RDCK. The inspection will be completed using the Roll-Off Bin Inspection Form and Rating Guide in Appendix B. All copies of completed inspections will be submitted to the RDCK within 30 days of the completion of the inspection.

**A. SITE LOCATIONS AND HOURS OF OPERATION**

The location and normal hours of operation at the Sites are as follows:

Location	Address	Hours
Boswell Transfer Station	12575 Hephher Road, Boswell	Wednesday & Sunday 11:00am – 3:00pm
Crawford Bay Transfer Station	16798 Crawford Creek Road, Crawford Bay	*Early March to April 30: Sunday & Tuesday 9:00am – 3:00 pm  May 1 to *early November: Sunday, Tuesday, Thursday 9:00am – 3:00pm  *Early November to early March: Sunday & Tuesday 10:00am – 4:00pm
Creston Landfill	1501 Mallory Road, Creston	Tuesday to Saturday 9:00am – 4:00pm

\*Dates for Daylight Savings Time

The Sites shall be closed on all Statutory Holidays. To improve services, at any time during this Agreement, the RDCK may elect to have the Transfer Stations open on additional days or for extended hours.

## **B. OFF-HOURS SITE ACCESS**

The Contractor will be given access to the Transfer Stations outside of normal hours of operation, as per RDCK off hours and key issuance procedure. If accessing a Site off-hours, the Contractor shall secure the Site before departure.

## **C. WASTE PROPOSED FOR COLLECTION / DISPOSAL REQUIREMENTS**

Mixed waste collected at the Crawford Bay and Boswell Transfer Stations must be disposed of at the Creston Landfill during normal hours of operation. Mixed waste taken to the Creston Landfill by the Contractor under terms of this Contract will not be charged user fees for waste entering the Landfill; however, each load must still be measured (by weight) and recorded by the Landfill Attendant.

Wood waste and scrap metal are managed on site at the Crawford Bay Transfer Station and are not typically required to be transported by the Contractor from this Site. Should the RDCK at some point in the future decide to transport these materials off site by roll off bin, the Contractor will provide these services at the per bin unit rates as specified in Schedule 2. Wood and metal bins will be hauled from Boswell Transfer Station to either the Creston Landfill or the Crawford Bay Transfer Station at the unit rates specified in Schedule C: Pricing Schedules.

Scrap metal and wood waste collected at the Crawford Bay and Boswell Transfer Stations may be transported to the Creston Landfill during normal hours of operation. Scrap metal and wood waste taken to the Creston Landfill and/or Crawford Bay Transfer Station by the Contractor under the terms of this Contract will not be charged user fees for waste entering the Landfill or Transfer Station; however, each load must still be measured (by weight at the Creston Landfill or volume at the Crawford Bay Transfer Station) and recorded by the Landfill/Transfer Station Attendant.

## **D. LEVEL OF SERVICE**

Standard indicators for performance measurements may include, but are not limited to:

- Adequate equipment
- Adequate qualified staff
- Timely follow-up for problem resolution
- Excellence in quality of service
- Compliance with safety regulations

From time to time the RDCK may monitor Contractor performance and measure to acceptable standards. The RDCK reserves the right to audit and report on Service Levels as required.

## **E. RESPONSE TIME**

The Contractor shall determine when bins are full by using any or all of the following approaches:

- The Contractor may arrange to have the Site Attendant report bin capacity at the end of each shift.
- The Contractor may call the Site Attendant for a bin status report.
- The Contractor or their designate may visually check the bins.

The Contractor will arrange for pickup when the bins are full and must have an empty bin in place before the start of the next opening day. If a bin haul is requested prior to the end of the shift, or a bin is otherwise determined to be full while the Site is open, the Contractor must replace the full bin with an empty bin within

three (3) hours.

The Contractor shall not remove bins that are not full, except as a preemptive measure to prevent an overflow on the next opening day. The RDCK will be the sole judge of the need for preemptive hauling of less-than-full bins.

#### **F. CLEAN OPERATING CONDITIONS**

The Contractor is to ensure that any litter that was inaccessible around the bin while the bin was in place is removed at each servicing, and that all gates and railings are securely closed and locked prior to departure from each site.

The Contractor shall report any problem waste (e.g. hazardous waste, etc.) encountered, and any unsafe conditions or operational issues which may impede the normal functioning of the site to the RDCK on the day of occurrence.

The Contractor shall at all times during transit ensure the bin lid is closed and secured or the load is otherwise adequately covered to prevent material from blowing or falling out.

#### **G. USE OF SITES**

The Contractor shall have use of the Sites only for the purpose of waste transfer services and any other associated RDCK waste collection and waste reduction programs. The Contractor is not authorized to use the Sites for personal use or benefit.

#### **H. CONTRACTOR'S EQUIPMENT**

The Contractor shall at all times provide, maintain, and operate a sufficient number of vehicles, as approved by the RDCK, to properly maintain the level of service specified in this Description of Services. The RDCK shall have the right to require the Contractor, at any time after the commencement of the service, to increase the number of collection vehicles to such numbers, as may be determined by the RDCK, to ensure adequate performance of the Work.

The Contractor must submit a list containing the vehicle make and model years of all Vehicles used in the Work to the RDCK for approval. See Schedule D.

The Contractor shall ensure that all vehicles comply with all Federal, Provincial, and Municipal government requirements. The Contractor shall be responsible for maintenance, repairs, and all other operating costs or requirements of the equipment supplied, including fuel, licensing, insurance, regular washing, storage, paint, and other expenses.

#### **I. PERSONNEL**

The Contractor shall, at all times during the term of the Contract, employ a Supervisor charged with the responsibility of supervising the operations of the Contractor. The Supervisor shall represent the Contractor for the supply of the Services, and directions given to him by the RDCK shall be held to have been given to the Contractor. Contact information for the Supervisor shall be given to the RDCK, and the Supervisor shall respond promptly to all requests by the RDCK.

The Contractor shall employ properly qualified and trained equipment operators, labourers and supervisory staff to supply the Services. The Contractor acknowledges that its employees, agents and Sub-Contractors may come



into contact with the public in the execution of the Contract and that it is of primary importance to the RDCK that excellent relations with the public be maintained. All personnel performing work under the Contract shall conduct themselves in a courteous and polite manner towards the public. All Contractor personnel shall wear reflective safety vests and approved safety footwear (or a garment with similar reflective qualities) at all times while performing work under the Contract.

All Contractor personnel shall respond appropriately to environmental management issues that arise during performance of their duties in respect of the supply of the Services (responding to spills, managing found hazardous materials, etc.).

#### **J. CONTRACTOR'S CONTROL OF SUPPLY OF SERVICES**

The Contractor shall have complete control in respect of the supply of the Services and shall effectively direct and supervise the supply of the Services using its best skill and attention. The Contractor shall be solely responsible for all means, methods, techniques, sequences and procedures required for the supply of the Services and for coordinating all parts of the supply of the Services under the Contract.

The Contractor shall carefully examine the Contract Documents and shall promptly report to the RDCK Representative any error, inconsistency or omission they may discover. Although the RDCK may agree to special methods of supplying the Services, the Contractor will not be relieved of their responsibility for the result. The RDCK's agreement with such special methods shall not constitute ground for claims for the Contractor for any additional payment, nor for relief of their responsibility for the methods used.

#### **K. CONTRACTOR'S RESPONSIBILITIES**

All equipment, labour, materials and associated costs for the supply of the Services will be the responsibility of the Contractor. The Contractor shall have the required expertise to supply the Services in a competent manner. The Contractor's responsibilities shall include, but not be limited to the following:

- a. The Contractor shall safeguard workers by ensuring clean, functional clothing, protective gloves and footwear, in accordance with Worker's Compensation Board regulations, is worn during the performance of the Contract.
- b. The Contractor shall present a positive image to residents by using clean, attractively painted, well maintained vehicles. The Contractor's vehicles shall be maintained in a clean, functional and operational condition with reference to relevant health or sanitary regulations.
- c. The Contractor shall prominently display their name, telephone number and vehicle identification number on each vehicle to be used in the performance of the Contract.

#### **L. RECORDING AND REPORTING FUEL CONSUMPTION**

The RDCK requires that contractors communicate the quantity of fuel used to operate vehicles, equipment and machinery as part of the delivery of the services described in their contract on an annual basis. Fuel consumption associated with the provision of these services must be provided to the RDCK with an annual deadline of March 30<sup>th</sup>.

Contractor to provide the following information about total fuel consumption from the operation of vehicles, equipment and machinery used in the provision of your solid waste collection, transportation, and diversion service to the RDCK:

1. Vehicle class;
2. Type of fuel used by each vehicle; and

3. Amount of fuel in litres consumed from the operation of each vehicle and all equipment and machinery for the contracted service between January 1st and December 31st.

Vehicle Class	Includes
Light Duty Vehicle	<ul style="list-style-type: none"> <li>• 2 door passenger cars</li> <li>• 4 door passenger cars</li> <li>• Station Wagon</li> </ul>
Light Duty Truck	<ul style="list-style-type: none"> <li>• SUV's, minivans</li> <li>• Full-size vans</li> <li>• Pick up trucks with a gross vehicle weight rating (GVWR) under 3856 Kg (8500 lbs) and a curb weight under 2722 Kg (6000 lbs)</li> </ul>
Heavy Duty Truck	<ul style="list-style-type: none"> <li>• Road vehicles with a gross vehicle weight rating (GVWR) over 3856 Kb (8500 lbs) and a curb weight over 2722 Kg (6000 lbs)</li> </ul>
Off Road Vehicle	<ul style="list-style-type: none"> <li>• Vehicles and equipment not licensed for road use (e.g. snow mobiles, ATVs, lawnmowers and trimmers, tractors, construction equipment)</li> </ul>

If actual quantities are not available, an estimate would be acceptable. If providing an estimate, the basis for determining this data must be provided.

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## SCHEDULE A-1: SUPPLEMENTAL CONTRACT CONDITIONS

This Part shall be read with and shall form part of the Contract to be executed by the parties.

### 3.1. Definition of Terms

The following words and terms, unless the context dictates otherwise, shall have the following meanings. Words having a singular number include the plural and vice versa. References to the male gender refer to the female gender as well when appropriate.

<b>Contract Documents</b>	means the Contract, the Contractor's Proposal Documents, the Request for Proposals document No. 2023-085-ENV and such other documents as listed in the Contract, including all amendments and addenda agreed to between the parties.
<b>Contract Price</b>	means the price to be paid by the RDCK for the supply of Services under the Contract.
<b>Contractor</b>	means the successful Proponent who may be an individual, partnership, corporation or combination thereof, including joint venture, who or which executes the resulting Contract.
<b>Force Majeure</b>	shall mean any event or circumstance, excluding lack of funds and labour disruptions, not within the reasonable control of the party claiming the Force Majeure, which prevents or delays that party from meeting an obligation hereunder, and which that party has not been able to overcome by the exercise of due diligence, and including: <ol style="list-style-type: none"><li>acts of God, including wind, ice and other storms, lightning, floods, earthquakes, volcanic eruptions and landslides;</li><li>epidemics, war (whether or not declared), blockades, acts of public enemies, acts of sabotage or terrorism, civil insurrections, riots and civil disobedience;</li><li>explosion or fire;</li></ol>
<b>G.S.T</b>	means the Good and Services Tax administered under the <i>Excise Tax Act</i> (Canada) and any successor tax or levy in force from time to time.
<b>Irrevocable Commercial Letter of Credit</b>	means the Irrevocable Commercial Letter of Credit described in section 3.26.
<b>P.S.T</b>	means British Columbia Provincial Sales Tax and any successor tax or levy in force from time to time, including but not limited to the Services and Services Tax.
<b>Proponent</b>	means the individual, partnership, corporation or combination thereof, including joint ventures, who or which sign the Proposal submission.
<b>Proposal</b>	means the Proponent's submission.
<b>RDCK or Regional District</b>	means the Regional District of Central Kootenay, a corporation under the <i>Local</i>

*Government Act* having its offices and postal address at Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4.

- RDCK Representative** means the RDCK’s Resource Recovery Manager or designate.
- Requirements** means all of the requirements set out in the Request for Proposal No. 2023-085-ENV and Instructions to Proponents, Description of Services, General Contract Conditions, Payment Clauses and elsewhere in the Agreement that describes the requirements for the supply of the Services.
- RFP** means Request for Proposals No. 2023-085-ENV.
- Services** means all goods or services to be supplied under this Agreement and all else necessary for the execution, completion and fulfillment of the Requirements and as described in Schedule A.
- Site** means, if applicable, the place where the Services are to be supplied or utilized by the RDCK, namely Crawford Bay Transfer Station, Boswell Transfer Station and Creston Landfill, as shown in Appendix A.
- Specifications** means the requirements for and technical descriptions of the Services as detailed in Schedule A.
- Sub-Contractor** means any sub-contractor of the Contractor, including those Sub-Contractors listed in Schedule D.
- Supervisor** means the supervisor employed by the Contractor pursuant to Schedule A, Clause I.

### 3.2. Period of Contract

The Contract shall commence on November 1, 2023.

It is anticipated that the aforesaid Contract shall terminate on October 31, 2026. Agreement may be extended up to two (2) times for a one (1) year term upon mutual agreement.

### 3.3. Assignment

The Contractor shall not sublet, sell, transfer, assign, or otherwise dispose of the Contract, any portion thereof, or their right, title, or interest therein, or their obligations there under without written consent of the RDCK which consent may be withheld unreasonably, except for an assignment to a bank of the payments to be received by the Contractor from the RDCK.

### 3.4. Insurance

Any Contract resulting from this RFP will require that the Contractor, without limiting its obligations or liabilities and at its own expense, provide **and maintain throughout the Contract term**, the following insurances and such other insurance coverage as the RDCK may reasonably require with insurers licensed in the Province of British Columbia in forms acceptable to the RDCK. All required insurance shall be endorsed to show the RDCK as an additional insured and provide the RDCK with 30 days’ advance written notice of cancellation or material change. The Contractor will provide the RDCK with evidence of the required insurance, in the form acceptable to

the RDCK, immediately following execution and delivery of the Contract.

1. Comprehensive General Liability in an amount not less than \$5,000,000 inclusive per occurrence insuring against bodily injury and property damage and including liability assumed under the Contract. The RDCK is to be added as an additional insured.
2. Automobile Liability on all vehicles owned, operated or licensed in the name of the Contractor in an amount not less than \$5,000,000.

The Contractor shall provide proof of insurance coverage, showing the RDCK as an additional insured, on each anniversary date of the Contract.

### **3.5. Indemnity**

The Contractor shall indemnify and save harmless, the RDCK, from and against any and all losses and all claims, demands, payments, losses, costs, damages suits, actions, recoveries, and judgments brought or recovered against them and/or the RDCK by reason of this Request for Proposals or any act or omission of the Contractor, its Sub-Contractors, agents, or employees, in the supply or provision of the Services and otherwise in the performance of or failure to perform the Contract, which shall include protecting the Services and protecting the public from hazards arising out of the supply of the Services.

The obligation of the Contractor under this Section shall apply only to the extent that losses, claims, demands, payments, costs, damages suits, actions, recoveries, and judgment claims do not arise solely out of a negligent act or omission of the RDCK, other Contractors or Representatives of the RDCK, as duly appointed by the RDCK.

### **3.6. Compliance with *Workers Compensation Act***

The Contractor shall ensure compliance, on their part and on the part of all of their Sub-Contractors, with the *Workers Compensation Act* and the Occupational Health and Safety Regulations thereunder.

Prior to supplying any of the Services in the Contract, the Contractor must provide the RDCK with the Contractor's WorkSafe BC number, and must pay and keep current during the term of the Contract, all assessments required by WorkSafe BC in relation to the supply of the Services or the Contract Price. In any case where pursuant to the provisions of the *Workers Compensation Act*, an order is given to the Contractor, or one of their Sub-Contractors in respect to their operations under the Contract to cease operations because of failure to install or adopt safety devices or appliances or methods as directed, or required by the *Workers Compensation Act* or Regulations there under, or because conditions of immediate danger exist that would be likely to result in injury to any person, and the Contractor is not available or capable of removing the danger to life or equipment resultant from the Contractor's operations then the RDCK may issue a Written Notice to the Contractor and may immediately arrange for the removal of this danger and the Contractor shall be liable for the costs of such arrangements, but such act by the RDCK shall not relieve the Contractor of responsibility for injury, loss of life, or damage which may occur in that situation.

In the event that the Contractor refuses or fails to comply with an order under the *Workers Compensation Act* or Regulations thereunder, so that the supply of the Services is stopped, the RDCK may, upon written notice, terminate the Contract and proceed in accordance with Section 3.12-RDCK's Right to Terminate the Contract.

The Contractor shall, during the term of the Contract, maintain Workers Compensation Insurance in order to fully protect both its employees and the RDCK as may be required by law during the term of the Contract and shall on each anniversary date of the Contract, provide the RDCK with proof of payment of claims in good standing with WorkSafe BC by way of a WorkSafe BC Clearance Letter.

### **3.7. Health and Safety**

The Contractor shall be solely and completely responsible for ensuring safety of all persons and property during the supply of the Services. This requirement shall apply during the Contract period and not be limited to normal working hours.

The Contractor shall be liable for any and all injury or damage which may occur to persons or to property due to any act, omission, neglect or default of the Contractor, or of their employees, workmen or agents.

The Contractor shall satisfy the Manager that a safety program has been developed in accordance with the Occupational Health and Safety Regulations, and Safe Work Practices and Procedures of WorkSafe BC and shall incorporate all of the RDCK's operating requirements and restrictions.

The Contractor shall assign an individual responsible and authorized to supervise and enforce compliance with all safety regulations required in the supply of the Services.

### **3.8. Intent of Contract Documents**

The intent of the Contract Documents is that the Contractor shall provide all materials, supervision, labour, equipment and all else necessary for or incidental to the proper supply of the Services described in the Specifications and all incidental work to supply the Services. This is not an Agreement of employment. The Contractor is an independent Contractor and nothing herein shall be construed to create a partnership, joint venture or agency and neither party shall be responsible for the debts or obligations of the other.

### **3.9. RDCK Representative's Authority**

The RDCK Representative will observe the supply of the Services in progress on behalf of the RDCK. The RDCK Representative will have the authority to stop the supply of the Services whenever such stoppage may be necessary, in their opinion, to ensure the proper supply of the Services in accordance with the provisions of the Contract.

### **3.10. Notice to Proceed**

Following the execution of the Contract by the Contractor and the provisions of the required Irrevocable Commercial Letter of Credit and insurance policies, a written Notice to Proceed with the supply of the Services will be given to the Contractor by the RDCK. The Contractor shall supply the Services at the time specified in the Contract or, if applicable, begin supplying the Services on the first day of the Term and shall proceed with the supply of the Services regularly and without interruption thereafter throughout the Term, unless otherwise directed in writing by the Manager or RDCK.

### **3.11. RDCK's Right to Obtain Services from Other Suppliers**

If the Contractor should refuse or fail to supply adequate workmanship, products, or machinery and equipment for the scheduled supply of the Services, or neglects to supply the Services properly, or fails to perform any of the provisions of the Contract, then the RDCK, without prejudice to any of its other rights under the Contract, may notify the Contractor in writing, that the Contractor is in default of their contractual obligations, and instruct him to correct the default within forty-eight (48) hours.

If the correction of the default cannot be completed within forty-eight (48) hours as specified, the Contractor shall be considered to be in compliance with the RDCK's instruction if it commences the correction of the default within the specified time, and in addition provides the RDCK with a schedule that is acceptable to the RDCK in its



sole discretion for such correction and completes the corrections in accordance with such schedule.

If the Contractor fails to comply with the provisions of this section the RDCK may, without prejudice to any other right or remedy they may have, obtain the supply of Services from another supplier and may deduct the cost thereof from the payment then or thereafter due the Contractor, or may without notice to the Contractor deduct the cost from the amount secured under the Irrevocable Commercial Letter of Credit.

### **3.12. RDCK's Right to Terminate the Contract**

If the Contractor should:

- a. be adjudged bankrupt, or make a general assignment for the benefit of creditors, or if a receiver is appointed on account of their insolvency, or
- b. fail to make sufficient payments due to their Sub-Contractors, or suppliers, or
- c. disregard laws or regulations that apply to the supply of the Services, or the RDCK's instructions, or
- d. abandon the supply of the Services, or
- e. otherwise violate the conditions of the Contract, the RDCK shall, by written notice, instruct the Contractor to correct the default within forty-eight (48) hours.

If the default is not corrected within forty-eight (48 hours), then the RDCK may, without prejudice to any other right or remedy they may have, terminate the Contract. If notice has been given to the Contractor under section 3.11-RDCK's Right to Obtain Services from Other Suppliers, then a further notice and time to correct the default is not required and that in addition to correcting the default RDCK may without further notice proceed to terminate the Contract.

If the RDCK terminates the Contract under the conditions set out above, the RDCK shall be entitled to:

- a. obtain the supply of the Services by whatever method is deemed expedient but without undue delay or expense;
- b. withhold any further payments to the Contractor until the supply of the Services is finished;
- c. upon completion of the supply of the Services, determine the full cost of obtaining the supply of the Services including compensation to the RDCK for this additional service and a reasonable allowance to cover the costs of any corrections required under the guarantee, and charge the Contractor the amount by which the full cost exceeds the unpaid balance of the Contract Price; or if such cost of obtaining the supply of the Services is less than the unpaid balance of the Contract Price, pay the Contractor the difference; or if such cost of finishing the supply of the Services is greater than the unpaid balance deduct the difference from the Irrevocable Commercial Letter of Credit.

It is also understood and agreed by and between the parties to the Contract, that in the event of a strike or lockout of the employees of the RDCK taking place during the term of the Contract, during which the supply of the Services may be interrupted or blocked, that the provisions of the Contract requiring payment by the RDCK to the Contractor shall be renegotiated on the basis of the Contractor's actual proven costs for the period.

It is also understood and agreed by and between the parties to the Contract, that in the event of a strike or lockout of the employees of the Contractor taking place during the term of the Contract, during which the supply of the Services may be interrupted or blocked, that the RDCK shall at its option and without penalty or further payment to the Contractor, have the right to unilaterally terminate the Contract, and to remove the Contractor, their employees and equipment from the Site.

### **3.13. Contractor's Right to Stop Supply of Services or Terminate the Contract**

If the supply of the Services should be stopped or otherwise delayed for a period of ninety (90) days or more under an order of any court, or other public authority, and provided that such order was not issued as the result

of any act or fault of the Contractor or of anyone directly or indirectly employed by him, the Contractor may, without prejudice to any other right or remedy they may have, by giving the RDCK written notice, hold the RDCK in default.

The Contractor may notify the RDCK in writing that the RDCK is in default of its contractual obligations if the RDCK, subject to requirements of these Contract General Conditions fails to pay to the Contractor when due, any amount due and owing to the Contractor under the Contract. Such written notice shall advise the RDCK that if such default is not corrected within thirty (30) calendar days from the receipt of the written notice the Contractor may, without prejudice to any other right or remedy it may have, stop the supply of the Services and terminate the Contract.

If the Contractor terminates the Contract under the conditions set out above, they shall be paid for all Services supplied and for any loss sustained upon products and construction machinery and equipment, with reasonable profit up to the time that the Contract is terminated. If the Contractor terminates the Contract this is their sole remedy and the RDCK will not be liable for any additional costs or for any loss of profit following termination.

### **3.14. Sub-Contractors**

The Contractor agrees to preserve and protect the rights of the RDCK with respect to any supply of Services or work performed under the Contract and shall:

- a. enter into Contracts or written Agreements with the Sub-Contractors requiring them to supply Services and perform work in accordance with and subject to the terms and conditions of the Contract Documents; and
- b. be as fully responsible to the RDCK for acts and omissions of the Sub-Contractors and of persons directly or indirectly employed by them as for acts and omissions of persons directly employed by the Contractor.

The Contractor therefore shall incorporate all terms and conditions of the Contract General Conditions into all Sub-Contract Agreements they enter into with their Sub-Contractors, insofar as they are applicable.

The Contractor agrees to employ only those Sub-Contractors proposed by him in writing in Schedule D: Personnel and Equipment, and accepted by the RDCK for such portions of the supply of the Services as may be designated.

The RDCK may, for reasonable cause, object to the use of a proposed Sub-Contractor and require the Contractor to employ another that is acceptable to the RDCK. Under these circumstances, the RDCK will advise the Contractor, in writing, of its objection to a Sub-Contractor. The Contractor shall provide the names of alternate Sub-Contractors for that part of the supply of the Services, each of whom must be acceptable to the RDCK. The Contractor and the RDCK will then agree as to which new Sub-Contractor shall be used.

Nothing contained in the Contract General Conditions shall create any contractual obligation between any Sub-Contractor and the RDCK.

Sub-Contractors shall not further sub-contract any portion of the supply of the Services that is the subject of their sub-contract without prior written approval of the RDCK, which may not be withheld unreasonably.

### **3.15. Private Land**

If applicable, it shall be the Contractor's responsibility to ascertain the boundaries within which the supply of Services must be confined. The Contractor shall not enter upon lands other than those provided by the RDCK for any purpose without obtaining prior written permission of the land-owners and occupiers. A copy of the written permission is to be provided to the RDCK prior to entry upon private lands.

The Contractor shall not enter upon lands owned by others on which the RDCK has easements or rights-of-entry without having received the prior written authorization of the RDCK for such entry. It shall be the Contractor's responsibility to ascertain from the RDCK the conditions on which easements of rights-of-entry have been granted on private lands and to abide by these conditions throughout.

### **3.16. Dispute Resolution**

All claims, disputes or issues in dispute between the RDCK and the Contractor shall be decided by mediation or arbitration if the parties agree, or failing agreement, in a court of competent jurisdiction within the Province of British Columbia. All procedures for the resolution of disputes arising in relation to the Contract shall be governed by the laws of British Columbia, Canada.

In the event that the parties agree to arbitration, the arbitration shall be governed by the rules of the British Columbia International Arbitration Centre, except that the Arbitrator(s) shall be agreed upon by the parties, and failing agreement by the parties, shall be appointed by a court of competent jurisdiction within the Province of British Columbia, Canada.

Arbitration will take place in the Southern Interior of British Columbia and be governed by the laws of the Province of British Columbia, Canada.

### **3.17. Taxes and Duties**

The Contractor shall pay all government sales taxes, customs duties and excise taxes with respect to the Contract including but not limited to any GST or PST. The Contractor is required to identify any applicable tax separately on all invoices and the RDCK is liable to pay this amount to the Contractor. Where an exemption of government sales taxes, custom duties or excise taxes is applicable to the Contract by way of the Contractor filing claims for, or cooperating fully with the RDCK and the proper authorities in seeking to obtain such refunds, the procedure shall be established in a Supplementary Condition.

### **3.18. Staff Resources and Management**

The Contractor shall, at all times during the term of the Contract, have a Supervisor charged with the responsibility of supervising the operations of the Contractor and shall maintain a local office at all times and a telephone staffed during all working hours throughout the duration of the Contract.

The Contractor shall employ properly qualified and trained equipment operators, labourers and supervisory staff for the operation of the Contract and shall make available a sufficient number of staff to complete the supply of the Services. Failure or delay in the performance of the Contract due to the Contractor's inability to obtain personnel of the number and skill required shall constitute a default of the Contract.

The Contractor shall ensure that no person will be discriminated against because of race, colour, sex, age, religion or origin. Wages and hours of labour employed shall be in accordance with all applicable federal, provincial and municipal enactments. The Contractor shall, at all times, enforce discipline and good order among their employees, and shall not employ on the Site any unfit person or anyone not skilled in the work assigned to them. Any persons employed on the Site, who become intoxicated, intemperate, disorderly, incompetent or willfully negligent, shall, at the written request of the RDCK Representative, be removed from the Site and shall not be employed again in any portion of the supply of the Services without the approval of the RDCK Representative.

### **3.19. Right to Audit**

Upon reasonable notice the Contractor and/or any Sub-Contractors shall provide the RDCK and its internal auditors, external auditors, its regulators and such other entities/persons as the RDCK may designate, with unrestricted access at reasonable times to the data and records relating to the supply of the Services, including but not limited to the Contractor's marketing and sale of the recyclable material, the amounts charged to the RDCK by the Contractor, and the amounts of any commodity value rebates that are payable. Such access will be provided in order to verify the accuracy of charges and invoices for the Services supplied.

### **3.20. Change in the Services**

The RDCK, without invalidating the Contract, may make changes by altering, adding to, or deducting from the Services. The Contractor shall proceed with the supply of the Services as changed and the Services shall be supplied under the provisions of the Contract. No changes shall be undertaken by the Contractor, without written order from the RDCK, except in an emergency endangering life or property, and no claims for additional compensation shall be valid unless the change in writing was so ordered.

If such changes affect the requirements of the Contract, they will be so specified at the time of ordering the changes. The value of the addition or deduction from the Contract Price, and the method of determining such value, shall be by unit prices or combinations of unit prices as specified in Schedule C: Pricing Schedules, or use one or more of the following methods in deciding such value:

- a. by unit prices submitted in the Proposal
- b. by unit prices submitted by the Contractor and accepted by the RDCK
- c. by lump sum on the Contractor's estimate and accepted by the RDCK
- d. on a force account basis as specified hereinafter.

### **3.21. Contract Performance Reviews**

From time to time as deemed necessary, the Manager may request that the Contractor participate in a Contract performance review. Documented performance arising from such reviews may be used as basis for alteration of the description of Services or suspension/termination of the Contract.

### **3.22. Rights of Waiver**

A waiver of any breach of or provision of the Contract will not constitute or operate as a waiver or any other breach of any other provision, nor will any failure to enforce any provision herein operate as a waiver of such provisions or of any other provisions.

### **3.23. Duty of Care**

The Contractor acknowledges that the RDCK, in the preparation of the Contract documents, provision of oral or written information to Proponents, review of Proposals or the carrying out of the RDCK's responsibilities under the Contract, does not owe a duty of care to the Contractor and the Contractor waives for itself and its successors, and waives the right to sue the RDCK in tort for any loss, including economic loss, damage, cost or expense arising from or connected with any error, omission or misrepresentation occurring in the preparation of the Contract documents, provision of oral or written information to Proponents, review of Proposals or the carrying out of the RDCK's responsibilities under the Contract.

### **3.24. Severability**

All sections of the Contract are severable one from the other. Should a court of competent jurisdiction find that any one or more sections herein are void the validity of the remaining paragraphs hereof will not be affected.

### **3.25. Compliance with Permits, Laws and Regulations**

The laws and regulations of the place where the Services are supplied shall govern.

The Contractor shall give all required notices and comply with all laws, ordinances, regulations, codes and orders of all authorities having jurisdiction relating to the supply of the Services, to preservation of public health, and to construction safety. If the Contractor observes anything in the Contract Documents to be at variance with the foregoing, they shall promptly notify the RDCK, in writing, and await the RDCK instructions. If the Contractor supplies any Services or performs any work, knowing it to be contrary to such laws, ordinances, regulations, codes or orders, and without giving notice requesting instructions from the RDCK, they shall bear all costs arising there from.

The Contractor shall, at their own expense, procure all permits, licenses and certificates required by law for the supply of the Services.

The Contractor will give all notices and obtain all the licenses and permits required to supply the Services. The Contractor will comply with all laws applicable to the supply of the Services and performance of the Contract.

Any Contract resulting from this RFP will be governed by and will be construed and interpreted in accordance with the laws of the Province of British Columbia.

### **3.26. Security for Supply of Services**

Unless otherwise agreed in writing by the RDCK may, in its absolute discretion, the Contractor shall provide to the RDCK security for the performance of its obligations under the Contract in the form of an Irrevocable Commercial Letter of Credit in the amount of 10% of the Total Contract Price detailed in Schedule C: Pricing Schedules - Total Estimated Annual Cost, which security shall be issued by a financial institution within the RDCK that is acceptable to the RDCK in its absolute discretion and in form and substance approved by the RDCK.

### **3.27. Force Majeure**

In the event that either party is rendered wholly or partly unable to perform its obligations hereunder as a result of an event of Force Majeure, then subject to the RDCK's right of termination under section 3.12-RDCK's Right to Terminate, the Contract, that party will be excused from whatever performance is affected by the event of Force Majeure, to the extent so affected, provided that:

- a. the non-performing party promptly after the occurrence of the event of Force Majeure gives the other party notice describing the particulars of the occurrence;
- b. the suspension of performance is of no greater scope and of no longer duration than is required by the event of Force Majeure;
- c. the non-performing party uses reasonable commercial efforts to remedy its inability to perform; and
- d. when the non-performing party is able to resume performance of its obligations hereunder, that party will give the other party written notice thereof.

## SCHEDULE B: CONTRACT PAYMENT TERMS

1 Total budget shall not exceed \$[Amount] (excluding GST).

2 Invoices to be submitted monthly.

The following contract number and GL code(s) **must** be quoted on the invoice(s):

Contract Number: **2023-085-ENV**

### GL CODES:

Boswell Transfer Station: Account 54030 / WorkOrder OPR294-304

Crawford Bay Transfer Station: Account 54030 / WorkOrder OPR297-304

Invoices should be emailed to ap@rdck.bc.ca, with the contract administrator identified on the first page of this contract in cc.

3 Invoices to be paid on net 30 day term.

4 The Contractor's GST number must be included on invoices where GST is applicable.

5 The Contractor's name on the invoice must match the name identified in the first page of this contract.

6 Invoices for work performed in the calendar year shall be emailed to ap@rdck.bc.ca, with the contract administrator identified on the first page of this contract in cc, no later than January 15th of the following year.



## SCHEDULE B-1: PAYMENT CLAUSES

This Part shall be read with and shall form part of the Contract.

### 4.1. Payment for Services

This Part sets out the method of measurement and payment to compensate the Contractor for the supply of the Services.

Payment will be made by the RDCK to the Contractor within thirty (30) days of submission by the Contractor of complete service detail for the Services supplied in the previous month during the term of the Contract.

### 4.2. Goods and Services Tax

The Contractor shall identify the GST as separate line item on all invoices.

### 4.3. Payment Withheld or Deducted

The RDCK may withhold payment on any Progress Payment as may be necessary or prudent to protect itself from loss on account of:

- a. the Contractor is not making satisfactory progress with the supply of the Services;
- b. defective Services which are not remedied;
- c. if applicable, there are claims of lien, or liens (or a lien) filed against any premises of which the Services are supplied or being supplied, or reasonable evidence of the probable filing of such claims of lien or of filing or registration of liens (or a lien) as a result of the failure of the Contractor to make payment properly to Sub-Contractors or for materials, labour, or otherwise;
- d. damages caused to another party by the Contractor;
- e. any other evidence of loss or danger of loss on the part of the RDCK, resulting from of the Contractor's operations.
- f. the RDCK has corrected deficiencies under section 3.11-RDCK's Right to obtain Services from other suppliers.

### 4.4. Monies Due to the RDCK

The Contractor's payment for any commodity value to the RDCK, if any is required by the Contract, will be provided to the RDCK monthly.

All monies payable to the RDCK by the Contractor under any stipulation herein or as provided in section 3.11-RDCK's Right to obtain Services from other suppliers, or section 4.5-Liquidated Damages, may be retained by the RDCK out of any monies due, or which may become due, from the RDCK to the Contractor under this or any other Contract with the RDCK, or the RDCK may demand payment to the RDCK by the Contractor, or the RDCK may deduct monies from the Irrevocable Commercial Letter of Credit. The RDCK shall have full authority to withhold any amount or estimated amount, if circumstances arise which may indicate the advisability of so doing, though the final sum to be retained may be unascertained.

The RDCK may also, at its discretion, calculate into the monies due to the RDCK, the RDCK's staff time plus a 10% overhead in any event where the RDCK has had to correct deficiencies as per section 3.11-RDCK's Right to obtain Services from other suppliers.

### 4.5. Liquidated Damages

In case the Contractor fails to commence or complete the supply of the Services in accordance with the Contract, and to the satisfaction of the Manager, within the time or times specified, the Contractor shall pay to the RDCK a sum of the annual Contract Price divided by 365 for each and every day that the Services have not been supplied after the times specified; which sum or sums, in view of the difficulty of ascertaining the losses which the RDCK will suffer by reason of delay in the supply of Services, is hereby agreed upon and fixed as a reasonable measure of the RDCK's costs and determined by the parties hereto as the liquidated damages that the RDCK will suffer by reason of said delay and default, and not as a penalty. The RDCK may deduct and retain the amounts of such liquidated damages as per section 4.4-Monies Due to the RDCK.

#### **4.6. Negotiations During Contract Term**

If the RDCK requires changes to the supply of the Services, negotiations for payment to the Contractor for Services not specified herein shall be based on a comparison of similar Services that are specified herein, and as specifically measured by the increase or decrease in process time required, manpower, equipment, etc., each of which will be specifically identified, fully itemized, and at the discretion of the Manager, justified. If similar comparison is not practical, then the item will be specifically negotiated, based on time required, manpower, equipment, etc., each of which will be specifically identified and fully itemized.

#### **4.7. Annual Adjustments**

The price as presented in Schedule C: Estimated Annual Cost shall be adjusted annually on the anniversary date of the Contract according to the following formula:

Cumulative Annual Contract Price x Percentage Change of the Statistics Canada Average Consumer Price Index for British Columbia for the Transportation Industry of the 12 months prior to the month immediately preceding the date for which the fee rate is being adjusted.

On the anniversary of the Contract it is the responsibility of the Contractor to engage with the RDCK to determine any adjustments. Supporting calculations and documentation shall be available for both parties to review and approve. The Contractor shall adjust invoices accordingly as soon as possible.

The RDCK will, at its absolute discretion, reserve the right to review and adjust the formula annually. No other adjustment to the Contract Price will be made during the term of the Contract.

## SCHEDULE C: PRICING SCHEDULES

This section shall be read with and shall form part of the Contract Form.

### Schedule C-1: Waste Transfer Services

The following prices include all materials, supervision, labour, equipment and all else necessary for the proper execution of the Work. No claim for extra payment on the grounds that the Work performed or the materials supplied could not be properly charged to items within the Scope of Work will be considered.

#### 1A. To haul ROLL-OFF WASTE bins from Crawford Bay Transfer Station to Creston Landfill:

\$600.00 per trip

\$30.00 GST

**\$630.00** TOTAL per trip

#### 1B. To haul COMPACTOR WASTE bins from Crawford Bay Transfer Station to Creston Landfill:

\$600.00 per trip

\$30.00 GST

**\$630.00** TOTAL per trip

#### 2A. To haul ROLL-OFF WASTE bins from Boswell Transfer Station to Creston Landfill:

\$400.00 per trip

\$20.00 GST

**\$420.00** TOTAL per trip

#### 2B. To haul ROLL-OFF WASTE bins from Boswell Transfer Station to Crawford Bay Transfer Station:

\$600.00 per trip

\$30.00 GST

**\$630.00** TOTAL per trip

The table below calculates the Total Estimated Annual Cost which consists of the sum of Estimated Annual Costs for both sites using the average annual roll off bin hauls to Creston Landfill per site.

LOCATION	ESTIMATED ANNUAL COST
Crawford Bay Transfer Station (67 bin hauls completed in 2022)	\$42,210.00
Boswell Transfer Station (34 bin hauls completed in 2022)	\$14,280.00
<b>TOTAL ESTIMATED ANNUAL COST</b>	<b>\$56,490.00</b>

The Table below calculates the Total Estimated Contract Price. Use the Total Estimated Annual Cost above and multiply it by 3 to calculate the Total Contract Price for the 3 year term.

<b>TOTAL ESTIMATED CONTRACT PRICE INCLUDING GST</b>	<b>\$169,470.00</b>
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**Schedule C-2: Force Account Rates**

The Contractor offers to do force account work for the following rates for services, personnel and equipment. Welding Services rates include labour, materials, profit and overhead. If Welding Services are not offered by Contractor leave the table below blank. Personnel rates include payroll cost of labour, all payroll burdens, room and board, and if applicable, overhead and profit. Equipment rates include operator, fuel, maintenance, profit and overhead. The cost of superintendents, timekeepers and other administrative and supervisory personnel and their vehicles are included in the overhead.

The Contractor understands that the Regional District may review these Force Account Rates and require changes for good cause. The following proposed rates shall form the basis of payment for changes in the work carried out in accordance with the Contract.

**Welding Services**

Service	Hourly Rate	Overtime Hourly Rate
Welding / Repair work	\$150.00	\$190.00

**Personnel**

Name	Occupation	Hourly Rate	Overtime Hourly Rate
Merle Johnson	Driver / General	\$50.00	\$90.00
Danny Johnson	Driver / General / Owner	\$50.00	\$90.00

**Equipment**

The equipment costs shall include wear and tear, maintenance, fuel, operator, overhead, profit, and all other costs, excluding only GST.

Description	Model/Size &Year	Serial #	Hourly Rate	Overtime Hourly Rate
Roll-Off Truck	2008 Kenworth	1NKDLB0X78J937241	\$200.00	\$290.00
Roll-Off Truck	1998 Western Star	2WLPDCCH2SK936447	\$200.00	\$290.00
	20 Ton Excavator		\$175.00	\$250.00

**SCHEDULE D: PERSONNEL & EQUIPMENT**

**A. PERSONNEL**

The Contractor proposes to use the equipment listed below in supplying the Services covered by the Contract (list only the major pieces of equipment to be used):

Number of Units	Brief Description of Equipment (State Use, Make, Age and General Condition)	Check Whether	
		Owned by Proponent	Rented Or Leased
1	2008 Kenworth Roll-off Truck; excellent shape	Owned	
1	1998 Western Star Back-up Roll-Of	Owned	

**B. EQUIPMENT**

The Contractor has provided the following contingency plan in the event of equipment unavailability, failure or breakdown, or in the event that greater than anticipated volumes of material are generated by the RDCK.

The Contractor owns reliable back-up vehicles and equipment and have extra employees that are cross-trained if extra labour is required.

**C. SUB-CONTRACTORS**

The Contractor has not provided the names of Contractor's for using during the performance of the work outlined under this Agreement.



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**TOWN OF CRESTON**  
 PO Box 1339, 238-10<sup>th</sup> Avenue North, Creston, BC V0B 1G0  
 Phone: 250-428-2214 \* Fax: 250-428-9164  
 email: info@creston.ca



File: 0400-40-01

October 11, 2023

**Via Email: alund@rdck.bc.ca**

Angela Lund  
 Deputy Corporate Officer  
 202 Lakeside Drive  
 Nelson, BC

Dear Angela Lund:

**Re: Town of Creston Council Appointment – Regional District of Central Kootenay Board**

At the Town of Creston’s Regular Council Meeting held October 10, 2023, Council appointed the representatives noted below to the Regional District of Central Kootenay Board of Directors, Creston Valley Services Committee, East and Joint Resource Recovery Commission, Arrow Creek Water Treatment and Supply Commission and the Regional District of Central Kootenay Water Services Committee.

THAT Council ADOPTS the updated Town of Creston 2023/2024 Council Board, Committee and Commission Appointments as follows:

**Regional District of Central Kootenay:**

Director.....Mayor DeBoon  
 Alternate Director.....Councillor Dumas

**Creston Valley Services Committee**

Representative.....Mayor DeBoon  
 Alternate .....Councillor Dumas

**East and Joint Resource Recovery Commission**

Representative.....Councillor Mondia  
 Alternate .....Mayor DeBoon

**Arrow Creek Water Treatment and Supply Commission**

Representative.....Councillor Dumas  
 Alternate .....Councillor Mondia

**Regional District of Central Kootenay Water Services Committee**

Representative.....Councillor Dumas

Alternate .....Councillor Mondia

MOTION CARRIED

The contact information for the appointed elected officials follows:

Mayor DeBoon

[Arnold.DeBoon@creston.ca](mailto:Arnold.DeBoon@creston.ca)

Councillor Dumas

[Denise.Dumas@creston.ca](mailto:Denise.Dumas@creston.ca)

Councillor Mondia

[Anthony.Mondia@creston.ca](mailto:Anthony.Mondia@creston.ca)

If you have any questions regarding this matter, please do not hesitate to contact me at [kirsten.dunbar@creston.ca](mailto:kirsten.dunbar@creston.ca) or by phone 250 428-2214 (210).

Yours truly,

*Kirsten Dunbar*

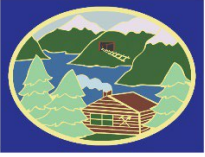
Kirsten Dunbar

Corporate Officer

c: Mayor DeBoon

Councillor Dumas

Councillor Mondia



October 16<sup>th</sup>, 2023

File: 0550-20-2023 Council

Regional District of Central Kootenay  
202 Lakeside Drive  
Nelson, V1L 6B9

Dear Mike Morrison:

At the Regular Open Council Meeting held October 11<sup>th</sup>, 2023, Council passed the following resolution:

**“THAT the Village of Silverton RESCIND the appointment of Brian Mills as the Alternate to the Regional District of Central Kootenay Board;  
AND THAT the Village of Silverton APPOINT Leah Main as the Alternate to the Regional District of Central Kootenay Board.”**

If you have any further questions, please do not hesitate to contact me at 250-358-2472  
or email: [cao@silverton.ca](mailto:cao@silverton.ca).

Sincerely,

Viv Thoss  
Chief Administrative Officer/Corporate Officer





# Director's Report

Garry Jackman – Area A Wynndel/East Shore  
Kootenay Lake

**Report Date:** October 10, 2023

## Columbia Basin Regional Advisory Committee (CBRAC)

CBRAC held a two day in person session on October 4<sup>th</sup> and 5<sup>th</sup> in Rossland. Unfortunately, due to 4 scheduled RDCK meetings in conflict with the Rossland sessions, I opted out of the CBRAC discussions. I reviewed the session notes and recognized I previously heard the one major presentation plus previously I provided my input on 2024 objectives for the group, but I regret missing the conversation where those priorities were reviewed in detail.

For general information go to <https://engage.gov.bc.ca/columbiarivertreaty/info-sessions/>.

## Regional Connectivity Committee (RCC)

The long awaited announcement on the CBBC application made on behalf of the Regional Connectivity Committee for the Universal Broadband fund was made in September. The project has a total budget of about \$82 million to provide fiber to the home to residences in eligible communities across the basin while also further strengthening the network backbone.

Various options are being reviewed on how to extend high speed (minimum 50/10) connectivity to several thousand more underserved homes.

## 2023 Union of British Columbia Municipalities Conference (UBCM)

I found the time spent from September 18<sup>th</sup> through 22<sup>nd</sup> to be quite productive. I only sat in on two ministerial meetings, one with agriculture Minister and the other with Parliamentary Secretary representing Environment Minister George Heyman who was out of the area during UBCM. I was pleased to see both the chair and CEO of the Agricultural Land Commission at our agricultural discussion as we have had a few opportunities over recent years to discuss both the potential of and barriers to significant increases in agricultural potential in the RDCK, in particular around the Creston Valley. I believe the ALC reps will be strong advocates in supporting our work with various ministries and partners to ensure adequate water supply for both domestic and agricultural growth.

It was good to be able to chat with a key senior staff person in the environment ministry, Laurel Nash, once again as we explained the barriers we continue to face in providing good access to recycling facilities while

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containing escalating costs. We were thanked for providing specifics around our challenges, including struggles to expand blue box coverage along with the current restrictions which prevent us from dealing with ICI materials in the simplest, cost-effective manner. We highlighted the rising cost of household hazardous waste roundups while at the same time we are unable to find proponents to run a new eco-depot due to what industry has told us is a lack of confidence in the reliability of product stewards to meet their commitments to pick up products once collected at the local depots.

I attended many sessions, but the one which garnered the most interest for me was the discussion on how to get on with the work of updating the Local Government Act. I appreciated the background provided once again by Don Lidstone who stated he is willing to continue to work towards a sensible update of the legislation. His input is valuable, having deep experience from his important work on drafting the legislation for the Columbia Basin Trust as well as the Community Charter.

Networking was, as always, enjoyable and informative.



**Garry Jackman**

Director of Electoral Area A – Wynndel/  
East Shore Kootenay Lake

September 13, 2023

New Horizons for Seniors Program

Dear grant reviewer:

**RE: Riondel community golf course - Letter of support for independent water supply**

As Director on the RDCK Board for Area A – Wynndel/East Shore Kootenay Lake, I am writing to demonstrate support for the funding application to complete a formal engineered design for a waterline and pumping system for the Riondel golf course. I provided background on the project, in terms of community benefit, in an earlier letter of support for a previous funding application as outlined below.

The unincorporated community of Riondel, BC is located in the northerly portion of Electoral Area A, Wynndel/East Shore Kootenay Lake, within the Regional District of Central Kootenays. The community has long had a central water collection, storage and distribution system serving some 200 local residences along with a handful of small businesses, the local community campground and the Riondel Community Golf Course.

For years the system had minimal water treatment consisting of chlorination and some potential for settlement of turbidity in the water storage tank. The 550,000 liter water storage tank allowed a free flow of water from the two creek fed system intakes to the distribution system with the objective of the chlorination rate being adjusted as volumes fluctuated and the storage tank providing the majority of the required chlorine contact time.

This system operated in this manner for several decades, but as of the early 2000's, in light of changing water treatment standards and pressure from the Interior Health Authority, the system came under increasing pressure to upgrade its treatment. A new water treatment plant which provides filtration and disinfection to modern drinking water standards was commissioned around 2014, resulting in restrictions to the total volume of water available to meet peak demands due to the top end of the treatment plant capacity.

The local campground (domestic consumption by visitors) and golf course (irrigation system plus domestic consumption at the clubhouse) were factored into the treatment system design recognizing that in addition to domestic water conservation restrictions being imposed seasonally that the irrigation system would also need to be idled from time to time to ensure domestic needs were met along with minimum volumes being kept in reserve for fire flows. The community population fluctuates annually, with many seasonal residents only using their residences during the hotter summer months which overlap with the irrigation season. In some seasons the average daily volume consumed by the golf course irrigation system was more than 20% of the total community use, with the golf course demanding up to a third of the peak daily flow.

In addition to placing a strain on the domestic and emergency water supply, the golf course irrigation system also increases the annual cost of treating water (chemically treated water being sprinkled onto grass) and accelerates the deterioration of the filtration membranes. The need to eventually separate the irrigation

system from the rest of the community has long been recognized and is finally beginning to take shape under the stewardship of the Riondel Golf Society volunteer executive with a thoughtfully phased project plan.

As RDCK Director for the Area, I fully support the efforts of the Riondel Golf Society to create an independent water supply for their irrigation system. I also plan to recommend to the RDCK Board a grant for portions of the eligible project costs from the Electoral Area A Community Works funding allocation once the eligibility is confirmed and the appropriate application forms are completed by the society. Note that final approval of any RDCK funding is subject to RDCK Board approval. I ask that your organization also assist the Riondel Golf Society with this environmentally sound project which will leave them in a position to sustain a valued recreational facility and economic driver for the community while relieving the pressures on the RDCK water treatment system.

If you have any questions or want further information please do not hesitate to contact me.

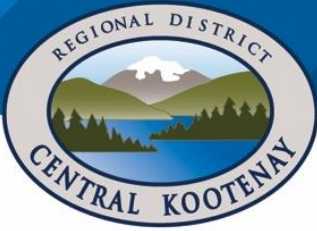
Sincerely,

A handwritten signature in black ink, appearing to read 'Garry Jackman', written in a cursive style.

Garry Jackman  
RDCK Director Area A – Wynndel/East Shore Kootenay Lake

cc:

Angela Lund – RDCK Deputy Corporate Officer  
Uli Wolf – General Manager RDCK Environmental Services  
Riondel Commission of Management  
Mark Easton – Riondel Golf Society



**Roger Tierney**  
Director of Electoral Area B

August 30, 2023

To the Conseil Scolaire Francophone (CSF):

**RE: Francophone School in Creston**

On behalf of Electoral Area B within the RDCK, I am pleased to provide this letter in support of the Parent Committee for a Future Creston Francophone School.

**Electoral Area B** includes communities within the Creston Valley including - Canyon, Erickson, Lister, Huscroft, Rykerts, Arrow Creek, Yahk, Goatfell, Kingsgate, Kitchener, Glenlily, Goat River Bottom, Lower Kootenay Band in which approximately 4800 people reside.

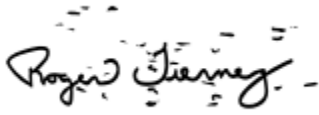
The Regional District of Central Kootenay was incorporated in 1965 and is a local government that serves an estimated population of 60,000 residents. Our region consists of 11 electoral areas and nine member municipalities.

The mission of the Regional District of Central Kootenay is to provide area residents and communities with services, governance and representation in a manner that supports the economic, social and environmental goals of the region.

For local parents whose first language is French, this would be a way for their children to connect with their culture. It would also ensure that students are more skilled and maintain a competitive edge when applying to colleges or universities. As one of our official languages, teaching students the BC curriculum in French exclusively could help with providing additional employment opportunities. This may include employment opportunities for Federal employees such as RCMP, CBSA as well as attracting other professionals such as doctors and other specialties to this area.

As the Area B Director for the RDCK, I am fully supportive of this proposal and I hope that the Conseil Scolaire Francophone of BC considers Creston as a priority for a new school establishment in Creston.

Yours sincerely,

A handwritten signature in black ink that reads "Roger Tierney". The signature is written in a cursive style with some ink bleed-through from the reverse side of the page.

**Roger Tierney**

Director of Electoral Area B

4690 Samuelson Road Canyon, BC V0B 1C1

Phone: 250.215.0666 | Email: [rtierney@rdck.ca](mailto:rtierney@rdck.ca) | Fax: 250.352.9300



**Roger Tierney**  
Director of Electoral Area B

August 30, 2023

To the Creston Community Forest Corporation

**RE: Goat Mountain – Mountain Bike Trail network**

On behalf of Electoral Area B within the RDCK, I am pleased to provide this letter in support of the Creston Community Forest Corporation for a Mountain Bike Trail network on Goat Mountain.

**Electoral Area B** includes communities within the Creston Valley including - Canyon, Erickson, Lister, Huscroft, Rykerts, Arrow Creek, Yahk, Goatfell, Kingsgate, Kitchener, Glenlily, Goat River Bottom, Lower Kootenay Band in which approximately 4800 people reside.

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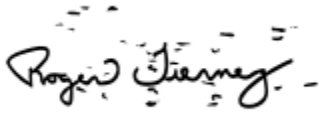
Mountain Bike Trail network on Goat Mountain represents not only a recreation opportunity for local residents, but a destination recreational tourism opportunity attracting visitors to the Creston Valley.

The Creston Valley receives many inquiries from visitors regarding bike trails within the area. This trail proposal will enhance the goals of the economic action plan furthering tourism and supporting employment opportunities within Creston and surrounding areas.

As the Area B Director for the RDCK, I am fully supportive of this proposal. I hope that the Creston Community Forest Corporation is successful in their grant application for funds to develop this trail network in support of community recreation and tourism enhancement.



Yours sincerely,

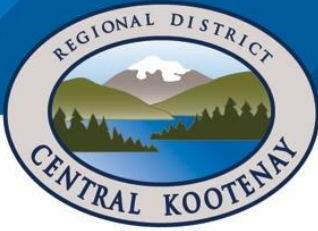
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**Roger Tierney**

Director of Electoral Area B

4690 Samuelson Road Canyon, BC V0B 1C1

Phone: 250.215.0666 | Email: [rtierney@rdck.ca](mailto:rtierney@rdck.ca) | Fax: 250.352.9300



**Roger Tierney**  
Director of Electoral Area B

September 27, 2023

To whom it may concern

**RE: Market Park Grant Application – Phase 2**

On behalf of Electoral Area B within the RDCK, I am pleased to provide this letter in support of the Town of Creston Market Park Project – Phase 2.

**Electoral Area B** includes communities within the Creston Valley including - Canyon, Erickson, Lister, Huscroft, Rykerts, Arrow Creek, Yahk, Goatfell, Kingsgate, Kitchener, Glenlily, Goat River Bottom, Lower Kootenay Band in which approximately 4800 people reside.

The Regional District of Central Kootenay was incorporated in 1965 and is a local government that serves an estimated population of 60,000 residents. Our region consists of 11 electoral areas and nine member municipalities.

The mission of the Regional District of Central Kootenay is to provide area residents and communities with services, governance and representation in a manner that supports the economic, social and environmental goals of the region.

The Market Park Project – Phase 2 will support two of Creston's main economic sectors – agriculture and tourism. The following benefits of this project are:

- Providing a community space that generates new business opportunities for vendors of the Farmers' Market;
- creating attractions and amenities that will attract and retain visitors;
- creating direct spillover revenue for nearby businesses; and,
- recirculating these dollars into the larger business community.

Now that Phase 1 is complete, Phase 2 will enhance the Market Park with:

- Additional vegetation to make the space more enjoyable and reduce overall urban heat
- Timber framed shade structures for vendors and customers
- Gateway features, including artistic crosswalks driving traffic to Market Park
- Murals and sculptures
- Washrooms (budget dependent)

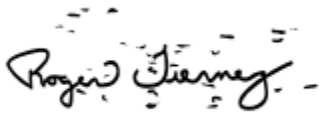
The Town of Creston and Regional District are economically linked. The Farmers' Market showcases vendors from the entire Creston Valley. Market Park will help to incubate the agriculture, food production, art and artisan businesses that get their start at our local Farmers' Market.

The additional amenities for tourists will have a broad impact for tourism in the valley by encouraging visitors to linger and explore the valley's many natural attractions.

Market Park is an essential economic driver for the Creston Valley and will help support our Rural Economic Diversification

As the Area B Director for the RDCK, I am fully supportive of this Grant Application and I hope that the Town of Creston is successful in their application for funds to enhance the Market Park further with the Phase 2 proposal.

Yours sincerely,

A handwritten signature in black ink that reads "Roger Tierney". The signature is written in a cursive style with some ink bleed-through from the reverse side of the page.

**Roger Tierney**

Director of Electoral Area B

4690 Samuelson Road Canyon, BC V0B 1C1

Phone: 250.215.0666 | Email: [rtierney@rdck.ca](mailto:rtierney@rdck.ca) | Fax: 250.352.9300



# Director's Report

Kelly Vandenberghe – Electoral Area C

**Report Date:** October 3, 2023

## Activities report - September

### UBCM Convention - Vancouver

The UBCM annual convention ran from September 18<sup>th</sup> to September 22<sup>nd</sup>. This was my first convention as an elected official. All elected officials across the Province and some Provincial Ministers attend this event.

#### Highlights

- Participated in 5 Minister meetings representing RDCK in areas including Watershed protection & regional governance, Creston bypass expansion, Rental housing reform, Recycle BC program delivery concerns to rural communities.
- Attended nine (9) Study sessions and Clinics on a variety of topics including Climate mitigation, Fire risk reduction initiatives, Artificial Intelligence integration risks and future (current) applications for intuitive, interactive and expedience in planning & building permitting (aka case study City of Kelowna and Microsoft), Public engagement guidelines and tools, Building in floodplains and so on.
- The outstanding and most exciting areas of learning for me was in AI - Artificial Intelligence namely 'Digital Transformation of the Housing Development Process (City of Kelowna / Microsoft Canada) and conversation directly with various Ministers.
- Probably the highest concern I had through attending a number of sessions on the climate change was one on Provincial policy around climate change. I feel the proposal from that staff was too extreme around immediate stoppage in fossil fuels without any discussion around those consequences driving the costs skyward for British Columbians and the cost of such an aggressive policy. Point being, what do they feel this policy would do to the hard working people in BC? There was zero discussion in this regard.

### Creston, Area C Community meetings/events

- Creston Valley Chamber of Commerce
- Creston Valley Fall Fair & Opening ceremonies.
- West Creston Corn Fritters social and fundraiser
- Creston Museum AGM
- Creston Valley Tourism Society
- T of Creston Committee of the Whole Meeting – RCMP stats update
- Columbia Basin Trust meeting with our local representative
- Creston Valley Community Forest

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# Director's Report

Aimee Watson – Electoral Area D

**Report Date:** October 2023

## Lardeau Valley Power outage: 90 hours

Sunday October 1<sup>st</sup>, there was a landslide to the north of the Lardeau Bluffs that took out the road, power and eventually the phone lines. It was called in by residents in Lardeau and the road was closed. On Monday the Ministry of Transportation was able to assess and re-open the road. While it was not a full geotechnical assessment of the mountainside, they did have a Geotech give an opinion. As the road already has signage indicating it is a high-risk zone and directing drivers not to stop, they were able to safely open the road. At this point, BC Hydro was awaiting a more detailed geotechnical review. I sent correspondence to BC Hydro, Ministry of Transportation and our emergency services to get brought up to speed on the situation and the estimated time of return for power. Facebook appeared to have the most up to date information, and I have indicated to those entities that their websites need to be updated as information is available. Tuesday morning our emergency services staff jumped into the discussions to get information out. Wednesday morning BC Hydro brought in a Geotech to conduct their required assessment. By this point, it was evident that residents' freezers and fridges were failing, and with the fall season upon us, I knew they were facing the loss of the season's harvest. I worked with LINKs to purchase generators that would be available for Lardeau Valley residents on a sign out basis. As LINKs and I had created a Grid Stability Program as an outcome of the Power Feasibility Assessment, we were already well positioned to purchase \$20,000 worth of generators with ACE delivering early that afternoon.

Making this situation even more challenging was the lack of phone service. Lardeau Valley has no cell service, making landlines essential to emergency communication. The landlines are an older technology that lacks battery backup when the power lines are down. Telus upgraded a few of the batteries and have improved the process to ensure they are charged up, however, power outages beyond 24 hours still result in loss of landlines. Further complicating the landlines was a cut to one of the main cables in the slide area, which required major repair.

I am actively working with our partner entities to drastically improve communications and analyze what systems can be improved to speed up responses in emergencies in the Lardeau Valle.. Thank you to LINKs for your quick action. There will be a community de-brief on October 27<sup>th</sup> 3-5pm at the hall.

## Mosquito season 2023 review

I met with contractor, Morro BioScience and our staff at the RDCK to review the 2023 treatment plan. There had been some significant restructuring of the program to address gaps identified over

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the past two seasons. Two residents were hired to expand monitoring and to enable more boots on the ground for treatments where aerial is not necessary. The crew in the Lardeau Valley also had staff come up to support the early season assessments to ensure all areas of treatment were identified, reducing the number of aerial treatments.

Part of the work to reduce the costs, impacts, and access to treatment methods has been to investigate the option of using drones for application. Helicopters are extremely expensive and during the summer season, are needed be available to fight wildfires.

I appreciate your feedback on this program. We will have a field day in the spring for community members that will include an overview of the program and updates on possible drone use. The annual report will be available on the December board agenda.

[Mosquito Control Program | Regional District of Central Kootenay \(rdck.ca\)](#)

## **Lardeau Valley Fire Resiliency Committee**

The LV Fire Resiliency Committee had its 2<sup>nd</sup> meeting where we reviewed the terms of reference and a proposed workplan. This committee will represent all LV communities under a common Fire Smart vision with partners and stakeholders collaborating for fire resilient communities. LINKs is the lead on this committee with support from the RDCK wildfire mitigation team. Once the Terms of Reference are complete, LINKs will share it out with residents.

## **Community Wildfire Resiliency Plan**

The LV Fire Resiliency Committee and Area D Community Wildfire Protection (CWPP) Plans are being updated, as required by the province, to the CW Resiliency Plan. I will link the current CWPP below. The update will focus on:

- A focus on all 7 [FireSmart disciplines](#)
- Information on high-risk areas within the wildland urban interface (WUI) which is a 1km buffer from private dwellings
- High risk areas and proposed treatments.

The draft plan will be presented to the public this fall.

Link to current CWPP: [Community Wildfire Protection Plans | Regional District of Central Kootenay \(rdck.ca\)](#)



## Columbia River Treaty Local Government Committee

While our committee does not participate in negotiations, the 19<sup>th</sup> round of negotiations is coming up this week. The proposed treaty will come to communities before it is ratified by the Federal and Provincial government. This process has included research on the socio-economic and ecosystem function studies, alongside modeling of various reservoir levels and a list of community interests organized around each dam.

This committee meets 1- 2x a month.

Link to website: [CRT LGC | Columbia Basin | Columbia River Treaty Local Governments Committee](#)

## Kootenay Lake Partnership

This partnership includes stakeholders from various government entities that overlap on the management and regulation of Kootenay Lake. They are the creators of the Shoreline Guidance document which collated all regulations into one document for ease of access to regulations.. I will link that document below.

Link to Shoreline Guidance document: [Kootenay Lake Partnership – Love the water. Share the responsibility.](#)

## West Kootenay Transit Committee

We have a new governance committee for transit at the RDCK. The current committee has membership that reflects the participation of neighboring communities, the RD Kootenay Boundary, City of Trail and Nelson. This has served to address the larger system but it has left the RDCK board, which only appoints two members to the committee, short on the time to discuss issues such as taxation, apportionment (how each area is paying comparative to the others) and the needs of areas not on the main committee.

At our inaugural meeting, we were able to review the three-year service plan as proposed by BC Transit and the larger committee. This presented options for capital and operational commitments that would not see an increase in services directly within Area D, but within the larger system that could be supporting Area D residents that use the connectors between Nelson and Castlegar. However, the cost of the service for Area D was significant and would be difficult to commit to as we don't see an increase in services or stops for Area D. These are not easy conversations, as my opposition would affect part of a regional network that is considered the backbone to our rural services.

This will be in front of our board at our October Board Meeting. Please take a look at the report and let me know your thoughts.

Agenda: [2023-10-04-WTSC-Agenda.pdf \(rdck.ca\)](#)

These board highlights provide a general overview of discussion items and major decisions made at the Board of Directors meeting on **September 15/16, 2023**, which was held in Kaslo, BC. It excludes confidential information such as business negotiations, personnel issues and legal matters.

- The Trust held its Annual General Meeting on Thursday, September 14 both online and in person at the Royal Canadian Legion Hall in Kaslo. The Trust shared highlights from our annual report for the fiscal year 2022/23 and examples of Trust initiatives and projects that have impacted our region with approximately 20 in person and over 100 virtual attendees participating on Zoom and Facebook.

Read the Annual Service Plan Report at [ourtrust.org/annualreport](https://ourtrust.org/annualreport).

A recording of the AGM can be viewed at [ourtrust.org/agm](https://ourtrust.org/agm).

- The Board held its biennial review and approval of the Trust's [Statement of Investment Policies and Procedures](#) (SIPP). The SIPP establishes a framework for managing Trust assets to achieve the objectives of the Trust's Investment Program. Revenue earned from Trust investments is spent on delivery of benefits to the Basin.

Learn more about our investments at: [ourtrust.org/investments](https://ourtrust.org/investments).

- The Board approved the reappointment of Carolyn Amantea to the Social Advisory Committee for a one-year term to expire November 30, 2024. The Trust currently has several committees which provide advice on how the Trust delivers benefits in the region.

Learn more about our advisory committees at [ourtrust.org/advisorycommittees](https://ourtrust.org/advisorycommittees).

- The following is the 2023 meeting schedule for the Trust Board of Directors:

- November 24/25      Nelson

- The following is the 2024 meeting schedule for the Trust Board of Directors:

- January 26/27      Fruitvale
- April 5/6              Elkford / Sparwood
- May 24/25            Golden
- July 19/20            New Denver
- September 27/28    ʔaʔam / Cranbrook (AGM)
- November 22/23    Creston

- Board meeting minutes are posted to the Trust website after they have been approved by the Board at the following meeting. View minutes here: [ourtrust.org/publications](https://ourtrust.org/publications).



# Director's Report

Cheryl Graham – Electoral Area E

**Report Date:** October 7, 2023

## 2023 August – September Director Activities

*In addition to the regular Committee and Board Meetings:*

**August 11, 2023**

**Attended Grand Opening of Hummingbird Lodge at Whitewater**

*My Speech:*

*I am very grateful and honoured to be your RDCK Area E Director and that Whitewater is part of my region, am I lucky or what?*

*The RDCK is pleased to partner with Whitewater to help secure grant funding for this significant undertaking. Something like this takes time and resources to put together and I would like to recognize our staff at the RDCK for the work they put in to successfully applying for grant funding, as well as ensuring the necessary contracts were put in place to execute a successful project. Two of them are here today, Mike Morrison and Dan Elliott, thank you both for your hard work.*

*I would like to commend Whitewater for successfully delivery this amazing project. It has been impressive to witness the transformation happening on the mountain and the staff should be commended for their hard work.*

*Whitewater ownership and management have been exemplary partners on this project. They certainly make it easy for us to do our job.*

*Part of the role of the RDCK is to facilitate these types of grant opportunities for local organizations and we are excited to see the expansion of services offered by Whitewater with the addition of Hummingbird Lodge and Campground, along with the expanded and enhanced hiking trails to make this a destination for outdoor enthusiasts year round*

*A four season mountain resort ties directly into local economic development. One of the many services the RDCK provides is working with multiple partners to pursue opportunities for economic development, by enhancing capacity building for sustainable economic growth and diversification. This project is a prime example of that.*

*The Province has made it a priority to invest in tourism infrastructure and amenities. This type of support is key to many local organizations and businesses, like Whitewater who want to be able to provide more opportunities not only for tourists, but for their local community. Whitewater continues to make a name for itself globally and we are proud to partner in this endeavour.*

*Lastly, my husband and I just bought our very first RV a couple of weeks ago, so in closing, I just have one question - who do I see about getting a reservation?*

**For more information**

[info@rdck.bc.ca](mailto:info@rdck.bc.ca) | 250.352.6665 | 1.800.268.7325 (BC) | or visit [rdck.ca](http://rdck.ca)

### **August 23, 2023 - Attended Dialogue Circle CAP, North Shore Hall**

A little rocky start with one person leaving because the group decided that he shouldn't video the public meeting. I took five pages of notes if anyone wants them. Really great to see a diversity of views and great conversations. Really nice event and cookies and muffins were good too! Thank you to Sangita and her group for putting on this event!

### **August 23, 2023 – Meeting with Resident's Group**

Ten residents attended a public meeting in person with a list of questions regarding RDCK finances, five were from Area E. I have notes available if anyone wants to read them, I did send them to Tom Newell as he wanted to come but missed the meeting and Corinne Mori has circulated her notes as well by email. The meeting was video'd and on you tube if anyone is interested in viewing it. [RDCK Financial meeting with the public on August 23, 2023. - YouTube](#) Thank you to Stuart for answering as many of their questions time permitted and thank you to Garry Jackman and his wealth of experience. As always, I learned a ton and I'm sure the residents did as well!

**September 6, 2023 – Financial meeting on Webex** with Aimee Watson, Stuart, Tom Newell, Garry Jackman and Diana Lockwood to go over some of my financial questions and also some CAP questions. Thank you for your time and experience. Very much appreciated!

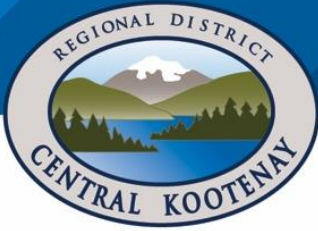
### **September 7, 2023 – Climate Action Plan Open House in Balfour, roughly sixty people attended.**

I thought it went really well but it was my first meeting and not sure how it compared to others. I stayed for the whole meeting and will do the same for the other meetings in Area E, next time I will ask for my own table to make myself more readily available to residents who want to converse. I have created my own CAP feedback form for residents to reply directly to me. There was a group in attendance who requested a town hall style meeting and I do agree with Aimee Watson that it does seem the RDCK is not being seen as fully consulting with the residents in the open house format, residents do want to hear what others think. Still something is better than nothing and I understand the reasons for the Open House format. Thank you to Sangita and her staff for putting this event on, it was really nice and well done also.

**September 8, 2023 – Met with Kevin Lewis (Area Road Manager) in Balfour** regarding some issues around the new interchange at Busk Road and the Highway near the new ferry landing approach in response to resident complaints. Road managers have been very awesome to work with and I appreciate that Kevin took the time to come and see the issues in person.

### **Area E Weekly Community E-Newsletters**

I send out a community e-newsletter every Friday. They are very well received by the community and cross promoted on five local social media sites every week. If you haven't seen them, check it out at <https://cherylgraham.ca/area-e-newsletter>



# Director's Report

Cheryl Graham – Electoral Area E

**Report Date:** October 3, 2023

## 2023 Union of British Columbia Municipalities Conference (UBCM)

Wow! What an amazing and awesome conference! I wasn't really sure what to expect but everything exceeded my expectations and beyond. Informative, exciting, exhilarating and exhausting, I can't wait to do it all over again next year!

The following are my notes from sessions I attended:

### **BUILDING ECONOMIC RESILIENCY**

Super interesting session to see how communities have partnered and created successful programs in various situations and circumstances. *"Empathy and gratitude are a measure of a relationship value."*

I will pass along some specific examples from this session to Nelson Kootenay Lake Tourism:

- UNESCO Global Geoparks (Tumbler Ridge)
- Ambassador Wild (Fernie)
- Re-Discover Princeton (Princeton)

Also very inspiring to hear about the Resource Guide created in 100 Mile House following the massive job losses in the area to help people cope and move forward.

Recruiting and retaining workers. Work – Live – Move (hear it from the locals). Penticton

### **NEW DELEGATES ORIENTATION**

I was grateful for the information and advice from the veterans presenting at the new delegates session, mostly for the recommendation to get some comfortable shoes as I was sitting there in my brand new shoes with blisters already forming. Right afterwards, I dodged over to Pacific Center and got myself a comfortable pair of sketchers, not very stylish but definitely saved me from a week of foot torture!

### **TOOLS, FUNDING & RESOURCES FOR LOCAL GOVERNMENTS**

I was mainly seeking to learn about funding available for Emergency Preparedness, which I found some interesting information and will be following up, but also a very interesting session on all kinds of Provincial funds available. I will definitely be better prepared for this session next year now that I have an idea of what to expect. This was a round table format with no presentation to take notes from.

### **ELECTORAL AREA FORUM**

A very interesting conversation:

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- Housing challenges & obstacles
  - Rural areas often overlooked
  - Lack of affordable housing, older homes not kept up, ALR restrictions, mortgage constraints
- Missing middle housing
  - Rezoning issues, people not wanting development, no options to downsize in your community, water / transportation / septic
  - Rural areas no longer cheaper
  - Conversion of large residential to duplex or triplex
  - Secondary suites
- Short term rentals
  - Are regulations needed? What powers do we have? Bylaw enforcement is challenging and expensive
  - Loss of long term rentals for residents
  - Impacts are unclear
  - Business license?
- What can Province and Feds do to help?
  - Remove owner / builder restrictions for new home builds
  - Allow building inspectors to do energy advisor reports
  - Support for people in crisis
  - Forest management / water sheds
  - Tiny homes
  - Rural lens at Provincial and Federal levels
- Insurance
  - Renew in January
  - Refusal to insure due to wildfires
  - Importance of Fire Services
- Affordable Housing
  - ALC is a road block to converting ALR into affordable housing
  - Province announced \$40K to secondary suites rented below market [B.C. offers incentives to homeowners to build rental suites | Vancouver Sun](#)
- Structural Protection
  - Proactive Fire smart
  - Sprinkler requirements
  - We need to do something different, what we have done in the past is not effective enough

## **EXPLORING HEALTH IMPACTS OF WILDFIRES**

BC is leading change in BC Water Policy (WLRS) NEW Water Land Resource Services  
 Watershed Security Strategy and Funding Modernizing Permitting and Processes:

- Long term path / public engagement / First Nations concerns / planning and investments are all to deal with
- Ground water licensing
- Water conservation
- Affects on fish habitat
- Housing Action Taskforce
- Wildfire Cooperative Community Wildfire response survey handed out



## PREPARING FOR FUTURE WILDFIRES

- Most affected are Rural and Remote Residents
- Historic Heat Dome 2021
- 4 of last 7 years we had smoke
- We are on a trajectory of things getting worse, this is not just a 'new normal'
- Climate events will increase in intensity and duration, drought, wildfires, smoke, floods
  - Warmer winters, hot dry summers
  - More precipitation in the fall, winter & spring
- Smoke is likely here to stay and we will need to learn to live with it
  - Smoke is a main contributor to air pollution in BC
  - Fine particulate matter gets inhaled deeply
  - The time to act is when it first starts getting smokey, not days afterwards
  - Studies suggest most affect on respiratory systems during the start of the smoke
  - Long term effects are still not known
  - Get buildings ready – ventilation and filtration
  - Portable Hepa cleaners work
  - Plan ahead

## EMERGENCY PREPAREDNESS TOWNALL

- Agricultural funding announcement
- Historic low water
- Water is what is needed and must be managed, not just short term during droughts
- Innovation is needed, relooking at things that used to be done that we stopped doing, maybe bring some of those back
- Public engagement for new emergency measures (I included this in my Area E newsletter #42 for Resident awareness and input)  
<https://www2.gov.bc.ca/gov/content/safety/emergency-management/emergency-management/legislation-and-regulations/modernizing-epa>
- Private Forest Lands Act is under review
- \*Community Emergency Preparedness Fund – Still has \$200 Million, through UBCM and can fund up to 100% up to \$5 Million (\*check into what RDCK has done or can apply for)

## ART OF THE POSSIBLE: AI DIGITAL TRANSFORMATIONS

This was my favorite presentation by the City of Kelowna and what is being done with AI.

- Super cool demonstration of AI showing possibilities for future park designs, real time / interactive
- Digital modernization of local governments must occur (resistance is futile)
- Residents want change and access 24/7/365
- Modernization of fire fighting maps (with heat spots) helped with precision forest fire fighting this past summer in Kelowna Area
- We are already interacting with AI in chat boxes, voice assistants chat bots
- Landfill chatbots – tells you what goes where
- Road clearing chatbots – tells you in real time which roads are being plowed
- Housing Permits – currently in testing phase
  - Explore what can be built on a property
  - How much it will cost, fees / permits, and what you need to do
  - AI can provide various options

- AI can assist you with completing building permit applications (interactive) and inform of what corrections are needed as well as provide status updates
- City of Kelowna will share their information with any local government who wants it FOR FREE

I realize that AI is a little scary for some people, but it's here, but it is a great tool and it's something that I recommend the RDCK IT Staff should contact the City of Kelowna to discuss in more detail.

Other:

I very much appreciated being involved in the UBCM elections and resolutions, it was an interesting and learning experience.

Just a side note that it was a real pleasure to sit with Hans Cunningham at the UBCM Awards Banquet as he received his Long Term Service Award for over 35 years of public service- very proud of your achievement Hans, you are an inspiration to us all!

I am very grateful to the taxpayers of the RDCK for this opportunity to attend the UBCM conference. I learned a ton and will be so much better prepared to attend next year. I hope you enjoyed reading my report about the sessions that I attended. If you have any questions or would like to discuss anything in more detail, please let me know!



# Director's Report

Walter Popoff – Electoral Area H

**Report Date:** October 5, 2023

*Director meeting and event attendance for September 2023*

## September 06, 2023

### **SE-BC Regional Connectivity virtual meeting**

Network Innovations presentation on future opportunities around connectivity

Presentation by Ivan Rincon Ministry of Citizens Services on role of connectivity on Next Generation 911.

CBBC update by Mark Brunton.

## September 07, 2023

### **Columbia Basin Connectivity Funding Announcement.**

MLA Anderson facilitated the event at CBT building in Castlegar.

Minister of Citizen Services Lisa Beare announced \$82M in Federal and Provincial funding to CBBC for the connect the basin project that will provide new infrastructure to bring high speed internet services to over 5,400 underserved households in 60 communities within the Columbia basin area.

## September 08, 2023

### **Opening of the Central Compost Facility**

With the support of the Organics Infrastructure program RDCK has completed the construction of the Central Compost Facility.

The ribbon cutting event to open the facility near Salmo was held with RDCK CAO Horn Facilitating the event introducing speakers MLA Anderson, RDCK Board Chair Watson and East Resource Recovery Chair Jackman.

### **New Denver RDCK Climate Action Plan open House Bosun Hall**

## September 12, 2023

### **Slocan Valley South Recreation Commission (Rec 8)**

Crescent Valley Community Hall (no quorum) next meeting November 7<sup>th</sup>

## September 13, 2023

**Rural Affairs Committee** (Virtual)

**Joint Resource Recovery Meeting**

Nelson Board Room (Chaired meeting)

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## September 14, 2023

### RDCK Board Meeting

Nelson Board Room

## September 16, 2023

### Slocan Valley Housing Society

AGM Passmore lodge

## September 18 to September 22, 2023

### Union of BC Municipalities Convention Vancouver (participated in the following)

- Study session Building Economic Resiliency
- Meeting with Ministry of Municipal Affairs regarding Small Water Systems and Borrowing for Fire Apparatus.
- Electoral Directors Forum
- Meeting with BC United Party MLA Lorne Doerkson Official Opposition Caucus Chair as well as Shadow Minister for Water, Land and Resource Stewardship and Rural Development. Regarding BC United Party position on providing provincial funding for infrastructure upgrades for Improvement, Irrigation Districts, and small organized water systems that are not part of a Regional District Service but are still required to meet IHA standards for potable water.
- Provincial Presentation on Climate Action, Forest Management and your Community
- West Kootenay-Boundary Regional Hospital District Executive meeting with Premier and Minister of Housing regarding funding model for Long-term/assisted living facilities and housing supports for seniors and vulnerable populations in small communities.
- Association of Kootenay Boundary Local Governments lunch forum.
- Discussion with Rogers Manager Municipal Affairs regarding Rogers providing cell service for Pass Creek, Crescent Valley and Slocan Park residents with the possibility of continuing with cell service to all of the Slocan Valley.
- Discussion with Telus Municipal Government Relations & Rural Connectivity representative regarding cell service for the Slocan Valley.
- UBCM Annual General Meeting
- Principal Policy Sessions-Resolutions to UBCM by Local Governments.
- Silverton Mayor and Counsellor meeting with Ministry of Forests staff regarding stopping current logging operations in the Silverton Watershed by Interfor until a new hydrological assessment, along with mapping, is performed.
- Meeting with Ministry of Environment Parliamentary Secretary Singh regarding shortfalls within RDCK of the EPR Plan, HHW events and depot costs, ICI programs not working in Rural Areas of RDCK and RBC incentives shortfall requiring RDCK to contribute over \$1.7M/yr. in taxation to support the program.
- Vancouver Fraser Port Authority Harbour Tour.
- Elections of UBCM Table Officers and Executive Positions.
- Resolutions received after deadline.
- Address by Premier Eby.
- Networking Events, Electoral Directors, Fortis, UBCM, BC Government.

**September 26, 2023**

**West Kootenay Transit meeting (Virtual)**

**September 29, 2023**

**All Recreation meeting**

Nelson Board room (Chaired meeting)



# Regional District of Central Kootenay

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**Andy Davidoff**

*Director of Electoral Area I*  
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August 10, 2023

Contracts & Procurements Clerk  
City of Castlegar  
460 Columbia Avenue

RE: Proposal to Administer & Coordinate Economic Development in Castlegar

To Whom it may Concern,

I am pleased to support the proposal for Community Futures Central Kootenay and the Castlegar and District Chamber of Commerce to provide economic development administration and coordination services for the City of Castlegar.

As the RDCK Director for Electoral Area I and a member of past Castlegar and District Economic Development organizations going back to the 1990s, I have always advocated for a regional, collaborative approach to economic development in the Nelson to Trail corridor and believe this partnership will significantly contribute to the sustainable growth and prosperity of Castlegar and this corridor.

I also understand that such regional collaborative approaches are being adopted throughout most of rural British Columbia.

Community Futures Central Kootenay has 35+ years of experience coordinating economic development and supporting businesses. Their ability to leverage their extensive networks, resources, and innovative approaches to economic development will ensure a lasting and positive impact on the economic landscape of Castlegar and area.

The Castlegar and District Chamber of Commerce's well-established relationships and extensive knowledge of the area makes them a trusted partner for fostering economic growth and continued advocacy for businesses in our region. Their work to promote tourism, support local events, and advocate for business-friendly policies have been instrumental in positioning Castlegar and area as a thriving economic hub.

Combining the expertise and resources of both organizations will lead to effective economic development action in the corridor referenced above.

Community-centered strategic planning, collaborative regional partnerships, and coordination of economic development projects will help attract investment, support key sectors, diversify the economy, help retain businesses, and enhance the overall quality of life for residents.





Area I has been a community partner and supporter of diverse economic development initiatives lead by Community Futures Central Kootenay and the Castlegar and District Chamber of Commerce and looks forward to working with this partnership should they be the successful applicant to provide economic development administration and coordination services for the City of Castlegar.

Sincerely,

Andy Davidoff  
Director, Area I  
Regional District of Central Kootenay

cc: Castlegar and District Chamber of Commerce  
Community Futures Central Kootenay  
Regional District of Central Kootenay

***RDCK Director Electoral Area I***

***KCTU President***

***Letter to the Editor***

***September 14, 2023***

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***Time to Release Innocent “Child Prisoners”***

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Dear Editor,

I have read the open letter in your publication to the Honourable Niki Sharma, the Attorney General of BC, and commend and fully support the collective efforts of everyone imploring the BC Government to fulfill its historic obligations to implement all of the recommendations contained in the BC Ombudsperson's 1999 and 2023 reports to address the life-long trauma caused by the government's forcible confinement of Sons of Freedom Doukhobor children in New Denver from 1953-1959.

The "New Denver Policy" adopted by the BC Government resulted in the incarceration of "innocents" and created "child prisoners" locked behind an oppressive physical barrier that intentionally created a searingly painful separation between the children and their parents who were the ones that the government intended to punish.

As an educator and a local government elected official, I cannot imagine anyone ever inflicting such a draconian and harmful policy on children.

The following insertion herein is titled, “*Child Prisoner #48*” and is based on a photograph taken by William F. Perepolkin, the father of “#48” and depicts the above in a manner that may resonate with the current members of the BC Government that I am copying more than my words will:



**I am hereby requesting them to take the lead in "righting the wrong" perpetrated by their predecessors.**

**It is time to release “#48” and all of the other innocent, "child prisoners" from their almost lifelong incarceration and to implement the recommendations that can help them to start to heal from their individual and collective trauma.**

***“...and a little child shall lead them.”***

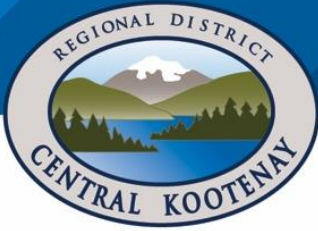
**(Isaiah 11:6)**

**Again, I encourage everyone supportive of "righting this wrong" to let our MLAs and BC Government know that the time to address this historic obligation is now!**

**Respectfully submitted,**

**Andy Davidoff  
RDCK Director, Electoral Area I  
President, Kootenay Columbia Teachers' Union**

**Cc Honourable David Eby, Premier  
Honourable Niki Sharma, Attorney General  
Honourable Katrine Conroy, Minister of Finance  
Honourable Rachna Singh, Minister of Education  
Brittney Anderson, MLA  
Roly Russell, MLA**



# Director's Report

## Teresa Weatherhead – Area K

**Report Date:** October 6, 2023

### Union of British Columbia Municipalities (UBCM) Report – Vancouver - Balancing Act

In the aptly named theme “Balancing Act”, I noted how the shared exponential realities of 2023’s drought and unprecedented wildfire crisis have connected us Provincewide. The need to collaborate in an effort to pull together, taking stock, drawing from experiences lived, developing new pathways toward problem-solving, mitigating and simply connecting more with people on the ground in teamwork toward our collective future. I focused on things I felt could be most valuable to my constituents, mostly attending sessions relatable to our region and Trade-Show offerings where I might find connections or ideas to bring back to the dedicated community groups, volunteer fire brigades, other societies, or residents who have pertinent questions, needs or ideas of their own.

After a *New Delegates Orientation* I attended the *Building Homes, Building Communities* noting the rural challenges and barriers to housing. Given the added strain of 250,000 new residents to BC in only the last 2 years, the theme “The faster we address the housing crisis, the faster we must address infrastructures and climate change” (all at once and preferably yesterday) came to mind! Many tidbits of incentives: Community Amenity Contributions (CAC); tax levies toward infrastructure reserves; and pre-fabricated structures were touched on, and BC Housing Minister Ravi Kalhon’s clear direction around the need toward more collaboration between the Province and Local Governments.

*Beyond Balance – Bypassing Barriers:* Excellent session on gender equity issues in governance roles

*Electoral Area Directors’ Forum:* Rural Housing Panel addressed our numerous shared challenges and obstacles of lack of supply and labour/professional shortages; affordability constraints; short building season; no vacancies; disrepair; ALR/Crown land; aging population; homelessness camps; pandemic influx toward smaller communities; clash of expectations; missing middle (and missing diversity); lack of infrastructure; loss of volunteers; septic; drinking water protection; transportation shortfall; rising insurance rates; AirBnB impact; uneven playing field with municipalities; lack of services and resources; lack of economic growth, to only name a handful.

Housing Minister Rolly Russell discussed “Housing Plan Strategy” and Premier Eby’s announcement of \$40,000.00 Forgivable Loan to create “below market” rental suites, among many other tidbits of ways we can re-frame how we address housing going forward.

*Climate Action, Forest Management and Your Community:* New Collaborative planning processes; Forest Landscape Plans; how communities can actively participate toward solutions

*Building Housing (Safely) in Floodplains:* Examples from small and mid-size towns planning tools and next steps for building toward flood resilient communities

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*Ministry of Housing meeting:* Aiden-McLaren Caux presented well to address the Tenancy Act's rationale that needs a better balance between tenants and landlord's rights. Will look for the updates of January 2023 mentioned in that meeting.

*Resolutions:* Over 200 resolutions came forward from all over Province, only time for a portion to be voted on.

*UBCM Elections, President and Executive:* Councillor Trish Mandewo, President, City of Coquitlam, gave a beautiful speech. Second Vice-President: Councillor Wes Graham, City of Cranbrook gives our region a voice.

*Addresses from keynote speakers:* John Herdman, Head Coach of the Canadian Men's Soccer Team; Minister of Municipal Affairs; Leader of the Opposition, Kevin Falcon.

The final word from Premier Eby did well to sum up the "Balancing Act" theme of what the direction the Province is taking toward partnership: \$4.75million toward Rural Firefighting teams across the province, toward training and supports in times of crisis; Launching of the "Single Portal" Permitting process site toward reductions up to 50% in permitting times for home builders; new Zoning Legislation coming in the fall, allowing additional density; \$61million support for Local Governments' staff to ensure the best housing policies can be implemented; Community Safety in the Decriminalization and compassionate to address the drug crisis as a mental health support needed; launching of "Rural Vision" toward rural challenges to retain health care professionals and \$20million to the Cancer Society to better support cancer patients.

## **Columbia Basin Regional Advisory Committee (CBRAC) Convention - Rossland**

Was especially nice to attend in person after many months of on-line, which have made the orientation into the bulk of learning required a greater challenge, so this was a welcome relief. I very much appreciated the full spectrum of learning and understanding of all that is part of the bigger picture of Treaty negotiations, connecting with the various team members and broadening my own scope of the Priorities we all share in toward the modernization of the Columbia River Treaty. Round 19 is around the corner as negotiators move closer toward an agreement in principle, and CBRAC members will be kept well informed.





# Director's Report

Maria McFaddin – City of Castlegar

**Report Date:** October, 11, 2023

## UBCM 2023 Highlights

### Hwy 3 Mayors and Chairs meeting – September 17

Next meeting date Wednesday May 8, 1pm-4pm, Castlegar Council Chambers

Learned about an initiative called the Hwy 3 Tourist Alliance

Productive meeting with the ministry on the Wednesday led by Chair Wilks

### September 18:

#### Decriminalization and Public Use

- I. 30-59 year old men are most at risk of dying, which are mostly working and housed
- II. “We don’t have a drug problem, we have a pain problem”
- III. Challenges that communities are facing: uncontrolled behavior, wage increases for staffing in facilities, stress on staff

#### Building Homes, Building Communities

- I. Biggest challenges are interest rates and retaining sub-trades in smaller communities
- II. Infrastructure upgrades are costly and take time
- III. Best practices: streamline development processes, incentivize the right things that the building community expresses are their needs.

### September 19:

#### Mid-size Community Forum

- I. Community Health Centers are the new model for health care
  - a. These are run by community boards
  - b. They give common space for collaborative care
- II. A caution about incentivizing doctors to move because we could cause communities to get into a battle over keeping them

#### Emergency Management Legislation and Community Response

- I. We will have 5 new duties that we are responsible for:
  1. Thorough Risk Assessments
  2. Comprehensive Emergency management Plans
  3. Business Continuity Plans
  4. Consultation and cooperation plans: with neighboring local governments and indigenous groups
  5. New Reporting Requirements
- II. State of emergencies will last 14 days
- III. Introducing Cultural Burning and Prescribed fire: find info at [firesmart.ca/prescribedfire](https://firesmart.ca/prescribedfire)
- IV. Financial Supports through Community Emergency Preparedness Fund

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### Exploring the Health Impacts of Wildfires

- I. Health impacts from smoke are not linear but curved: this means that risk of exposure is worse at the beginning of an event
- II. We need to prepare building with proper ventilation systems for severe smoke events

### Policing and Public Safety Modernization Initiative Overview

- I. There has been 11 recommendations to reform policing on April 28, 2022
- II. This will be phased in from 2022-2026

## **September 20:**

### Stronger Public Services

- I. Commitment to have all of BC to have connectivity by 2025
- II. Schools: hub program starting which will give training and resources to support workers in our schools
  - a. They recognize the problem with over crowded school but not sure how to solve the problem
- III. They claimed to be leading the country in doctor and nurse recruitment but say it was underfunded for the last 15 years
  - a. Their solution is to bring in immigrants to fill that need

## **September 21:**

### BC United Opposition Round Tables:

- I. We have the highest cost of living in the country
- II. They claim that the increase of provincial government jobs has add to red tape and slowed down permitting which is one of the causes
- III. They discussed a different approach to decriminalization and repeat offenders
  - a. Mandatory consequences: not all jail but rehab and community service as options
  - b. Increase treatment and rehab centers rapidly especially for adolescents

## **Minister Meetings:**

I attended 7 ministers meeting with a range of topics. Many looking at regional approaches to issues that we are facing in Castlegar and the region.

## **COUNCIL MEMBER REPORT**

**Report Number: AD 82**

**Report Submitted By:** Arnold DeBoon

**Meeting or Report Topic: UBCM Conference**

**Meeting Date:** September 17th to 22nd 2023

**Attendees: Councillors Dumas, Ares and Mondia, Mike Moore, me, Mayors and Councillors from all municipalities, CAOs, Provincial Government MLAs and staff**

### **Discussion:**

**September 17th, travel to Vancouver and check in.**

**September 18th,**

**09:30, Shared Path to Reconciliation, Implementing UNDRIP: Guidance For Local Governments: UNDRIP has been key to building trust, but treaties can't be the only path forward. C to C meetings are a way to strengthen relationships. Municipal leaders are at the front line, explore the uncomfortable spots. There is a shared responsibility at all levels of government.**

**2:15 to 16:45: Study Session, Building Homes, Building Communities: There is a lack of supply, increasing demand, a low vacancy rate, rising construction costs. Communities can't grow without housing, can't recruit doctors and other workers and there are not enough developers in most communities. Victoria is facing a net loss of 24 to 49 year olds due to the cost of housing.**

**Solutions: Get ready for development, apply for the Housing Accelerator Fund, provide incentives to develop secondary suites, increase lot density, build more prefab housing, review DCC's to better capture growth related costs, work with non-profit groups. Provincially, we need to remove speculators from the housing market, support immigration with housing, need to speed up approvals, increase training to increase workforce, need to address the challenges to landlords for damage to suites and failure to pay rents. One in five homes in BC is investor owned which adds to housing costs.**

**18:30 to 20:30 BC Colleges Reception.**

**September 19th:**

**07:00 to 08:30 Canfor Breakfast: Was informed of the challenges Canfor has to continue a reliable supply of wood and fibre and the narrow profit margin.**

**09:00 to 12:00: Mid Sized Communities Forum and luncheon: the focus was on Community Health Centres, Emergency Management legislation and disaster response planning changes to meet the growing demands of fires and floods. More work will be done on wildfire risk and reduction including prescribed and cultural burning.**

**14:00, joined local RDCK directors, CAO and Chair to meet with the Minister of Agriculture regarding the need to develop more reliable water supplies for the Canyon/Lister area in order to continue the expansion of food production. First step is to initiate a study of current water supplies and the potential for new supplies.**

**15:00 to 16:30: MIABC AGM: Steffan was re-elected as a Director, voted on resolutions.**

**18:30: UBCM Welcome Reception**

**September 20th:**

**07:30: Creating The Right Conditions: Examples of communities that have successfully built new housing projects and how they did it.**

**09:30: Met with Highway 3 Mayors and Chairs and MOTI Minister Rob Fleming regarding the top 5 projects for MOTI to consider funding; Highway 3 realignment through Creston is the top priority for the group.**

**10:30: Town of Creston meeting with Rob Fleming, MOTI Minister: We went over the the plans to relocate Highway 3 to Cook Street and presented the Downtown Revitalization Plan to the Minister. We also updated him and staff on the work done to date to get this project going. The response was positive, and there appears to be a higher level of support from the provincial government.**

**12:00 to 13:30: AKBLG Luncheon.**

**14:00 to 14:30: Address by the Minister of Municipal Affairs.**

**15:15: Town of Creston meeting with Mike Farnsworth, Solicitor General regarding policing and resources for the Creston Valley. A consultant will be appointed to examine the current model and make recommendations on how to address the issues we have brought forward. Mike and I then met with MLA Brittany Anderson and MLA Garry Begg to further discuss current staffing and the need for more officers in Creston. MLA Begg is the Party Whip and a former police officer and he provided advice on our next steps.**

**17:00 to 18:30: BC Government Reception.**

**September 21st:**

**08:35: Address by the Leader of the Opposition.**

**09:20: Town of Creston meeting with the Minister of Jobs, Economic Development and Innovation regarding Market Park. We asked for a letter of support for the latest REDIP Grant for the next phase and presented the plan for the entire concept to her and staff.**

**12:00 Lunch**

**14:30 to 16:30: Creating Climate Resilient Communities Through Collaboration. This session presented information on how to collaborate with indigenous communities to deal with climate change.**

**September 22nd:**

**08:00 to 10:45: Resolutions Session.**

**10:45 to 11:00: Federal Address by Jonathan Wilkinson, Minister of Energy, Mines, and Natural Resources.**

**11:00 to 12:00: Address by the Premier with a Q&A Session.**

**12:30: Checkout, return to Creston**

**21:30: Arrived home.**

**Additional Comments: A very busy and fully packed agenda.**

**Date Submitted: September 24th, 2023.**



# Director's Report

Aidan McLaren-Caux – Village of Nakusp

**Report Date:** October 19<sup>th</sup>, 2023

*Reporting on activities from September 6<sup>th</sup> to October 10<sup>th</sup>, 2023.*

## Director's Activities

- Sep. 6<sup>th</sup>, conducted an interview with CBC regarding Arrow Lakes Reservoir levels: <https://www.cbc.ca/news/canada/british-columbia/west-kootenay-arrow-lakes-1.6959040>
- Sep. 7<sup>th</sup>, participated in *Daybreak South* (Kelowna) on CBC Radio regarding Arrow Lakes Reservoir levels: <https://www.cbc.ca/listen/live-radio/1-110-daybreak-south>
  - *The story starts at 1:14:50.*
- Sep. 8-10<sup>th</sup>, attended 3-day canoe/camping trip with Wildsight, Columbia River Conversations
  - A group of local government and Columbia Basin Regional Advisory Committee members met to discuss Columbia River Treaty and experience the impacts of both the Treaty and its associated operational concerns on the Arrow Lakes Reservoir, based in Burton. It was an excellent opportunity to share knowledge about the issues and give leaders from across the basin first-hand knowledge of the Treaty and its impacts on the landscape, ecosystems, and residents.
- Sep. 13<sup>th</sup>, interviewed by Global News regarding Arrow Lakes Reservoir levels and the Columbia River Treaty
  - <https://globalnews.ca/video/9959858/global-news-hour-at-6-bc-sept-13-2>
  - *Arrow Lakes Reservoir story timestamp: 4:27 – 6:30*

## Association of Kootenay & Boundary Local Governments (AKBLG)

- Sep. 18<sup>th</sup>, attended in-person executive meeting in Vancouver
  - UBCM Minister Meetings
    - Minister of Emergency Management and Climate Readiness
      - Complete Compensation for Provincial Emergency Response
      - Streamlining Emergency Management Funding
    - Minister of Health
      - Rural Health Care Recruitment and Retention Strategy
    - Minister of Municipal Affairs

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- UBCM Luncheon
  - Education Session – Discussion
    - Struck a committee to discuss educational topics to review at next meeting
  - Financials
  - 2024 Convention and Annual General Meeting (AGM) Planning
    - Deciding on theme for next year’s convention
  - Indigenous Reconciliation/Inclusion
    - Developing a welcome letter and supporting policy
  - Review of Bylaws for 2024 AGM
    - Struck a committee to review bylaws
  - Website Development
    - Discussion around RFP and possible refreshing the branding
  - Reserve Fund Policy
    - Changed to allow keeping two-year average of operating funds in reserve
  - Business Operations
    - Liability Insurance
    - Business Continuity/Records
  - President’s Report
- Sep. 18-22<sup>nd</sup>, attended in-person Union of BC Municipalities (UBCM) 2023 Convention in Vancouver
    - Detailed information about the convention can be found at this link: <https://www.ubcm.ca/convention-resolutions/past-conventions/2023-convention>
    - This UBCM for me was much more focused on advocacy than the sessions. Between the Village of Nakusp, RDCK, AKBLG, and the CRTLGC, I attended several ministerial and staff meetings. I attended workshops and sessions as well as I could around attending and preparing for meetings.
  - Monday
    - Executive Meeting for AKBLG, see notes above
    - Building Economic Resiliency
      - Dale Wheeldon, President and CEO, BC Economic Development Association
      - Economic Development Partnerships Panel
      - Economic Recovery and Resiliency Panel
    - Building Homes, Building Communities
      - Craig Hodge, Metro Vancouver/Greater Vancouver Regional District (GVRD) Representative
      - Cori Ramsay, Councillor, City of Prince George
      - Chris Barlow, CAO, City of Castlegar



- Karen Hoese, Director, Sustainable Planning and Community Development, City of Victoria

	<b><i>Metro Vancouver/ Coquitlam</i></b>	<b><i>Prince George</i></b>	<b><i>Castlegar</i></b>	<b><i>Victoria</i></b>
<b><i>Challenges</i></b>	Lack of purpose-built rentals, and increased demand. Vacancy under 2%. Community tolerance for growth is waning—construction fatigue. Pressure on infrastructure.	Number of new builds is insufficient. Need 24% more units by 2031. Cost of construction and interest rates. Construction rates have dropped.	Can't build community without housing. Need ec/dev strategy to facilitate housing. Seniors don't have enough purpose-built homes to move to. Development capacity is lacking. Cost of construction; lack of available subtrades.	Affordability. Vacancy rate. Old rental stock. Low investment in rentals. Missing middle housing. Lack of development applications.
<b><i>Solutions</i></b>	Inclusionary zoning. Community Amenity Contribution Funds. Build more pre-fab housing. Streamlined development processes. Pre-approved design plans.	Willing to share with other municipalities. Blanket zoning, be very permissive. Tax exemptions. Development cost charge exemptions. Develop Housing Action Plan.	Be ready for development. Use CMHC Accelerator Fund. Developers don't need incentives; they need certainty. Incentives to build secondary suites. Legitimizing secondary suites.	Funding from higher levels of government. Pre-zoned land.
<b><i>Infrastructure Needs</i></b>	Growth will soon outpace infrastructure. Greater Vancouver projected to reach 3.8 million people by 2050. Growth must pay for growth, not	They are spread out geographically, replacement cost too high. Need to densify to lower costs.	Water, sewer, roads. Difficult to fund without DCCs. Municipal Price Index. Upgrade planning.	Adapting to climate change impacts. Importance of equity in social infrastructure.

	burder current homeowners.	Waiving DCCs hinders ability to plan. 1% tax levy to go to Infrastructure Fund.		
<b>Successful Policies</b>	Certainty for developers. Strong, current Official Community Plan. Streamlined approval process.	Pre-zoned land and building plans. Incentivize, but be mindful of other regional municipalities that can't compete.	Remove uncertainty for developers.	Streamlined Development Permit process. Build KPIs into OCP reviews. Be able to shift quickly to demand.

- Minster Kahlon presented on the provincial Homes for People plan and took questions from the audience.
  - My question to him was: how to attract developers to small and rural communities?
    - Answer: that is challenging. Be innovative, find ways to create scale that can incentivize investment in development.
  - Discussed upcoming legislation that would address challenges with the Residential Tenancy Act and Residential Tenancy Branch, taking steps regarding problem tenants and landlords.
  - Upcoming legislation around Short Term Rentals, challenges around lack of reliable data and difficulty enforcing bylaws. The companies involved (e.g., AirBnB and VRBO) must participate if this is going to be effective.
  
- Attended the Truck Loggers Association Dinner
  - Minster of Forest, Bruce Ralston, was the keynote speaker
  - Discussion about challenges facing the forestry industry
  
- Tuesday
  - Meeting with the Ministry of Forest for Village of Nakusp
    - Discussed development of properties within Village boundaries
  
  - Small Talk Forum
    - Extreme Heat Planning
      - See Community Heat Response Planning

- Interior Health has relevant toolkit
  - <https://www.interiorhealth.ca/health-and-wellness/natural-disasters-and-emergencies/extreme-heat>
- Village of Ashcroft
  - HARS – Heat Alert and Response System
  - Focus on education for the public
  - Plan ahead of time to be prepared for heat events
  - Public Notices, including Voyent Alert
- Responsible Conduct – Resources for Local Governments
  - Presentation by Paul Butler, Director of Communications for UBCM
    - Six years of a working group on this topic
    - <https://www.ubcm.ca/policy-areas/working-group-responsible-conduct>
    - Process to provide resources to help deal with situations that arise from poor behaviour
    - Local governments need to own the process
    - Examples like Squamish and Nanaimo have penalties linked to remuneration
    - Discussed the importance of informal resolution of issues
    - Responsible conduct module for elected officials available through UBCM
  - Dissent from the floor
    - Difficulty self-policing, particularly when the majority of council is offside
    - Pushing for a provincial ethics commissioner
- Meeting with RCMP for Village of Nakusp
  - Discussed and advocated for staffing levels for our area.
- Meeting with Minister of Energy, Mines and Low Carbon Innovation, Josie Osborne; Minister of Finance and Minister responsible for the Columbia River Treaty (CRT), Katrine Conroy; and BC Hydro, represented by their CEO, Chris O-Riley and other staff
  - Advocated for better communications from BC Hydro for residents affected by the CRT as well as conveyed the impacts on local residents, ecosystems, Indigenous cultural values, and economies and pressed their importance at the CRT negotiating table.
- Preparing for Future Wildfires
  - Seasons are starting earlier and lasting longer
  - Record amount of land burnt this year, and the season is ongoing
  - Notes from panel discussion:

- Lack of resources to fight that many fires
  - Loss of economic potential
  - Great reassurance from Minister Ma
  - Challenges with securing areas and the structure of alerts and orders
  - Lately many challenging years
  - Cannot assume that your community is safe
  - Looking to better partner/integrate with local knowledge
- Meeting with Ministry of Housing with RDCK
    - Advocated for better funding for the Residential Tenancy Branch (RTB) to address wait-times for hearings to improve the process for both tenants and landlords.
    - Rental rates in rural areas are often less than in urban areas, meaning it is more difficult to encourage investment in purpose-built rentals and to open up secondary suites for small landlords.
      - \$15 million in recent investment in the RTB, including hiring 50 new FTE positions.
      - Wait times are starting to lessen as a result.
      - Work is underway to address non-payment of rent and to prioritize those cases at the RTB
      - Secondary Suites Handbook: <https://www2.gov.bc.ca/assets/gov/housing-and-tenancy/building-or-renovating/secondary-suites/home-suite-home-2023-sept-6.pdf>
      - Ongoing and regular engagement with Landlord BC
      - Trying to strike a balance between landlords and tenants
      - Refreshing their website to make it more effective and useful
- Wednesday
    - Meeting with Municipal Affairs for AKBLG
      - Met with Tara Faganello, Assistant Deputy Minister, Local Government Division and advocated for increased support for local governments, particularly small ones, to have greater access to resources to address responsible conduct and capacity.
    - Attended Opening Ceremony an Annual General Meeting
    - Keynote Speech: John Herdman, Soccer Coach to Canadian National Teams
      - Good coaches ask good questions, create safety and trust
      - People do great things when they feel safe
      - Attaching the “who” to the “what” creates activation energy
      - Cycle of growth is: survive to thrive

- “Performance Cage” – created by moments of shame and self-limiting belief, fear of failure
  - Ask yourself: who are you doing this for?
  - “Be Good” – 80% of the time, every day (not perfect)
  - If you are consistently good, greatness will find you
  - Create the gap between what you *can* be and what you *must* be
  - Use your potential to create change
  - Have a Pioneer Mindset: be first; take, don’t wait; and be a new Canada
  - If you can’t be good, be great!
  
- Attended the Address by the Leader of the Green Party, Sonja Furstenau
  
- Attended the Principal Policy Session: Resolutions
  
- Attended the AKBLG Lunch as a member of the executive
  
- Address by the Minister of Municipal Affairs, Anne Kang
  - Noted protests and counter-protests outside, stated that the Province stands for inclusion unequivocally
  - Challenging year, over 40mil acres burnt, more that double the previous record
  - Launching an expert task force to prepare for emergencies
  - Working with UBCM, LGMA, and LGLA to provide resources to promote a respectful workplace
  - Being an elected official is a calling, not a job
  - Expressed concerns about public safety
  - BC is growing at a record pace, increased demand on housing and infrastructure, referenced the Growing Communities Fund
  - Immigration – PNP Program, attracting talent from across the world, including health care, early childcare educators; recently added construction trades to priority list
  - Support for immigrants and refugees from the war in Ukraine
  - Housing challenges, must address needs and affordability
  - \$45mil new investment in public libraries
  
- Cabinet Town Hall: Housing
  - Minister of Housing, Ravi Kahlon
    - It is going to take government funding to address this issue.
  - Minister of Finance, Katrine Conroy
    - Every community is facing housing issues; we must work together.
  - Minister of Mental Health and Addictions, Jennifer Whiteside
    - Importance of relationships.

- Intersecting challenges of poverty, homelessness, mental health, and toxic drug supply.
    - Questions from the floor/discussion:
      - Impact of the Short Term Rentals
      - See study from McGill University: <https://upgo.lab.mcgill.ca/2019/06/20/short-term-rentals-in-canada-paper/>
      - Concerns about affordability of new builds
      - Allowance for pets in rentals
      - Severe drought poses challenges to water availability/capacity
      - Challenges around supportive housing, asks for more funding for security concerns, assertive care teams in community
      - Lack of infrastructure commensurate with population growth, e.g. schools and hospitals
      - Challenges with staffing at BC Housing
      - Discussion around vacancy taxes for second-homeowners
      - Possibility for sober housing, challenges with mental health supports
      - Possible revenue from flipping/speculation tax
      - Lack of contractors in rural areas, lack of subtrades
      - Reference BC Homes for People Plan: <https://news.gov.bc.ca/releases/2023HOUS0019-000436>
      - Worry about commodification of housing, how to rebalance society
  - Meeting with Minister of Emergency Management and Climate Readiness, Bowinn Ma, on behalf of AKBLG
    - Advocated for fairer compensation for Provincial Highway emergency callouts.
    - Advocated for commitment from the Province to reform complex emergency management funding process to.
- Thursday
- Attended Resolutions Session
  - Meeting with Minister of Health, Adrian Dix, on behalf of AKBLG
    - Advocated for funding to assist local government in addressing health care recruitment and retention issues, expand loan forgiveness, reimburse relocation costs, and increase the Rural Practitioners Subsidy.
  - Attended UBCM Reception
  - Attended UBCM Annual Banquet



- Friday
  - Attended Resolutions Session
  - Federal Address by Minister of Energy and Natural Resources, Jonathan Wilkinson
    - Housing
      - Removing GST from rental builds
      - Called on provinces to match with provincial taxes
      - More federal measure coming this Fall
      - Collaboration is essential to success
    - Climate Change
      - Historic wildfires across the country
      - Seize the economic opportunities of a transition to low-carbon future
      - Developed a detailed climate plan, must build better building and retrofit existing ones; must collaborate with provinces
  - Attended address by UBCM President-Elect, Trish Mandewo
  - Address by Premier of BC, David Eby
    - BC municipalities are leading the world on Indigenous reconciliation
    - Highlighted the importance of front-line information from municipal partners
    - Challenge of wildfire:
      - How do we prevent this?
      - How do we support recovery?
      - Created task force to review fire season now, before it is over
      - Desire for local firefighter support, volunteers in communities
      - Announced \$4.75mil to support rural firefighting teams
    - Challenge of housing:
      - Impacts of rapid growth, over 250,000 new people in BC over the past two years
      - Improvements in provincial permitting
      - Zoning legislation coming this Fall
      - Announced \$61mil to support local housing policies
    - Challenge of community safety:
      - Mental health and overdose crisis
      - Finding balance with decriminalization, to create safe communities but also get people the help they need
    - Rural challenges:
      - BC Rural Strategy
      - Announced \$20mil to help Hope Air for medical air transport

- Discussed the unique needs of rural areas and how policy plays out differently in those areas.
- Sep. 27<sup>th</sup>, attended online All Recreation Meeting
  - Regional Programming Update
    - Usage has rebounded from pandemic drops
    - Participation numbers are rising, and cancellation numbers are dropping
    - Unstructured recreation appears to be more attractive to users, 2024 planning will look to promote more of this delivery method
    - Looking to build consistency in access to programs in different communities, either direct-delivery or through partnerships/support for other groups
    - Discussion around how to capture usage statistics and value thereof
  - Ten Punch Expiry Update
    - Change to the 10-punch pass expiry whereby passes are now valid for 12 months versus 6 months and to share learnings from this process to guide future decision making
  - Fees and Charges Policy
    - See presentation in agenda for a comprehensive rationale behind policy review
  - Allocation Policy and Procedures Information Refresher
    - See presentation for more detail
  - RDCK Capital Projects and New Operational Initiatives
    - See report for detailed progress on asset management
    - Inflation has abated somewhat
    - Lead times are improving
    - Adequate contractor sophistication remains a challenge
    - \$200k grant from FCM GHG Grant
  - Inclusion and Access Initiative
    - Need for comprehensive strategy to address barriers to access and inclusion throughout RDCK facilities and programs
    - Recommendation to create an RDCK Recreation Inclusion Select Committee
  - Public Time
    - No public in attendance.
- Oct. 4<sup>th</sup>, attended online meeting of West Transit Services Committee meeting
  - Agenda and supporting data is available at this link: <https://www.rdck.ca/EN/meta/events/events-list/meetings/west-transit-services-committee.html>
    - Director Hewat acclaimed as Chair
    - BC Transit 101 – Daynika White, BC Transit Manager
    - RDCK Transit Funding Services
    - Kootenay West Para Change of Contractor
    - Staff Update

- Emerging Transit Issues
  - Challenges around paying a living wage, which would have an impact on cost
  - Pullouts on the North Shore of Kootenay Lake have been paved
  - Looking to apply for ETSI-BC funding
  - Apportionment bylaw forthcoming for 2024/25
  - Asset management planning is underway
  - Staff have been working with Dr. Sarah Breen on transit studies anticipating her report
- Memorandum of Understanding – West Kootenay Transit Three Year Expansion Plan
  - Projected additional cost to Nakusp is \$2,850.88 for a total of 1.7% of the overall cost.
  - Proposal to add 26 hours of operating time to reroute #52 (Nakusp - Playmor Junction) to include a stop at New Denver Health Centre.
  - Proposal to add 52 hours of operating time for timing corrections to address address ferry wait times on route #53 (Edgewood – Nakusp)
  - Long discussion about relative value and benefit for rural areas versus urban and cost per rider/taxpayer
  - See agenda for more comprehensive details
- Public Time
  - No public in attendance.

## External Committee Appointments

- **Central Kootenay Food Policy Council**
  - <https://ckfoodpolicy.ca/>
  - Next meeting, October 24<sup>th</sup>.
- **Columbia River Treaty Local Governments Committee (CRTLGC)**
  - <https://www.crtlgc.ca/>
  - *Reminder that committee topics are confidential, as they pertain to international treaty negotiations. The Province of BC and the Government of Canada periodically release statements regarding the progress of the discussions between Canada and the Unites States.*
  - Sep. 11<sup>th</sup>, attended online meeting.
  - See press release below from Kathy Eichenberger, Executive Director, Columbia River Treaty, and B.C. lead, Canadian Negotiation Delegation
    - <https://news.gov.bc.ca/factsheets/arrow-lakes-impacts-top-of-mind-in-columbia-river-treaty-negotiations>

- ***Regional Innovation Chair in Regional Economic Development Regional Advisory Committee (RIC-RED-RAC)***
  - Oct. 5<sup>th</sup>, attended in-person strategic planning session in Castlegar
    - Purpose: to identify and prioritize topic areas to guide and focus the efforts of the Regional Innovation Chair for the next 3 years
      - Notes to be added to upcoming report.



# Director's Report

Diana Lockwood – Village of Salmo

**Report Date:** October 10, 2023

## 2023 Union of British Columbia Municipalities (UBCM)

UBCM for myself is an educational experience giving me insight for new ideas, learning best practice, and making connections across the province.

The study session about “A Conversation on Decriminalization and Public Use”, was interesting to hear both sides of the concern. Public learning how to separate the need for helping a person than making them a criminal for using an illegal substance. I came away with more questions than I went in with. The three-year exemption by Health Canada will hopefully give government enough time to see if this was the right or wrong answer. Municipalities are putting in Bylaws now so there is no drug use in parks, playgrounds, as well as some other public spaces such as where smoking is prohibited.

I spoke at the “Small Talk Forum” on removing the referendum and alternate approval process (AAP) from fire apparatuses. I discussed how the taxpayer doesn't get a say over park land purchase (which is nice to have) but doesn't save lives and infrastructure like fire apparatuses can. I shared the panel with Fire Commissioner Brian Godlonton and Director of Finances Ministry of Municipal Affairs Joshua Craig which both spoke after me, and the moderator allowed me to finish the conversation. This was a very timely conversation since just three days prior, Salmo had a major fire in our downtown core and without this fire equipment we would have had to have an extremely large number of buckets to stop this fire.

Walking Tour on Accessibility did not take us far from the convention center to see how many barriers there are for people. It was very insightful how doing just the little thing can make a difference such as most floors have tile now, by running a thick piece of tape from the door to the front counter can help with sight impaired and decrease anxiety. When putting in door openers, have them at height appropriateness, someone with no arms can not push a button with their foot when it is at waist height. So having an elongated button would be much better. Some things to think about: raised or sunken objects on sidewalks, putting objects on clear windows, having a lower desk for someone in a wheelchair, voice activation on websites to name a few.

The clinic for “Renovating the Public Hearing Process” was a packed house. The speaker talked about how public hearings a lot of the times becomes unruly and disrespectful. SFU Centre for Dialogue is working in partnership with the BC Legal Institute and reviewing the whole process and how the legislation could be changed to make it a better process.

I always look forward to the Trade Show, but this year I only got to about 10-12 booth, as it was only on for a day and a half and there were lots of sessions and clinics to take in. The Trade Show usually gives me the opportunity to discover new products for our community and new ideas that may work in our community.

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The Resolution Session is always an experience, where this year some members were pulling their resolution from the agenda to be heard at that moment. I had not experienced that before and did feel it slowed down getting through the resolutions in the order presented.

Salmo's resolution NR32 Long-Term Burrowing for Fire Apparatus Acquisition was amended to add AAP and change the language to local governments (not just municipalities) passed unanimously.

I had a Ministry meeting with Minister Kang about the importance of fire equipment. How these volunteer fire departments are protecting their provincial highways along side protecting their communities and us small communities need every penny to purchase these expensive pieces of equipment, so therefore we need the province to remove the referendum and AAP to purchase these fire apparatuses.

## **Salmo Hotel Update**

I heard from the manager that the Salmo Hotel has very little water damage and they look forward to working with the Building Department to get this building back open. The restoration company has been working daily removing the burnt wood outside. Thank you to everyone that reached out to give support. This was a scary event for Salmo.





# Director's Report

Colin Ferguson – Village of Silverton

**Report Date:** October 8, 2023

## October - UBCM Report

This was my second time in attendance at UBCM and as before, I found it a worthwhile experience, and in many ways. Discussion, debate, and voting on resolutions of provincial importance reinforces the adage that local government is where the rubber meets the road – it is the place where government comes closest to understanding and meeting the needs of citizens and the struggle of municipalities of all sizes, to run and finance the services that make a daily difference to their constituencies. Especially for me, the last two years has been useful - participating in thoughtful government processes and networking with officials from other small municipalities and comparing notes.

On this last point, many directors and staff at the RDCK are aware that Silverton has been having a particularly difficult time since the last general election. I would like to take this opportunity to let everyone know what has transpired in this regard. There have been many contributing factors to Silverton's recent turbulence: new management, staffing dynamics, discovery of issues with basic services and infrastructure neglect, an overload of funded projects with woefully insufficient capacity, time and diligence for negotiations with the union just formed for our staff, to name some of many. Lately, however, there have also been difficulties within council, and the CAO and I as mayor asked council to approve a resolution to bring in an advisor from the Ministry of Municipal Affairs. That advisor has now arrived and will be working with the village for the next four months. We are at the beginning of this journey, which will include a by-election, but thus far things look favourable and I am hopeful improvements will result.

*UBCM 2023 notes on some sessions attended:*

### **Shared Path of Reconciliation:**

*Celeste Haldene, Coral MacKay, Wilfred Cootes, Tom McCarthy*

The importance of relationships and collaboration was emphasized, as well as the importance of honouring protocol in this session which focused on treaty updates and opportunities for local governments. UNDRIP applies as much to local governments as provincial and federal. All are bound by UNDRIP and requires that any decisions that might affect indigenous people's rights means they need to be at the table.

### **Implementing UNDRIP:**

*Katisha Paul, Marilyn Slett, Lenora Joe, Elisa Penn, Charlene Aleck*

Collaboration, coastal bands insist, is essential to good government. I particularly liked the image of leaving personal issues, personal preferences, biases, prejudices, worries and animosities at the door (you can pick them up again on the way out they say) when entering any council meetings. Good governance occurs when there is a shared understanding and the community works towards a shared vision. The Grand Chief added that it is important to be emotionally aware and focused on our duty of care. Good advice for all elected officials.

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### **Small Talk Forum:**

There was a wide-ranging agenda here but the main focus was on responsible conduct in councils and by councillors, and this resonated for me in Silverton right now. This is a province wide issue just now and the UBCM has refreshed and updated its Code of Conduct online course. The presenters urged that informal resolution of these issues were usually more successful than formal ones, but there was general agreement that the province should have an Integrity Commissioner with the power to sanction councillors and even councils if necessary. Judgments and sanctions from an outside third party or the province, would avoid perceptions that these were political in nature, and instead would highlight breaches of ethics and/or oaths of office.

### **Exploring the Health Impacts of Wildfire:**

*Jen Ford, Adrian Dix, Arnel Castellan, Dr. Angela Yao*

The 2023 wildfire season has been the most destructive on record in terms of square kilometres burned. Communities across the province have been ravaged and the health impacts have been severe and not yet fully assessed.

The health impacts of smoke are widely known and affect babies and infants most, as well as anyone with respiratory or heart conditions. It can also reduce cognitive function, lower weight in newborns, and the effects increase over time. It's important to stay out of the smoke as much as possible and where possible to filter air that is being breathed. Regular air cleaners work and even better a Hepa filter or even a home-made fan/filter, designs for which are to be found online. Long term exposure is to be avoided but a new learning for me is that most damage is done on initial contact - the first few hours and days; with subsequent or longer exposure there is morfe damage, but some adaptation takes place over the long haul.

Communities were urged to get buildings ready to filter smoke now, and to have a plan for a clean air space ahead of the need. Outdoor events and activities should be planned accordingly

### **Climate Action, Forest Management and Your Community**

*Julie MacDougall, Eamon O'Donoghue, Colin Mahoney, Norah White, Derek Lefler*

Last July was the hottest on record at 1.3C above the 10 year world average. The past summer saw the oceans around Florida at bathtub temperatures and coral gardens created to help re-generate bleached and dead coral reefs themselves dying from the heat. If we can keep the temperature at 1.3C, predictions are for BC's summer increases to be 2X warmer than the world average, but impacts are expected to increase beyond these numbers as there will be incremental effects. This summer's fires broke supply chains and BC's budget with one billion dollars in fire fighting costs.

This will not merely mean warmer summers. Douglas Fir zones will move further north. Lodgepole pine will no longer be a viable tree species in many areas. We don't yet know the tipping point for BC's forests (think coral reefs) but we must stop warming the planet ASAP. This means phasing out fossil fuels. If we can't do it then who can asked the presenter. BC must be a leader and we must decarbonize the BC economy by 2050, this is no longer someone else's problem This is our moment of opportunity he suggested.

### **Forest Landscape Planning:**

A new approach to forestry is necessary to support communities, fire protection, and timber supplies. This will require a deeper engagement with first nations and local communities around climate, species at risk, community resilience, and certainty for the forest industry. It must consider issues such as 10 year plans, volume based tenures, fire values, ecosystem diversity and the forest values of first nations.

### **Cabinet Town Hall on Emergency Preparedness:**

*Bowin Ma, Nathan Cullen, Bruce Ralston and Pam Alexis:*

The upshot of this meeting was to discuss government plans to increase cooperation between all ministries – agriculture, forestry, and local needs, to ensure conservation of water and protection of watersheds the necessity for which, with province-wide drought this year, has never been more clear. Drought is now recognized as a major threat to the provincial economy.

There will be a new Emergency Management Act available for review this October and a Recovery Mitigation Action technical paper also. The Province is seeking input from local governments. Implementation will be in phases. Climate change is clearly now upon us and it is necessary to review our disaster resiliency.

The Community Emergency Preparedness Fund which is administered by UBCM has \$200m left to distribute (there was \$369m in 2017). This is for disaster reduction and climate adaptation – municipalities are urged to team up with other munis to make plans and access this.

- The Private Forest Lands Act is currently under review.
- Provincial help needed for dikes – especially orphan dikes
- Water licences are oversubscribed in many creeks / new legal tools are needed to deal with issues between users
- Minister Ralston: there is now a need to register all water use even from aquifers\*\*
- Province sees value in mitigation rather than recovery

### **John Herdman:**

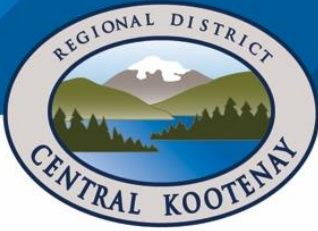
John's talk was excellent – big takeaway – you can't be 110% all the time but if you work as a team and strive for 80% every day that 110% will happen when it needs to.

### **BC Ministry of Forestry**

Councillor Main from Silverton and I had a meeting with Russ Laroche and Denise Tucker of BC Forestry to discuss the resurgence of logging in the Silverton Creek watershed. Two recent major fires have denuded slopes and fire-damaged rendered soils as relatively impermeable and created conditions for potential mudslides into headwater creeks. Logging along with concomitant road construction and creek crossings in the high valleys that bear these creeks further threatens the integrity of the slopes above these creeks and wetlands. Although there is little the government can do when logging companies already have tenures, we were encouraged by the recognition and level of concern shown by staff. There seemed to be a genuine realization of the importance of these watersheds to small municipalities.

Other sessions, networking and discussions, and Resolution sessions as necessary.

### **Caught Covid**



# Director's Report

Roger Tierney – Electoral Area B

**Report Date:** October 13, 2023

## 2023 Union of British Columbia Municipalities Conference

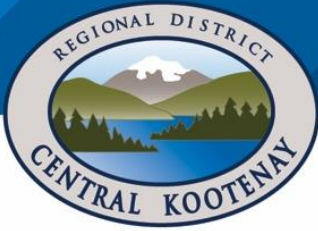
I am very thankful for the opportunity to attend the UBCM conference in Vancouver from Sept 18th to the 22nd. I found the opportunity to be very informative, educational, and created in me a new awareness about the responsibility we have been entrusted with. The highlights of the week for me were:

- Session on the Shared Path of Reconciliation & session on UNDRIP: Guidance for local Governments
- The Electoral Area Directors forum  
Our meeting with the Ministry of Agriculture & Food
- The Convention Opening Session was great, especially the very moving and inspiring keynote address by John Herdman, he was awesome!
- The whole process of bringing resolutions to the floor, listening to speakers for and against, and the outcomes, a really good learning experience, very interesting.
- I think the best experience for me was attending the breakfast sessions at the Terminal City Club, listening to the Indigenous leaders and gov't leaders, truly entertaining and educational.
- It was great to meet and make connections with elected officials from all over the province, very special.
- Being with Hans Cunningham to see him receive his long service award and appreciate how special that was.

A very special opportunity at an important time in our 4 year tenure, thanks for the support from RDCK staff who attended, and assisted me in recognizing how to navigate the event and get the most out of the experience.

**For more information**

[info@rdck.bc.ca](mailto:info@rdck.bc.ca) | 250.352.6665 | 1.800.268.7325 (BC) | or visit [rdck.ca](http://rdck.ca)



# Director's Report

Hans Cunningham – Electoral Area G

**Report Date:** October 13, 2023

## 2023 Union of British Columbia Municipalities Conference

This was a really interesting UBCM, with some terrific highlights and some lowlights that make me feel sad about our future.

So here we go.

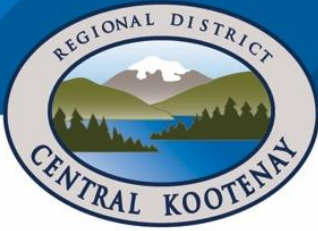
On Monday I took the agricultural tour as I do most years. This year the tour was in Maple Ridge area. We looked at a mixed use farm, a huge blueberry operation and a cut flower operation. Each was really interesting, but the cut flower operation really attracted my attention. I was informed that in terms of dollars, the dairy industry was tops in BC with the flower and plant industry next in line. The flower operation, which produces cut flowers for the wholesale market is one of the largest in BC. To ensure that the right flowers are ready at the right time of the year, the owner uses mobile green houses on rails atop a 60 cm foundation. There are six greenhouses side by side that are moved over ten or twelve different varieties of flowers for each greenhouse. Shortly before Christmas, for example, a greenhouse is moved over the poinsettia section, the heat is adjusted and the light withdrawn, and presto...perfect poinsettias for Christmas! Yes, I was also impressed by the cattle operation and the huge blueberry picking machines.

Without a doubt most time was devoted to the damage done by the huge wildfires that consumed large areas of the province and their effects upon BC communities. A session with a professional meteorologist and futurist told us that this winter will be one of the warmest and driest and next year will be worse in terms of wildfires and lack of water. He explained exactly why, using world temperature and an air current maps. He also said that the smoke from the wildfires produced one and one half times as much pollution as all the rest of the province put together. The problem, of course is that it is taking too long to put out wildfires. In California, they are testing out a new system that seems to be very hopeful. Lightning strikes and other fires are detected by infrared satellite, photos are taken and GPS locations are sent to the nearest fire office. Immediately, even in the middle of the night, crews are marshalled and sent by helicopter to knock down the fire while it is still very small. Crews and equipment are lowered by winch and immediately set to work on the fire, clearing a firebreak and knocking down the flames. Preliminary results are encouraging.

On the lighter side, a tour of Vancouver harbour sponsored by the Port Authority was fun, interesting, and informative. And of course, the banquet, where I was presented with my 35 year certificate and had the chance to stand, red eared and embarrassed in front of a thousand of my best friends.

**For more information**

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# Director's Report

## Suzan Hewat – Village of Kaslo

**Report Date: October 12, 2023**

### **Federation of Canadian Municipalities**

The meetings this year were held over a 2-week period. Originally there was to be one week of virtual committee meetings followed by one week of in person meetings in Yellowknife, NWT.

FCM staff and executive had to make the difficult decision to move the meetings to a virtual format for the 2<sup>nd</sup> week as well.

Below is the listing of meetings that I participated in.

#### September 5<sup>th</sup>

FCM BC Regional Caucus virtual

- This was the first meeting after the elections at the AGM in Toronto, so caucus members introduced themselves.
- Chair Leah Main provided an update and discussed Board of Directors meetings and Advocacy Days which are scheduled for November in Ottawa.
- Caucus members were given the opportunity to raise regional issues and to discuss them with fellow directors.
- FCM reports were provided by staff and UBCM President Jen Ford provided a report.

#### September 6<sup>th</sup>

FCM Environmental Issues and Sustainable Development committee

- The Chair provided a report on the work of the committee for new and returning members.
- The list of active, expiring and new resolutions was reviewed and discussed.
- An update was provided on GMF (Green Municipal Fund).

#### September 7<sup>th</sup>

FCM Social Economic Development committee

- The Chair provided a report on the work of the committee for new and returning members.
- The list of active, expiring and new resolutions was reviewed and discussed.
- Discussion was held regarding Budget 2024 Advocacy on Housing and Homelessness.
- There was a presentation from CMHC regarding the current National Housing Strategy Programs.

#### September 12<sup>th</sup>

FCM – Rural Forum

**For more information**

[info@rdck.bc.ca](mailto:info@rdck.bc.ca) | 250.352.6665 | 1.800.268.7325 (BC) | or visit [rdck.ca](http://rdck.ca)



- CEO Carol Saab and the Chair of the Committee provided reports.
- There were reports provided and discussion regarding current Policy and Advocacy items.
- There was discussion regarding the Municipal Growth Framework and Rural Priorities.
- The Election of the Chair and Vice Chair elections were held. Silverton Councillor Leah Main was elected as one of the Vice Chairs of the Rural Forum.

### September 13<sup>th</sup>

FCM – Committee of the Whole

- There was extensive discussion regarding the Municipal Growth Framework including reports from the Standing Committee on Municipal Finance, Infrastructure and Transportation as well as from staff members.

### September 14<sup>th</sup>

FCM Board meeting

- There was ratification of new board members added since the AGM in May
- FCM President Scott Pearce provided a report as did CEO Carol Saab.
- Reports were provided by each of the standing committee chairs and Regional Caucus Chairs.

## **Union of BC Municipalities**

Even though it has increased the length of my report, I have copied the descriptions of the sessions that I attended during the week for the benefit of the members of the public who may read my report.

### September 18<sup>th</sup>

For today, I had originally signed up for the Agricultural Study tour for this day but a week before departure, FCM, BC Caucus members received notification that FCM President Scott Pearce would be attending the UBCM conference. FCM staff arranged for Caucus members to have lunch with President Pearce. I contacted Christine Hopkyns and she able to have my registration amended so I was also able to take in other sessions offered during the day.

Study Sessions:

Shared Path of Reconciliation: Treaty Updates and Opportunities for Local Governments

**Presenters:**

**Celeste Haldene**, Chief Commissioner, BC Treaty Commission

**Coral MacKay**, Councillor, K'omoks First Nation

**Wilfred Cootes**, Executive Member of Lands and Natural Resources, Uchucklesaht Tribe

**Tom McCarthy**, Deputy Minister, Ministry of Indigenous Relations and Reconciliation

Modern treaties, and treaty and tripartite reconciliation negotiations are providing pathways to building resilient communities in partnership between First Nations, Canada, BC, and local and regional governments. There has been significant progress and positive policy changes since the achievement of the Tla'amin Treaty in 2016, including the *United Nations Declaration on the Rights of Indigenous Peoples* legislations, and the Rights Recognition Policy. Currently, there are four First Nations working

to conclude negotiations and preparing for ratification of modern treaties. In this session, the BC Treaty Commission will bring together speakers to provide valuable insight on: negotiations status updates, policy changes, operationalizing UNDRIP through modern treaties, and ways for local governments to learn more and prepare for post-treaty opportunities for shared reconciliation.

## Implementing UNDRIP: Guidance for Local Governments

### Presenters:

**Katisha Paul**, Youth Representative, Union of British Columbia Indian Chiefs

**Marilyn Slett**, Chief, Halzaq Nation

**Lenora Joe**, hiwus (Chief), shíshálh Nation

**Elisa Penn**, Associate, Mandell Pinder LLP

**Charlene Aleck**, Councillor, Tsleil-Waututh Nation

Following the release of the Truth and Reconciliation Commission's Calls to Action, both Canada and BC have committed to fully adopt and apply the UN Declaration on the Rights of Indigenous Peoples, taking steps to acknowledge and recognize its legally binding nature through the enactment of the *Declaration on the Rights of Indigenous Peoples Act*, and the federal *United Nations Declaration on the Rights of Indigenous Peoples Act*. In this session, the Union of BC Indian Chiefs will convene a discussion exploring local government obligations under UNDRIP and highlighting how local governments can work towards implementation, addressing roles and responsibilities, good practices, and more.

FCM BC Caucus members lunch with FCM President Scott Pearce.

## Study Session: Tools for Mindfulness and Stress Reduction

### Presenter:

**Patricia Galaczy**, Director, The Art of Dialogue

Serving our communities as a local government elected official is a rewarding experience, but the role can also bring stress and challenges. As members of the community, council members and EA representatives are well-known and accessible more than any other government representatives. Members know what it's like to be stopped at the grocery store with questions about local projects, or unfortunately to be personally criticized in local social media. UBCM wants to offer our members tools to help handle these stressors and to improve resilience and well-being to thrive in their roles. This two-hour workshop will cover methods to manage the demands of being an elected official through techniques such as mindfulness, meditation, and self-compassion with the goal of strengthening mental wellness.

## Study Session: Beyond Balance – Bypassing Barriers

### Presenter:

**Tracey Lorensen**, Facilitator, CivicExcellence

BC has a rich history of successful women\* elected leaders. In this facilitated interactive session we will discuss what's unique about the experience of women in local government, successes in the sector, and systemic and structural changes to continue this momentum.

We will build on the work that others have done and explore options for "made in BC" solutions to support women in elected office and encourage the next generation of women leaders.

Whether you are a first-term councillor, long-serving mayor or returning electoral area director, we encourage you to attend and join the conversation. Come share your experiences and best practices, and build your network of mentors and contacts that can support you as you continue on your journey in elected office.

### **September 19<sup>th</sup>**

Clinic – Strengthening Democracy: Balancing Partisanship

#### **Presenters:**

**Graham Bruce**, Former MLA and Cabinet Minister, Strengthening Democracy

**Mike Harcourt**, Former Premier of British Columbia, Strengthening Democracy

**Details:** Once standing two sword lengths apart in the BC Legislature, former NDP Premier Mike Harcourt and former Socred & BCLiberal Minister Graham Bruce, are now working together to highlight concerns and misperceptions about our democracy and how we might strengthen democracy as elected persons. As mayors, (Mike – Vancouver and Graham – North Cowichan), both speakers have experienced the front-line issues and pressures of local government. Is there a real threat to Democracy worldwide and what role can Mayors & Councilors play in 'Strengthening Democracy'.

#### Small Talk Forum

This forum was made up of topics that were submitted by local government representatives across the province. It is an opportunity to discuss shared challenges as well as share successes.

Session topics: Extreme Heat Planning, Responsible Conduct, Local Outdoor Recreation Initiatives, 'A Safer Place to Be' Project, Borrowing to Replace Fire Apparatus and Infrastructure Replacement and Funding.

There were also 4 discussion topics: Food Security Initiatives, RCMP Funding Framework, Human Resource Challenges and Affordable Housing.

Plenary: Exploring the Health Impacts of Wildfires

#### **Presenters:**

**Jen Ford**, President, Union of B.C. Municipalities

**Adrian Dix**, Minister of Health, Province of B.C.

**Armel Castellan**, Warning Preparedness Meteorologist, Meteorological Service of Canada, Environment of Climate Change Canada

**Dr. Angela Yao**, Senior Scientist, Environment Health Services, B.C. Centre for Disease Control

The 2023 B.C. wildfire season has been declared the most destructive ever recorded based on square kilometers burned. That declaration was made in mid-June, not even halfway through the wildfire season. In the months since that declaration the wildfires have not relented, and have continued to ravage communities, putting lives at risk and creating a host of negative health impacts. This year's plenary session will explore these health impacts, both physical and mental, and discuss some of the ongoing research, as well as strategies to help protect our communities.

#### Address by FCM President Scott Pearce

It has been a pleasure to be able to work with Scott over the past 4 ½ years. As the Mayor of a rural community, he understands the unique challenges that are faced by small local governments.

#### Municipal Insurance Association AGM

I attended this meeting as the voting representative for the Village of Kaslo.

The meeting began with an address by the Minister of Municipal Affairs, the Honorable Anne Kang.

There were several resolutions voted on which I will summarize below.

1. The deadline for submitting expressions of interest to serve on the MIABC Board was changed from March 31<sup>st</sup> to April 30<sup>th</sup> and that the Board be allowed to appoint qualified candidates to fill any vacancies.
2. There were several amendments to the Liability Protection Agreement and the Property Insurance Agreement some of which were housekeeping amendments, and some were to restore language that was inadvertently deleted during previous amendments.

There was an election for the representatives in Groups A, B, C, D and the Regional District Representative.

There were no nominees for Group A (Members with a population up to 2,000) so I was not required to vote. There were elections in each of the other groups, except Regional District, which CAO Stuart Horn was acclaimed to.

The 2024 AGM will be held in Vancouver next September in conjunction with UBCM.

#### Municipal Finance Authority Semi-Annual Meeting

I was asked by Director Newell to attend this meeting on his behalf as the alternate director. During the meeting, the fall requests for financing were reviewed and approved.

The section on voting was amended to only allow members who are physically present to be eligible to cast votes for the election of the Chair, Trustees or Vice Chair. Nominations of Members to serve may be done virtually.

## September 20<sup>th</sup>

WKBHRD meeting with Premier Eby, Minister of Housing, Ravi Kahlon and representatives from BC Housing.

Members of the Executive Committee met with them along with RDCK CAO Stuart Horn and MLA Brittny Anderson. We thanked the government for providing the housing in Nelson and requested that they now give consideration to providing housing in the rural areas across the province. I was allowed to speak about projects that would be possible in Kaslo if there were funding available. I spoke about the additional 10 beds that had been proposed at the Victorian Community Health Centre and Kaslo & District Senior Citizen's Shelter Society (Abbey Manor).

Due to the above meeting, I was unable to attend the Convention Opening.

Annual meeting including the nominating committee report and the resolutions session.

Keynote Address by John Herdman

John Herdman is an English professional football manager who is the head coach of the Toronto FC in Major League Soccer. He previously served as the head coach of the Canada men's national soccer team.

Address by the Leader of the Green Party

AKBLG (Association of Kootenay Boundary Local Governments) Lunch

The afternoon program included an address by the Minister of Municipal Affairs and candidate speeches.

Cabinet Town Hall: Emergency Preparedness

**Honourable Bowinn Ma**, Minister of Emergency Management and Climate Readiness

**Honourable Bruce Ralston**, Minister of Forests

**Honourable Nathan Cullen**, Minister of Water, Land, and Resource Stewardship

**Honourable Pam Alexis**, Minister of Agriculture

As leaders in your communities, the work you do every day is critical to supporting resilient communities in an ever-changing world, and the Government of B.C. is here to help. This year's fire season was the worst in B.C.'s history. It took all of us working together to keep people safe and it's going to take us all working together to rebuild. The ministers participating in this session will speak to resiliency and emergency preparedness – improving wildfire and flood preparedness, improving roads and infrastructure to withstand extreme weather, and learning how to adapt to climate change. The Province wants to know what you need to help them make better decisions and help your communities prepare for emergency situations. This is your opportunity to meet the ministers who can support you.

Trade show reception, BC Government reception and other networking events.

**September 21<sup>st</sup>**

The morning program included continuing the resolutions and election of table officers as well as an address by the Leader of the Opposition.

Vancouver Fraser Port Authority Harbour Tour

**September 22<sup>nd</sup>**

A report was given on resolutions received after the deadline followed by the last of the resolutions. This was the first conference that I recall being able to go through all of the resolutions. Installation of President Elect Trish Mandewo.

The last item on the agenda was an address by Premier Eby.

I am very appreciative that I was able to attend the UBCM conference. It afforded many opportunities for networking with local government members from across the province.



## Angela Lund

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**To:** Christine Hopkyns  
**Subject:** RE: Seeking support letters for a Cannabis Tourism Pilot Project Proposal

---

**From:** Tracey Harvey  
**Sent:** Wednesday, October 4, 2023 9:45 AM  
**To:** Christine Hopkyns <[chopkyns@rdck.bc.ca](mailto:chopkyns@rdck.bc.ca)>  
**Subject:** Seeking support letters for a Cannabis Tourism Pilot Project Proposal

Dear Christine,

I hope this email finds you well.

I am writing to you today about a proposed Cannabis Tourism pilot project "Building the BC Cannabis Trail" that will focus on two key and historical areas in BC, namely, the Kootenays and the Cowichan Valley. The goal of this project is to build the foundation for a cannabis trail in these regions, as modelled after the successful [BC Ale Trail](#), that can then be expanded to other regions of BC. Please see the attached letter to supporters outlining the project in detail.

Selkirk Innovates is working together with Craft Cannabis Association of BC (CCABC) to apply for funding to complete this project under the [REDIP Economic Diversification](#) stream (as a development project).

Applications are due for REDIP on October 30th.

Finally, we are seeking letters of support. We are hoping you will be willing to write a letter of support on behalf of the RDCK, if you agree, addressed to the REDIP project applicant, CCABC (template attached).

Thanks, Christine - I look forward to hearing from you!  
Tracey

**Tracey Harvey**, MSc GIS, PhD (she/her) **Instructor & Researcher**  
Selkirk College, West Kootenay & Boundary Region  
t: 250.304.6522 or 1.866.301.6601; ext. 16522 | e:tharvey@selkirk.ca w: selkirk.ca  
**Together we build remarkable futures.**  
*Selkirk College acknowledges the traditional territories of the Sinixt (Lakes), the Syilx (Okanagan), the Ktunaxa, and the Secwépemc (Shuswap) peoples.*

---

**From:** Tracey Harvey  
**Sent:** Wednesday, October 4, 2023 9:45 AM  
**To:** Christine Hopkyns <[chopkyns@rdck.bc.ca](mailto:chopkyns@rdck.bc.ca)>  
**Subject:** Seeking support letters for a Cannabis Tourism Pilot Project Proposal

Dear Christine,



Craft Cannabis Association of BC  
[www.craftcannabis.ca](http://www.craftcannabis.ca)  
hello@craftcannabis.ca

October 4, 2023

Subject: Building the BC Cannabis Trail REDIP Proposal Overview

## Background and Challenge

The Cowichan Valley and the Kootenay Region of BC have been home to cannabis sectors for decades, predating the legalization of recreational cannabis in 2018 (Craft Cannabis Association of British Columbia 2023; Rattu, Harvey, and Breen 2022). The integral cannabis culture and economy in these regions have created rich historical ties to cannabis. Presently, each region accommodates approximately 30 legal cannabis businesses, including producers, processors, nurseries, laboratories, and retail outlets (Craft Cannabis Association of British Columbia 2023). This suggests the presence of enduring cannabis clusters in both regions.

Legalization has provided an opportunity for economic diversification and tourism development. Following the COVID-19 pandemic, British travelers, Germans, Americans and non-BC residents are once again enthusiastic about traveling to BC (Destination BC 2023b). Cannabis tourism is viewed as a catalyst for economic recovery in Canada's tourism sector (Canadian Cannabis Tourism Alliance n.d.) and is particularly important to help rebuild negatively affected economies after the devastating 2023 wildfire season (Destination BC 2023a) and recent downturn in the forestry industry.

Noteworthy initiatives and investments by the BC government underscore the significance of the legal cannabis industry for both the overall economic well-being of BC and its rural areas (Province of British Columbia 2023). Given the relatively new legal cannabis economy in BC and the ongoing intricacies surrounding cannabis marketing and branding policies, the Cowichan Valley and Kootenay regions have not yet formalized cannabis tourism. Nevertheless, the rich culture, historical significance, and ongoing evolution of regional cannabis economies in these regions position them as ideal candidates for an interregional cannabis tourism pilot project: Building the BC Cannabis Trail.

## Funding Opportunity

The [Rural Economic Diversification and Infrastructure Program \(REDIP\)](#) is a provincial funding opportunity initiated by the Ministry of Jobs, Economic Development and Innovation. It comprises three streams that offer up to \$1,000,000 for up to two years. These streams are designed to support projects focused on economic diversification, and resilience. This proposed project best fits within the economic diversification stream as a development project which offers the potential to secure up to \$100,000 in provincial funding. Proposals are due October 30<sup>th</sup>, 2023.

## Proposed Project

The Craft Cannabis Association of BC, working together with Selkirk Innovates, is proposing to design a BC Cannabis Trail pilot project modeled after the successful [BC Ale Trail](#). The primary goal of this one-year project is to plan a cannabis trail in two prominent cannabis regions of BC: the Kootenays and the Cowichan Valley, with the potential for expansion to other regions within the province.



Craft Cannabis Association of BC  
[www.craftcannabis.ca](http://www.craftcannabis.ca)  
hello@craftcannabis.ca

Using the Kootenay region and Cowichan Valley as pilot areas, this project encompasses four primary objectives:

1. Identify existing provincial and federal policies that may restrict cannabis tourism.
2. Foster collaboration among cannabis businesses, traditional tourism operators, and First Nations to assess the regional cannabis sectors, tourism landscapes, and the interest of each group in each region.
3. Engage regional actors in the development of innovative ideas, policy adjustments, best practices, and a carefully planned implementation strategy.
4. Create relevant content for various cannabis businesses including a historical narrative about cannabis for the two pilot regions along the trail.

The project is planned to unfold in three phases as outlined below:

### **Phase 1: Planning**

- Create an advisory board/governance structure comprising actors from the cannabis sector, academia, community supporting organizations, First Nations, and government.
- Collaborate with regional cannabis businesses to identify willingness to participate, content development opportunities, and the development of a map of the trail.
- Collaborate with regional tourism operators to identify best practices, and compile an inventory of traditional tourism operators (e.g., accommodations, dining establishments, tour operators) including First Nations.
- Identify marketing companies to request quotes for marketing development costs and timelines.
- Conduct research on current policy, any policy changes, and expected timelines.

### **Phase 2: Engagement and Education**

- Collect business data through surveys, focusing on each business's current marketing approach and theme, and create comprehensive cannabis-friendly profiles for each.
- Engage with businesses interested in participating in the BC Cannabis pilot project, forming a network of participants.
- Organize engagement events to educate operators on current policy, ensuring clarity regarding permissible actions related to cannabis tourism and marketing.

### **Phase 3: Building the Foundation**

- Develop a detailed blueprint for the two piloted regions for the BC Cannabis trail.
- Develop content and a historical narrative for the two regions featured in the BC Cannabis trail pilot.
- Create a roadmap for replication in other regions of BC detailing the process of outlining the BC Cannabis Trail in the two test regions.
- Publish articles to share the insights and lessons learned from the project.
- Apply for the second round of REDIP funding (scheduled for October 2024) to facilitate the implementation of the BC Cannabis Trail pilot project.



Craft Cannabis Association of BC  
[www.craftcannabis.ca](http://www.craftcannabis.ca)  
hello@craftcannabis.ca

### Request for Participation and Support

The purpose of this letter is to formally request your organization's support for this project. We kindly request that supporters share their ideas for discussion to explore potential avenues of mutual benefit. Additionally, we invite supporters to compose a letter of support, for which we have attached a template for this purpose.

Thank you, for taking the time to review this project idea. If you have any questions or suggestions, please reach out at your earliest convenience.

Sincerely,

Sarah Campbell, CCABC and Tracey Harvey, PhD, Selkirk Innovates



Craft Cannabis Association of BC  
[www.craftcannabis.ca](http://www.craftcannabis.ca)  
hello@craftcannabis.ca

## References

- Canadian Cannabis Tourism Alliance. n.d. "Cannabis Tourism." Accessed September 15, 2023. <https://www.canadiancannabistourism.com/>.
- Craft Cannabis Association of British Columbia. 2023. "Cannabis in the Cowichan Valley."
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**OMBUDSPERSON**  
BRITISH COLUMBIA

August 31, 2023

Aimee Watson  
Chair  
Regional District of Central Kootenay  
202 Lakeside Drive  
PO Box 590  
NELSON BC V1L5R4

Dear Aimee Watson,

RE: Office of the Ombudsperson Quarterly Report: April 1 - June 30, 2023

This package of documents details the complaint files the Office of the Ombudsperson closed for Regional District of Central Kootenay between April 1 and June 30, 2023. Though no action is required on your part, we hope that you will find this information useful and share it within your organization.

These reports provide information about the complaint files we closed regarding your organization within the last quarter, including both files we investigated and files we closed without investigation. Files currently open with the office are not included in these reports.

Enclosed you will find detailed reports containing the following:

- A one-page report listing the number of files closed and the category under which they were closed. The categories we use to close files are based on the sections of the Ombudsperson Act, which gives the Ombudsperson the authority to investigate complaints from the public regarding authorities under our jurisdiction. A more detailed description of our closing categories is available on our website at: <https://bcombudsperson.ca/assets/media/QR-Glossary.pdf>.
- If applicable: Copies of closing summaries written about the complaint files we investigated. These summaries provide an overview of the complaint received, our investigation and the outcome. Our office produces closing summaries for investigated files only, and not for enquiries or those complaints we chose not to investigate.
- If applicable: A summary of the topics identified in the complaint files closed during the quarter. We track general complaint topics for all complaints we receive, and when applicable, we include authority-specific and/or sector-specific topics for your organization and/or sector. Our office tracks the topics of complaints we investigate and those we close without investigation, but not for enquiries. Because complaints to our office are confidential, we do not share complaint topic information if we received too few complaints to preserve the complainants' anonymity.



If your organization received too few complaints to produce a summary of complaint topics but you would like further information about the complaints our office received about your organization, our Public Authority Consultation and Training (PACT) Team can provide further details upon request.

If you have questions about our quarterly reports or notice any inaccuracies in the data provided, or if you would like to sign up for our mailing list to be notified of educational opportunities provided by our Public Authority Consultation and Training Team, please contact us at 250-508-2950 or [consult@bcombudsperson.ca](mailto:consult@bcombudsperson.ca).

Yours sincerely,

Jay Chalke  
Ombudsperson  
Province of British Columbia

Enclosures





Type of complaint closure for Authority: Regional District of Central Kootenay	# closed
<b>Enquiries</b> – Many people who contact us are not calling to make a complaint, but are seeking information or advice. These contacts are classified as <i>Enquiries</i> to distinguish them from <i>Complaints</i> , which are requests that our office conduct an investigation.	0
<b>Complaints with No Investigation</b> – Our office does not investigate every complaint it receives. First, we determine whether we have authority to investigate the complaint under the <i>Ombudsperson Act</i> . We also have discretion to decline to investigate for other reasons specified in the <i>Ombudsperson Act</i> .	1
<b>Early Resolution Investigations</b> – Early Resolution investigations provide an expedited process for dealing with complaints when it appears that an opportunity exists for the authority to take immediate action to resolve the issue. Typical issues that are addressed through Early Resolution include timeliness, communication, and opportunities for internal review.	0
<b>Complaint Investigations</b> – When we investigate a complaint we may conclude with a determination that a complaint is not substantiated, or with a negotiated settlement of the complaint, or with public findings and recommendations. We may also exercise discretion to cease investigation for a number of other reasons specified in the <i>Ombudsperson Act</i> .	0
<b>Reason for closing an Investigation</b>	
Pre-empted by existing statutory right of appeal, objection or review.	0
Investigation ceased with no formal findings under the <i>Ombudsperson Act</i> .	
More than one year between event and complaint	0
Insufficient personal interest	0
Available remedy	0
Frivolous/vexatious/trivial matter	0
Can consider without further investigation	0
No benefit to complainant or person aggrieved	0
Complaint abandoned	0
Complaint withdrawn	0



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<b>Complaint settled in consultation with the authority</b> – When an investigation leads us to conclude that action is required to resolve the complaint, we try to achieve that resolution by obtaining the voluntary agreement of the authority to settle the complaint. This allows matters to be resolved fairly for the complainant and authority without requiring a formal finding of maladministration.	0
Complaint substantiated with formal findings under the <i>Ombudsperson Act</i> .	0
Complaint not substantiated under the <i>Ombudsperson Act</i> .	0
<b>Ombudsperson Initiated Investigations</b> – The Ombudsperson has the authority to initiate investigations independently from our process for responding to complaints from the public. These investigations may be ceased at the discretion of the Ombudsperson or concluded with formal findings and recommendations.	0

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*The tables below summarize the complaint topics we are tracking for your sector and/or authority and the number of times this topic was identified in the files (investigated and non-investigated complaints) that were closed in the most recent quarter.*

If you would like more information on the types of complaints we receive, please contact our Public Authority Consultation and Training Team: email us at [consult@bcombudsperson.ca](mailto:consult@bcombudsperson.ca) or call us at 250-508-2950.

### Sector-Specific Complaint Topics – All Local Government

Business Licensing	2	1%
Bylaw Enforcement	44	29%
Council Member Conduct (incl. Conflict of Interest)	13	9%
Fees/Charges (incl. Taxes)	13	9%
Official Community Plan/Zoning/Development	25	17%
Open Meetings	6	4%
Other	31	21%
Procurement	2	1%
Response to Damages Claim	4	3%
Services (incl. Garbage, Sewer, Water)	11	7%

### General Complaint Topics – All Local Government

Accessibility	12	6%
Administrative Error	10	5%
Communication	21	10%
COVID-19	3	1%
Delay	8	4%
Disagreement with Decision or Outcome	80	38%
Discrimination	3	1%
Employment or Labour Relations	3	1%
Other	8	4%



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Process or Procedure	43	20%
Review or Appeal Process	5	2%
Treatment by Staff	15	7%





September 20, 2023

**President  
Président**

Scott Pearce

Mayor

Township of Gore, QC

Maire

Municipalité du Canton de Gore (Qc)

**First Vice-President  
Premier vice-président**

Geoff Stewart

Deputy Mayor

Municipality of the

County of Colchester, NS

Maire suppléant

Municipalité du Canton de Colchester (N.-É.)

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City of Vancouver, BC

Conseillère municipale

Ville de Vancouver (C.-B.)

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Town of Vegreville, AB

Conseillère municipale

Ville de Vegreville (Alb.)

**Chief Executive Officer  
Cheffe de la direction**

Carole Saab

Ottawa, ON

Chair Aimee Watson  
Regional District of Central Kootenay  
British Columbia  
202 Lakeside Drive  
PO Box 590  
Nelson,  
V1L 5R4

**Project Title:** Studying GHG Emissions Reduction Pathways for a Portfolio of Facilities in the Regional District of Central Kootenay, BC  
**Application Number:** CBR-23-0046

Dear Chair Aimee Watson:

On behalf of the Green Municipal Fund (GMF) Council and FCM's Executive Committee, I would like to congratulate the Regional District of Central Kootenay on its successful funding application for the above-noted initiative.

It is my pleasure to confirm that the Regional District of Central Kootenay has been approved for a grant in the amount of up to \$200,000.

In the near future, Camille Rivera-Dibbs will contact the Regional District of Central Kootenay to finalize the agreement for this funding. FCM's obligation to fund the above-noted initiative will only become binding once the agreement is signed.

FCM, in partnership with the Government of Canada, oversees public announcements regarding GMF-supported initiatives. Until our media relations team ([media@fcm.ca](mailto:media@fcm.ca)) contacts the lead applicant or municipality to facilitate a media announcement, discussion of the application or the funding must remain private, except if reporting to municipal council. We kindly ask you to refrain from statements or any public form of communication related to the status of the application or funding until a media announcement led by FCM and the Government of Canada is complete.

.../2

24, rue Clarence Street  
Ottawa, Ontario, K1N 5P3

T, 613-241-5221

fcm.ca



Thank you for your interest in GMF. We look forward to working with you to improve the quality of life in your community, and to sharing the results of your initiative with communities across Canada.

Sincerely,

A handwritten signature in blue ink that reads "Alan De Sousa". The signature is fluid and cursive, with the first name "Alan" being more prominent than the last name "De Sousa".

Alan De Sousa  
Chair, Green Municipal Fund Council

ADS/CD:aj

cc: Shari Imada, Senior Energy Specialist, Regional District of Central Kootenay

Ms. Lauren Kerr, Credit and Compliance Officer, Municipal Finance Authority of British Columbia (lauren@mfa.bc.ca)



## Angela Lund

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**To:** RDCK Info  
**Subject:** RE: UBCM Tradeshow follow-up- from Cathy Peters and the Anti Human Trafficking Initiative booth

**From:** [ca.peters@telus.net](mailto:ca.peters@telus.net) <[cathy@telus.net](mailto:cathy@telus.net)>

**Sent:** September 26, 2023 4:54 PM

**To:** RDCK Info <[info@rdck.ca](mailto:info@rdck.ca)>

**Subject:** UBCM Tradeshow follow-up- from Cathy Peters and the Anti Human Trafficking Initiative booth

**CAUTION** This email originated from outside the organization. Please proceed only if you trust the sender.

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Dear Chair and Directors for the Central Kootenay Regional District,  
Thank you to the BC Mayors, Councillors and Directors who visited the Anti Human Trafficking Initiative booth 623 at UBCM.

Child Sex Trafficking is the fastest growing crime in the world and it is here in BC.  
Attached is the "**Overview of the Problem in Canada**" and "**8 Strategies for Cities and Municipalities**".

Below is a **2004 UBCM Resolution on Child Sex Trafficking** that went to FCM.  
This Resolution needs to be re-instated with action outcomes identified.

<https://www.ubcm.ca/convention-resolutions/resolutions/resolutions-database/approach-end-trafficking-children>

### What you can do:

1. I am available for presentations to groups in your communities in January 2024.
2. Please purchase my book and place it in your schools, libraries, churches and medical facilities. It is a textbook on the issue for Canada; it is readable and relatable with resources.
3. Redraft a Resolution on Child Sex Trafficking for next year's UBCM.

Sincerely, Cathy Peters

BC anti human trafficking educator, speaker, advocate

[beamazingcampaign.org](http://beamazingcampaign.org)

1101-2785 Library Lane, North Vancouver, BC V7J 0C3

604-828-2689

Queen's Platinum Jubilee Medal recipient for my anti human trafficking advocacy work

Author: "**Child Sex Trafficking in Canada and How to Stop It**".

## **Overview of Human Sex Trafficking, Sexual Exploitation and Child Sex Trafficking in Canada.**

**2023** by Cathy Peters- BC anti human trafficking educator, speaker, advocate

**Beamazingcampaign.org**

Author: “**Child Sex Trafficking in Canada and How to Stop It**”.

1. **Cases:** Most notorious cases in Canada: **Amanda Todd** (victim), **Robert Pickton** (sex buyer and serial killer), **Reza Moazami** (trafficker)- all from British Columbia.

Provinces are not consistently addressing the crime- Alberta, Ontario, Manitoba, Quebec, Nova Scotia have better public awareness than BC.

-Dr. Jacqui Linder registered psychologist and traumatologist from Alberta, states “Human Trafficking is one of the forms of trauma that when you really understand what people are going through and what is being done to them, it is TRUE EVIL.”

2. **Crime:** Organized crime, international crime syndicates are typically involved.

3. **Mental Health and Addictions: Sexual Violence is the worse form of trauma a human being can experience.** Dr. Ingeborg Kraus- German psychotraumatologist.

-Children who are sexualized are vulnerable, live with CTSD- Complex Trauma Stress Disorder and ACEs- Adverse Childhood Experiences- Dr. Nadine Burke, USA pediatrician on ACEs.

-Dr. Vincent Felitti connects childhood experiences and physical and mental health as adults- childhood trauma is associated with chronic diseases during adulthood and child trafficking will worsen the economic burden on civil governance.

4. **4 Factors** causing Sexual Exploitation: **globalization, unregulated technology, limited law enforcement and very little prevention education.**

5. **Definition:** Human trafficking is the recruiting, transporting, transferring, receiving, holding, concealing, harbouring, or exercising control over a person for the purpose of exploiting them. Key word is **EXPLOITATION.**

6. **Stats:**

-13 years is age of recruitment, 10-12 years in urban centers.

-54% in the sex trade are Indigenous, 70-90% in urban centers.

-82% had childhood sexual abuse/incest.

-72% live with CTSD or Complex PTSD.

-95% in prostitution want to leave- it is NOT a choice or a job.

-90%-99% of prostituted persons are pimped or trafficked. Traffickers make hundreds of thousands of dollars per victim per year or from \$1000-\$5000 per day per victim.

-1-5% of individuals are able to leave the sex industry- the majority become mentally ill, drug addicted, commit suicide or are murdered.

7. **My work:** raising awareness to 3 levels of government in BC, since “**The Protection of Communities and Exploited Persons Act**” became Federal Law in 2014. PCEPA Federal Law has **4 parts:**

1. Targets the DEMAND by criminalizing the buyer of sex, profiteer.

2. Seller of sex is immune from prosecution

3. Exit strategies are in place to assist the victim out of the sex trade.

4. Robust prevention education is in place so youth, children and the vulnerable are not pulled into the sex industry.

PCEPA Law focuses on the source of harm: the DEMAND. The clear statement from Parliament was that girls and women in Canada are **NOT FOR SALE**; they are full human beings with dignity and human rights. Canada has international obligations to deter demand: **Palermo Protocol Article 9, section 5**. Training for understanding and interpreting PCEPA: Nathalie Levman with Department of Justice: [Nathalie.levman@justice.gc.ca](mailto:Nathalie.levman@justice.gc.ca) Phone-613-948-7429, Cell- 613-883-5190.

**8. Problem:** This Law is not enforced consistently in Canada or BC.

-Vancouver, Toronto and Montreal are global sex tourism hotspots.

-Canada is a Child Sex Tourism destination (TIP report from USA State Department).

-Global sex trade is targeting children- children is where the money is, fuelled by the internet where the luring takes place. Globally, Canada is one of the biggest consumers of CSAM (child sexual abuse material or child pornography).

**9. Strategy for Provinces and Communities:** Reduce Demand, Diminish Supply.

-Main businesses: unregistered massage and body rub parlours, nail spas, day spas, wellness centers, modelling agencies, tattoo parlours, escort services, cheap bars and hotels, men's clubs, AirBnb, VRBO, casinos, strip clubs, organized crime club houses, bus stops, train stations, homeless camps, tent cities, work camps, pool halls, community centers- wherever youth congregate.

-Schools are recruiting grounds for gangs and human trafficking. There is growing research that some school personnel are involved with sexual interference with students- source- Cybertip.ca.

**10. Strategy for the public:** Learn, Share, Alert. **Resources:**

**Canadian:** -beamazingcampaign.org- resources, research, teaching videos- Cathy Peters

-Public Safety Canada- Human Trafficking.

-Canadian Center to End Human Trafficking- National Hotline number: 1-833-900-1010.

-Cybertip.ca- Canadian Center for the Protection of Children.

-National Human Trafficking Education Center- Joy Smith Foundation.

**USA:**- National Centre on Sexual Exploitation- NCOSE (research based and holds global summits) and Demand.org (addressing demand to stop sexual exploitation).

-Protect Young Eyes- protectyoungeyes.org- founded by Chris McKenna

-Defend Young Minds-defendyoungminds.org- founded by Kirsten Jensen

-Parents Against Child Abuse- P.A.X.A.- founded by Tania Haigh

**International:** OSCE- Organization for Security and Cooperation in Europe- Canada belongs along with 56 other countries- 1 billion people are represented. Valiant Richey is the OSCE Special representative and Co-ordinator for Combating Trafficking in Human Beings.

**Trends:**

-Increased sexualization of youth/children.

-Resulting in: increased childhood sexual assault/incest.

-Women/girls losing safe spaces with transgenderism movement.

-Pornography use is the fuel.

-Lack of digital safety training availability and lack of social media accountability.

-Lack of positive parenting support.

-Development of AI (Artificial Intelligence) of Child Sexual Abuse Material.

## 8 strategies for Cities and Municipalities:

1. Learn about the issue at my website: [beamazingcampaign.org](http://beamazingcampaign.org). Buy my book, “**Child Sex Trafficking in Canada and How to Stop It.**” Take the BC OCTIP (Office to Combat Trafficking in Persons) **free online course**. Encourage police to take HT course on the **Police Knowledge Network**.
2. Incorporate the United Nations 4 Pillars in a local strategy to stop Human trafficking/sexual exploitation: **Prevention, Protection, Prosecution, Partnerships**.
3. **Prevention**: raise awareness in community. Children of the Street (Plea), End Exploitation Education (Tiana Sharifi), BRAVE education (Alberta), National Human Trafficking Education Center (Joy Smith Foundation- Manitoba) does school and community programs. Encourage “Men End Exploitation” movements: Moosehide Campaign, Westcoast Boys Club Network. Support porn addiction services for youth; “Fightthenewdrug” program recognizing the public health effects to youth of viewing violent sexual material. Use communications to raise awareness: Canadian Centre to End Human Trafficking has FREE posters, wallet cards. Calgary has “Not in My City” campaign, Ontario has “Saving the girl next door program”.
4. **Protection**: have exit strategies in place for victims, consider 24-7 “wrap-around programs” Salvation Army “Deborah’s Gate”, Covenant House, Union Gospel Mission. Support **School Liaison Officer Programs in BC Schools** as an effective deterrent against organized crime recruitment for gangs and sex trafficking.
5. **Prosecution**: increase policing budget, training, and priorities. Have “buyer” deterrents in place, enforce the law; “**Protection of Communities and Exploited Persons Act**” which addresses “**demand**”- the profiteers, facilitators, buyers of commercially paid sex.
6. **Partnerships**: Train community stakeholders: Police, Health care workers, fire department, municipal business licensing managers, educators, businesses to recognize human trafficking/sexual exploitation. **Fraser Health Authority** has a human trafficking protocol, Surrey Fire department is trained to recognize HT indicators. Train judges/Crown Counsel/criminal justice system.
7. **Partnerships**: with other cities and municipalities at local government associations, Police agencies, 3 levels of government (civic, provincial, federal); UBCM, FCM with Resolutions.
8. **Goal**: safe, healthy, vibrant communities that are fit for families, youth, children, and all vulnerable populations.

**National Human Trafficking Hotline Number: 1-833-900-1010**

## Angela Lund

---

**To:** RDCK Info  
**Subject:** RE: E-mail from the Honourable Mitzi Dean, Minister of Children and Family Development

**From:** MCF Info MCF:EX <[MCF.Info@gov.bc.ca](mailto:MCF.Info@gov.bc.ca)>

**Sent:** September 26, 2023 3:01 PM

**To:** RDCK Info <[Info@rdck.ca](mailto:Info@rdck.ca)>

**Subject:** E-mail from the Honourable Mitzi Dean, Minister of Children and Family Development

**CAUTION** This email originated from outside the organization. Please proceed only if you trust the sender.

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VIA E-MAIL

Ref: 281051

Regional District of Central Kootenay

E-mail: [info@rdck.bc.ca](mailto:info@rdck.bc.ca)

Dear Chairperson and Board of Directors:

Since 1990, October has been declared a time to celebrate and honour the caregivers in our communities across British Columbia who make the unconditional commitment to protect and care for some of our most vulnerable children and youth. I am pleased to announce that this October will mark the 33<sup>rd</sup> Foster Family Month in British Columbia.

As Minister of Children and Family Development, I would like to offer my sincere gratitude to caregivers who have stepped up when they are needed most. By embracing the challenges and rewards of caring for these children, they have made a huge difference in their lives, as well as the communities in which they reside. I have the deepest respect for the hard work that they have done and continue to do as caregivers. In being part of the lives of these young people, they fulfill many roles, including parent, mentor, teacher, friend, and cheerleader. Their efforts and compassion create a safe haven and a home while responding to each unique family situation. I wish to express my sincere gratitude for the warmth and dedication these caregivers and foster families have shown to the children and youth in their care. The support, guidance, and love they have shown will last a lifetime.

To help these children and youth, as part of *Budget 2023*, the Ministry of Children and Family Development increased monthly payments for foster caregivers by as much as 47 percent to ensure that these young people and those who care for them will have the support they need to build safe, stable and happy futures.

Please join me in celebrating October as Foster Family Month to show those in your communities how important the role of a foster caregiver is. I encourage you to celebrate foster families for the selfless work they do for the children, youth, and families of British Columbia.

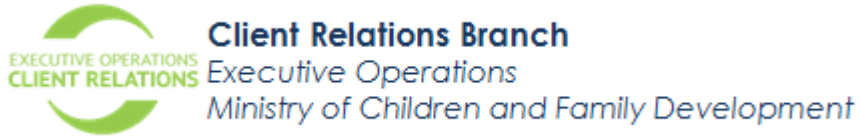
On behalf of the Government of British Columbia and its citizens, thank you for your continued support in recognizing foster caregivers.

Sincerely,

Mitzi Dean

Minister

*Sent on behalf of the Minister by:*



**This communication and any accompanying document is confidential and is intended solely for the addressed recipient(s). If you received this e-mail message in error, please delete the e-mail and any attachments and contact the Client Relations Branch, Ministry of Children and Family Development at: [MCF.Info@gov.bc.ca](mailto:MCF.Info@gov.bc.ca).**



## Angela Lund

---

**To:** RDCK Info  
**Subject:** RE: Attracting and Retaining International Workers to Rural Communities

**From:** British Columbia Economic Development Association <[info@bceda.ca](mailto:info@bceda.ca)>

**Sent:** September 29, 2023 8:57 AM

**To:** RDCK Info <[Info@rdck.ca](mailto:Info@rdck.ca)>

**Subject:** Attracting and Retaining International Workers to Rural Communities

**CAUTION** This email originated from outside the organization. Please proceed only if you trust the sender.



### **An Invitation to Collaborate:**

The Immigration Programs Branch in the Ministry of Municipal Affairs is inviting your community to attend a virtual Information Session on Wednesday, October 4, 2023, at 10 am, to learn more about opportunities to collaborate on attracting and retaining international workers to meet your local labour market needs through the British Columbia Provincial Nominee Program (BC PNP).

Last week during the UBCM Convention, Premier David Eby announced "[Stronger BC: Good Lives in Strong Communities](#)," a new vision that outlines investments to help build a brighter future for rural communities and the people who call them home. The vision mentions the BC PNP on page 33. In her address to UBCM convention delegates, Minister of Municipal Affairs Anne Kang highlighted how the BC PNP is supporting priority sectors like health, childcare and tech, as well as addressing regional labour market needs.

As the only provincial immigration tool to directly select prospective immigrants, the BC PNP enables the province to nominate international workers, entrepreneurs, and their families for permanent residency. The Immigration Programs Branch has been collaborating with more than 50 communities with a population of less than 75,000 since 2019 to attract entrepreneurs to smaller communities.

We are now expanding the collaboration to include more communities, and hope you will join us to learn more in this information session!

**When**            **Wednesday, October 4, 2023**  
                         **10 am – 12 pm (PST)**

To RSVP, please email [PNPConcierge@gov.bc.ca](mailto:PNPConcierge@gov.bc.ca) by **Monday, October 2, 2023**. A Microsoft Teams invite will follow.

### **Who should attend?**

- Economic development and other local government staff working with/for local government
- First Nations economic development staff/organizations
- Other economic or community development organizations (e.g., Regional Trusts, Chambers of Commerce, Community Futures, etc.)

## What will be discussed?

- Brief overview of the BC PNP
- Options and opportunities to collaborate
- Community readiness to participate
- Roles and responsibilities of communities and the provincial government
- Other considerations & next steps

We look forward to your participation!

***BCEDA respectfully acknowledges the traditional and unceded territory of the [Syilx Okanagan People](#), where we work and live, and the over 200 Nations throughout British Columbia.***

[Click here to unsubscribe.](#)

Message sent by The BCEDA Team < [info@bceda.ca](mailto:info@bceda.ca) >  
British Columbia Economic Development Association | 104 - 144 Power Street | Penticton, BC V2A 5W9

With thanks to my RDCK sponsor, I have attended numerous FCM meetings since being re-elected to the FCM Board at the Annual Conference in Toronto this past May.

British Columbia Delegates elected the following members to represent us; and FCM also appointed the listed non-Board Committee Members to round out our BC Caucus at 15 members:

Board:

- Leah Main - Caucus Chair - Silverton/RDCK
- Daniel Arbour - Caucus Vice-Chair - Comox Valley RD
- Rebecca Blight - Third Vice-President - Vancouver
- Chris Coleman - Victoria
- James Wang - Burnaby
- Louise Wallace-Richmond - Salmon Arm
- Lisa Dominato - Vancouver
- Will Cole-Hamilton - Courtenay
- Jen Ford - Whistler

Committees:

- Nancy Bepple - City of Kamloops
- Suzan Hewat - RDCK
- Michael Moses - City of Williams Lake
- Hilary Eastmure - City of Nanaimo
- Sean Wood - City of Parksville
- Trish Mandewo - UBCM President

This is the largest BC Caucus I have sat on since my first election in 2015. We have a significant voice in the organization.

As Caucus Chair I automatically sit on the Executive Committee, which generally meets monthly.

This year, the whole Executive Committee participated in a two-day Strategic Planning Retreat July 10 and 11, in Ottawa (with all travel and accommodation expenses paid by FCM), where we prepared for the coming year.

The first order of business at this Retreat was review and grounding in our responsibilities as Directors of a Not For Profit organization incorporated under the

Canada (federal) Not For Profit Act. Thus, our Duty of Care is to FCM above all - when sitting at any meeting, event, etc. we are representing FCM, not our individual constituencies (very similar to the fiduciary duty of RDCK Directors to this organization, not just to your individual municipality or rural area).

FCM Executive Committee is also responsible for the Green Municipal Fund (GMF), and reviews and approves all Grants and Loans vetted by the GMF Council, on a monthly basis. The GMF portfolio currently sits at \$1.6 Billion, fully funded by the federal government, and invested in a manner that produces ongoing fund growth. Therefore, issuance of Grants and Loans does not deplete the fund.

We are engaged in the development of a Board Code of Conduct, which we examined, in reference to our ongoing Diversity, Equity and Inclusion work; and are developing a robust, ongoing series of Orientation and Education workshops for all Board and Committee members that will be part of each of our three annual meetings (September, November and March).

The biggest change we considered, and agreed to implement, is to realign our Standing Committees (as recommended by the Governance Committee, on which I also sit), consolidating spheres of interest among some Committees, and eliminating others entirely as their domain is operational rather than policy (Member Relations, Conference Planning, and International Relations). Thus: Municipal Infrastructure & Transportation is now combined with Intergovernmental Relations & Finance to become Municipal Finance, Infrastructure and Transportation (FIT); and Anti-Racism, Equity & Inclusion (AREI) has been combined with Increasing Women's Participation in Local Government, with a strong Mandate to observe and work through intersectionality amongst all equity deserving groups (including but not limited to race, religion, gender, ethnicity, age, etc.). We also changed the Governance Working Group to a Standing Committee.

Our first Board Meeting was held over two weeks in September, with Committee meetings scheduled virtually September 5-8, and Governance, Forums, Committee of the Whole and Board of Directors meetings re-scheduled from our planned assembly in Yellowknife to virtual meetings September 12-14.

FCM Board makes determinations on Resolutions arising from Committees. The following Resolutions were considered. I will be happy to provide the Resolutions Book (PDF) to anyone who wants it:

- Implementing a Graduated Tier System for RCMP Cost-Sharing Agreements
- Increasing the Tax Credit for Volunteer Firefighters and Search and Rescue Volunteers
- Federal Mechanism to address inflationary costs through DMAF (Disaster Mitigation and Adaptation Fund)
- Insurability of Buildings in a Climate Crisis Context
- Resilient National Corridors
- Rural Transit Operating Funding
- Support for Ukrainian Refugees
- Federal Support for Literacy Programs

Approved Resolutions become active Policy and are assigned resources. After three years they can be reviewed to determine whether those files will remain active.

In addition to my assignments as Caucus Chair, I was voted in as Rural Forum co-Vice-Chair, along with Chair Neal Comeau (Sturgeon County, Alberta) and Co-Vice-Chair Mike Strachan (Torquay, Saskatchewan). This Forum identified a number of priorities in rural communities, including (but not limited to) Broadband, Infrastructure funding, and Housing.

FCMs major focus at this time, and leading into our November Advocacy Days in Ottawa, is development of a new Municipal Growth Framework. This is clearly identified on the FCM website with the following statement:

Municipalities play a crucial role in the lives of Canadians and propel our country forward. Every day, Canadian families and businesses rely on municipal roads and bridges, transit services, clean water and wastewater amenities, policing, emergency and public health services, environmental maintenance, as well as social, recreational and cultural facilities, public events and programs, and much more.

With Canada's growing population, our acute national challenges—including housing and homelessness, mental health, protecting our communities from the impacts of climate change, community safety and renewing core infrastructure—are more pressing than ever. Municipalities are rising to the challenge with leadership and innovation but are constrained by an outdated revenue framework never designed for the realities of 2023.

Our country's successful growth is intrinsically linked with our cities, towns and communities. That's why Canada's municipalities, through FCM, are calling for a new Municipal Growth Framework that empowers local governments with a tool that grows with Canada's national population and economy, ensuring they can continue to lead Canada's national challenges on the ground.

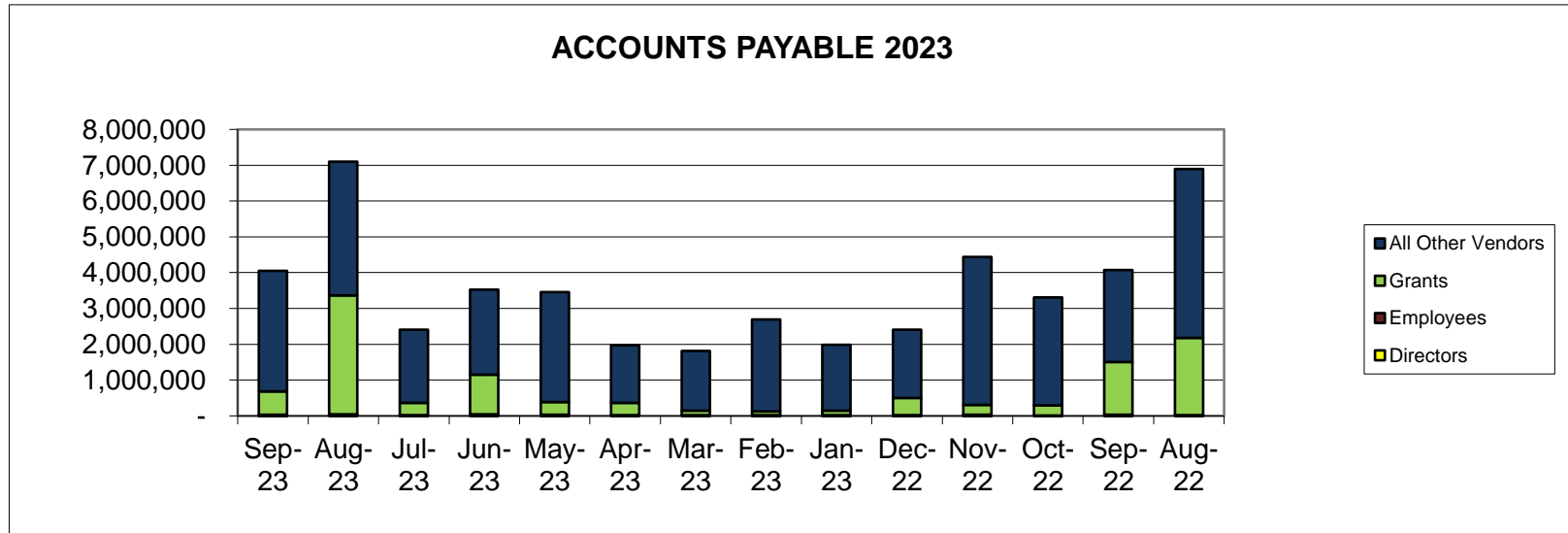
FCM has made a Pre-Budget submission to Parliament centred around the following 5 Recommendations:

- That the government work with FCM in the development of a Municipal Growth Framework, redefining the way we engage across orders of government and identifying new revenue tools that better link municipal resources with national economic and population growth, to improve the local services Canadians depend on.
- That the government partner with municipalities through the next generation of infrastructure funding programs to build, renew, and revitalize local infrastructure that supports thriving and growing communities, and meets the unique needs of municipalities no matter the size or region.
- That the government fully implement the National Adaptation Strategy by continuing to partner with municipalities to adapt to and mitigate growing climate risks—including through long-term investments in the Disaster Mitigation and Adaptation Fund—while building resilient, low-carbon communities that can accommodate future growth and meet Canada's climate objectives.
- That the government work with municipalities to ensure a better quality of life for all Canadians by addressing housing affordability, building the right kind of housing supply to support population growth, and taking the critical steps needed to achieve our shared goal of ending chronic homelessness in Canada.
- That the government meaningfully consult municipalities about decisions related to the future of RCMP contract policing, and work with all orders of government to address and invest in community-based mental health and substance use care.

Advocacy Days will be held November 21-24 In Ottawa, and we will use that opportunity to meet with MPs from all parties to highlight our priorities to them, and to hear from them on how they perceive the federal/local government relationship today and in the future.



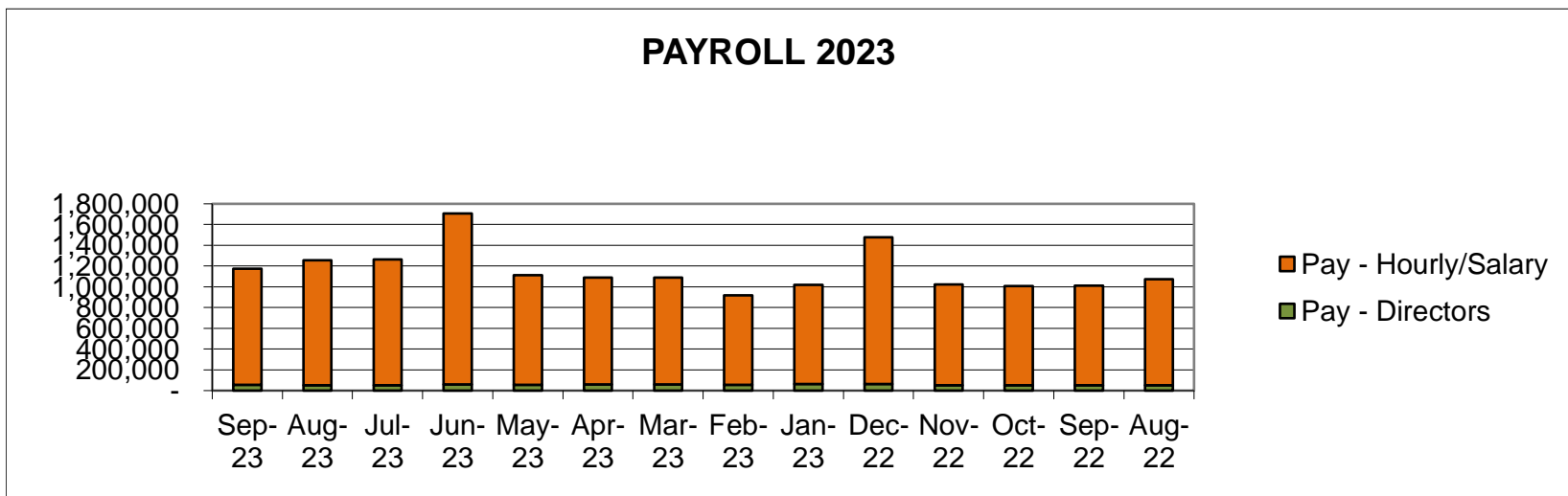
## Financial Expenditure Report for September 2023



	Number of Payments	Value	% of Total
	1,167	\$4,053,333	
<b>Top 80% of payments by value</b>	59	3,245,524	80%
<b>Remaining 20% of payments by value</b>	1,108	807,809	20%
<b>Total</b>		<b>\$4,053,333</b>	<b>100%</b>

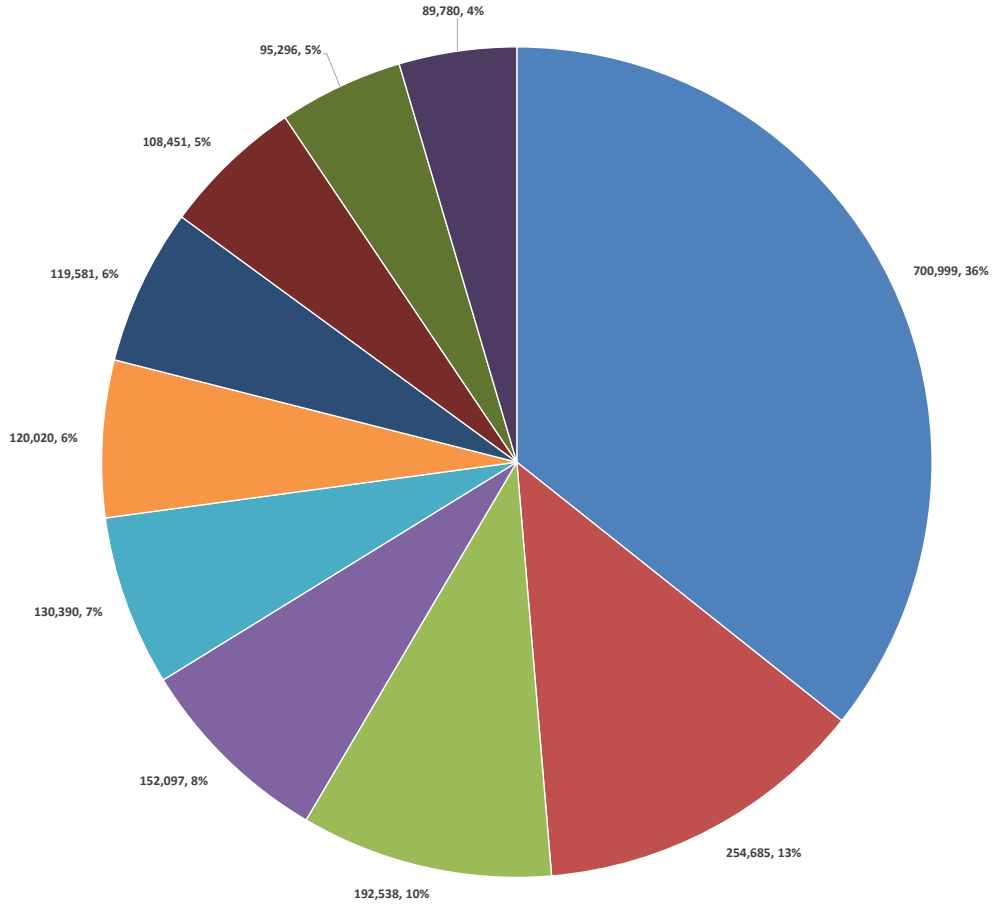
	Number of Payments	Value	% of Total
	1,167	\$4,053,333	
<b>Payments to Directors</b>	24	2,481	0.1%
<b>Payments to Employees</b>	101	34,571	0.9%
<b>Subtotal</b>		<b>37,052</b>	<b>0.9%</b>
<b>Discretionary and Community Development Grants</b>	57	646,822	16.0%
<b>Other Vendors</b>	985	3,369,459	83.1%
<b>Subtotal</b>		<b>4,016,281</b>	<b>99.1%</b>
<b>Total</b>		<b>\$4,053,333</b>	<b>100%</b>

Payment Method	Direct Deposit	% of Total	Cheques	% of Total
	1029	88%	138	12%



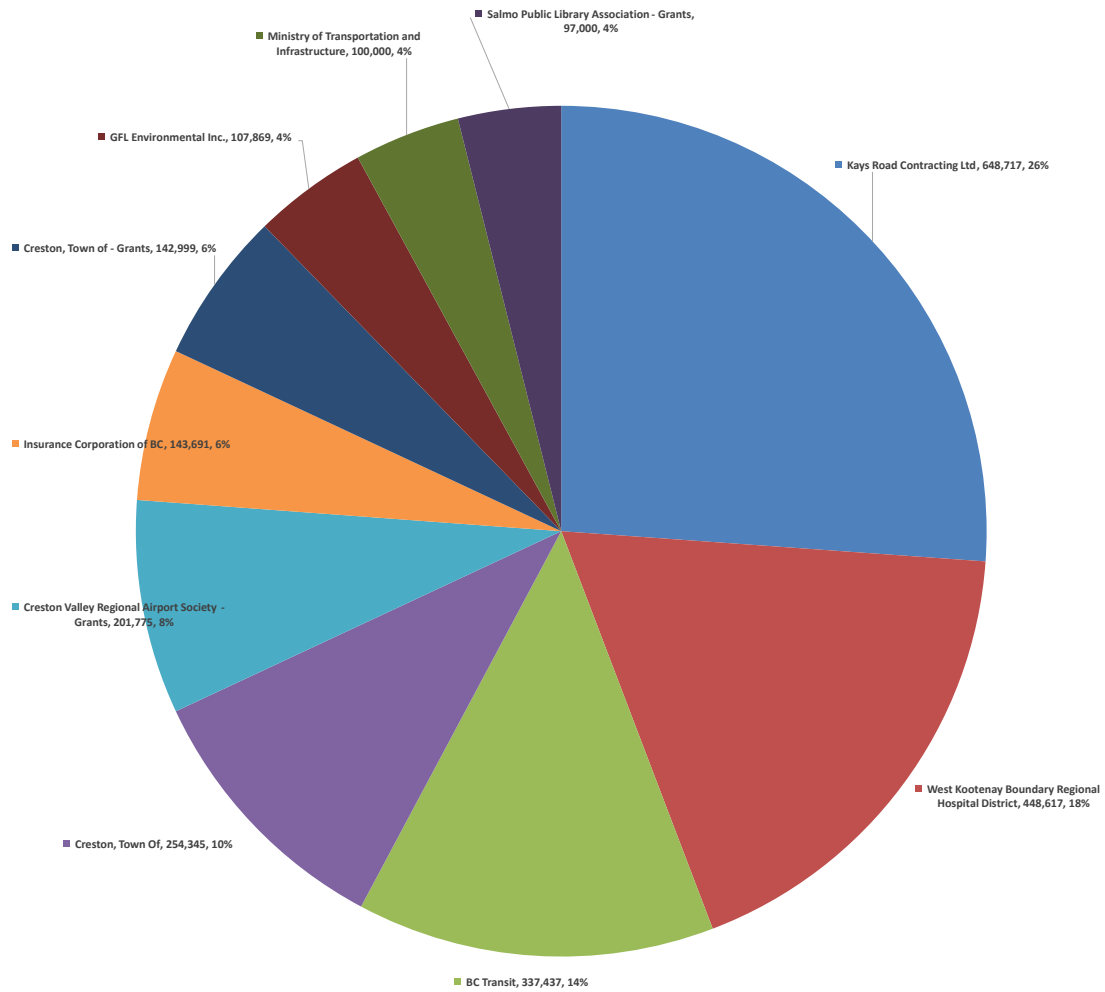
	Number of Payments	Value	% of Total
		\$1,175,903	100%
Directors		55,107	4.7%
Hourly/Salary		1,120,796	95.3%

## Top 10 Services by Amount Spent



- Water Utility-Area E (Balfour)
- Fire Protection-Area B (Canyon Lister)
- Refuse Disposal (Central Subregion)-Nelson, Kaslo, Salmo and Areas D, E, F, and G
- Water Utility-Area B (Arrow Creek)
- Rural Administration
- Transit-Kootenay Lake West
- Transit-North Shore and Slocan Valley
- Refuse Disposal (West Subregion)-Castlegar, New Denver, Slocan and Area H, I, J, and K
- Refuse Disposal (East Subregion)-Creston and Areas A, B and C
- Recreation Facility-Creston and Areas B, C and Area A

## Top 10 Vendors by Value



**Accounts Payable Top 80% of Payments for September 2023**

<b>Top 80% of payments by value</b>	<b>Number of Payments</b>	<b>Value</b>	
	<b>59</b>	<b>\$</b>	<b>3,245,524</b>
1022117 Alberta Ltd.	2	\$	84,134.16
Arrow Lakes Aggregates	1	\$	19,047.32
BC Transit	8	\$	337,437.02
Border Holdings Ltd.	1	\$	63,248.84
Boundary Fencing Ltd.	1	\$	15,681.77
Burton Community Association	1	\$	10,800.00
BWS Enterprise Ltd	1	\$	9,852.26
Canyon Community Association	1	\$	21,522.18
Cathro Consulting Ltd	2	\$	40,644.98
Central Kootenay Garbage Club Inc.	1	\$	9,817.50
Central Kootenay Invasive Species Society	1	\$	33,496.53
Creston Pet Adoption Welfare Society	1	\$	9,956.87
Creston Valley Regional Airport Society	1	\$	201,775.00
Creston, Town Of	1	\$	254,345.00
Creston, Town of	1	\$	142,998.58
Evoke Buildings Engineering Inc.	1	\$	20,448.75
FortisBC - Electricity	1	\$	17,346.08
Fortisbc - Natural Gas	1	\$	8,325.23
FPIInnovations	1	\$	12,206.25
Friends of Pulpit Rock Society	1	\$	18,000.00
GFL Environmental Inc.	4	\$	107,868.55
GHD Limited	1	\$	24,121.10
Heritage Roofing & Sheet Metal Ltd.	1	\$	24,710.17
Highland Consulting Ltd	1	\$	10,090.50
Insight Canada Inc.	2	\$	29,622.55
Insurance Corporation of BC	1	\$	143,691.00
Justice Institute Of Bc	1	\$	11,933.25
Kays Road Contracting Ltd	2	\$	648,717.23
KB Plumbing & Heating Ltd.	1	\$	10,834.80
Lister Community Association	1	\$	21,522.18
Minister of Finance	1	\$	7,933.55
Ministry of Transportation and Infrastructure	1	\$	100,000.00
Nelson Hydro	1	\$	31,467.78
Nelson, City Of	1	\$	19,574.20
Salmo Museum Society	1	\$	20,468.00
Salmo Public Library Association	1	\$	97,000.00
Salmo, Village of	1	\$	9,516.60
SRK Consulting (Canada) Inc.	1	\$	16,450.12
Stephen Regulatory Specialists Ltd. DBA: Stephen Engineeri	2	\$	63,010.71
Sundry Vendor	1	\$	13,500.00
Thurber Engineering Ltd.	1	\$	8,190.00
Trican Filtration Group Inc.	1	\$	34,643.36
West Kootenay Boundary Regional Hospital District	1	\$	448,617.00
Wild West Drilling Inc	1	\$	10,956.75

## Accounts Payable Bottom 20% of Payments for September 2023

Remaining 20% of payments by value	Number of Payments		Value
	1,108	\$	807,809
1217404 BC LTD DBA Trevor Hutt Bulldog	1	\$	157.50
1400142 BC Ltd.	1	\$	863.43
633410 BC Ltd DBA: LaFond Construction	1	\$	3,675.00
Ab Firetech Ltd	1	\$	2,332.73
Able Plastics Ltd	1	\$	987.85
ACE Courier Services	8	\$	1,375.89
Air Liquide Canada Inc	2	\$	161.10
Alberta Fire Chiefs Association	3	\$	837.95
All Around Septic Services Ltd	1	\$	1,168.13
Allaire, Michael	1	\$	206.72
Allen, Aiden	1	\$	130.56
ALS Canada Ltd.	4	\$	2,793.30
Aluma Systems Inc.	1	\$	2,723.07
Anderson, Pearl	1	\$	61.28
Andex Equipment Rentals	9	\$	2,255.77
Andrew Sheret Ltd	17	\$	5,593.34
Armstrong, Bill	1	\$	1,260.00
Arrow & Slocan Lakes Community Services (ASLCS)	1	\$	800.00
Arrow Mountain Carwash & Mini Storage Ltd	1	\$	3,150.00
Arrow Park Community Association	1	\$	5,760.00
Associated Fire Safety Equipment	3	\$	984.20
B&L Security Patrol (1981) Ltd	1	\$	1,867.95
B.C. Scale Co. Ltd.	1	\$	3,977.64
Babe's Automotive	1	\$	317.86
Balfour Senior Citizens Association Branch #120	2	\$	1,984.00
Barnhouse, Greg	2	\$	1,058.96
BC Housing	1	\$	120.75
BC Hydro & Power Authority	5	\$	2,060.29
BC Transit	2	\$	10,651.14
Beaudet, Philippe	1	\$	450.00
Beaver's Septic Tank Cleaning Service	2	\$	1,156.39
Bergeron, Genevieve	3	\$	877.20
BG Power Clean	1	\$	787.50
Bibby, Michael	1	\$	128.10
Black Press Group Ltd	7	\$	7,889.43
Bloomfield, Cory	1	\$	173.62
Bluebell Publishing	1	\$	42.00
Boswell & District Farmers Institute	1	\$	1,689.00
Boswell Memorial Hall Society	1	\$	1,522.00
Boswell, Dorian	1	\$	1,837.50
Breath Love Enterprises Ltd. O/A Mountain Valley Station	1	\$	456.17
Brikcon Masonry Ltd	1	\$	3,150.00
Briscoe, Ian	1	\$	590.24
Brogan Fire & Safety	7	\$	11,087.49
Burton Internet Society	1	\$	39.20
Canada Post Corporation - Remittance Processing	1	\$	10.94
Canadian Centre for Occupational Health and Safety	3	\$	99.75
Canadian Fitness Education Services Ltd	2	\$	1,062.32
Canadian Linen & Uniform	4	\$	377.32
CanCADD Imaging Solutions Ltd.	1	\$	2,293.49
CanGas Propane Inc.	6	\$	1,120.42
Canyon Community Association	1	\$	6,081.43
Case Grypma Mechanical LTD	1	\$	5,248.95
Castlegar Home Hardware	1	\$	51.49
Castlegar Machine & Chrome Ltd	1	\$	146.81
Castlegar, City Of	1	\$	262.50
CDW Canada Corp	2	\$	143.98
CentralSquare Canada Software Inc.	2	\$	2,598.76
Centrix Control Solutions LP	2	\$	3,562.61
Chef's Choice Authentic Street Food	1	\$	327.20
Chris Kellett & Associates Ltd	1	\$	5,355.00
CivicInfo BC	1	\$	1,785.00
Clark, Gerald	2	\$	136.00

Remaining 20% of payments by value	Number of Payments		Value
	1,108	\$	807,809
Classic Glass & Trim	2	\$	326.35
Cleartech Industries Inc	2	\$	4,470.35
CMJ Equipment	1	\$	777.00
Columbia Basin Broadband Corporation	1	\$	4,860.80
Columbia Wireless Inc	5	\$	408.80
Comfort Welding Ltd	7	\$	1,739.45
Cottonwood Autobody Ltd	1	\$	1,247.12
Coutu, Stephane	2	\$	3,552.12
Cover Architectural Collaborative Inc.	1	\$	588.00
Cowan's Office Supplies	20	\$	3,885.52
CPR Depot	1	\$	174.29
Cranbrook Water Conditioning Ltd.	1	\$	23.70
Crawford Bay & District Hall & Parks Association	1	\$	157.50
Crawford Bay Store	11	\$	1,373.00
Crescent Valley Community Hall Society	1	\$	40.00
Creston Card & Stationery	1	\$	101.17
Creston Valley Chamber Of Commerce	1	\$	2,651.25
Creston Valley Jr Hockey Society	2	\$	800.00
Creston Valley Rotary Club	3	\$	1,500.00
Creston, Town Of	1	\$	1,688.43
Creston, Town of	1	\$	2,000.00
Crosland, Brittany	2	\$	350.40
Cunningham, Hans	2	\$	88.40
Cupe Local 2262	1	\$	2,344.49
Cupe Local 748	1	\$	933.09
Custom Dozing Ltd	3	\$	5,647.25
Dave's Plumbing Ltd	4	\$	7,305.30
Davison, Trisha	1	\$	307.36
DB Perks & Associates Ltd	5	\$	8,578.50
DeBoon, Arnold Frank	1	\$	200.63
Deschenes, Felix	1	\$	75.00
DHC Communications Inc	6	\$	3,744.46
Dickieson, Nicole	1	\$	62.56
Dominion Govlaw LLP	2	\$	2,199.74
Doran, Andrew	2	\$	688.05
Durning, Stuart	1	\$	168.64
Dye, Shane	1	\$	412.92
East Shore Internet Society	2	\$	129.92
East Shore Trail & Bike Association	1	\$	2,352.00
Edgewood Volunteer Fire Department	1	\$	500.00
Emco Corporation	1	\$	100.35
Entandem	11	\$	1,883.41
Enviromarine Ltd	1	\$	1,511.80
Evans, Jillian	1	\$	119.68
Expresslane Deliveries	1	\$	395.47
Federated Co-Operatives Ltd	8	\$	2,953.21
Fehr, Carol	2	\$	1,219.24
Fergie, Barbara	1	\$	59.84
Ferguson, Colin	1	\$	131.50
Fergusson, Daniella	1	\$	1,312.50
Fishlock, Garrett	1	\$	104.12
Fluent Information Management Systems Inc	2	\$	7,560.00
FortisBC - Electricity	34	\$	25,930.14
Fortisbc - Natural Gas	1	\$	4,219.82
Four Star Communications Inc	1	\$	115.50
Fraser Valley Building Supplies Inc.	19	\$	1,045.10
Friends of Kootenay Lake Stewardship Soc.	1	\$	2,000.00
Froehlich, Clifford	1	\$	152.32
Gain, Thomas Scott	1	\$	2,275.00
Geo H Hewitt Co Ltd	1	\$	78.40
GFL Environmental Inc.	4	\$	6,529.09
GHD Limited	2	\$	10,393.41
Gilbert Parts Depot	17	\$	811.52
Gilbert, Ryan	2	\$	1,221.32
Glacier Valley Tree Care Ltd	1	\$	7,835.64
Glade Materials Testing	4	\$	5,394.38
Glendale Tire Ltd.	1	\$	67.20
GoTo Technologies Canada Ltd.	1	\$	406.56

Remaining 20% of payments by value	Number of Payments		Value
	1,108	\$	807,809
Graham, Cheryl Elaine	1	\$	45.14
Grant, Jeff	1	\$	249.32
Gray Creek Store	1	\$	36.91
Gray's Contracting	1	\$	367.50
Greene, Gregory	3	\$	1,988.94
Grill, Martin	1	\$	231.00
Guillevin International Inc	4	\$	2,229.18
Gutwin, Susan	1	\$	133.35
Habljak, Julia	1	\$	392.36
Hairy Productions Sound & Lighting	1	\$	105.00
Hall Printing	2	\$	102.59
Hansum, Donna	2	\$	84.35
Healthy Community Society of the North Slokan Valley	1	\$	1,080.00
Herman, Maria	1	\$	127.84
Hewgill, Mathew	1	\$	125.00
Highland Consulting Ltd	1	\$	5,655.47
Hipperson Hardware	2	\$	215.83
Hitchon, William DBA: 5th Gear	1	\$	2,600.00
Hopkyns, John (Chris)	1	\$	61.20
Horn, Stuart	1	\$	1,422.64
Hornby, Clayton	1	\$	209.98
Horse Association of Central Kootenay	1	\$	527.01
Hufty's Leasing Ltd	5	\$	7,514.12
Hume Hotel	4	\$	1,518.00
HuskyPro	1	\$	1,597.47
Hywood Truck & Equipment Ltd	6	\$	2,778.59
I.T. Blueprint Solutions Consulting Inc.	1	\$	1,581.16
Ihlen, Gord	1	\$	450.00
In the Air Networks	2	\$	204.40
Industrial Alliance Insurance and Financial Services Inc.	1	\$	911.30
Infosat Communications	1	\$	239.82
Inland Allcare	20	\$	7,666.44
Inland Kenworth (Castlegar)	2	\$	3,040.04
Insight Canada Inc.	1	\$	4,566.33
Insurance Corporation of BC	5	\$	1,927.00
Interior Health Authority - Environmental Health	1	\$	147.00
Iron Mountain	1	\$	380.07
Irwin Air Ltd	1	\$	146.58
Jackman, Garry	1	\$	98.33
Jakubow Enterprises Ltd o/a Canadian Tire Castlegar (492)	19	\$	1,877.58
James Ridge Consulting Inc.	1	\$	945.01
Jennifer Wickwire	1	\$	200.00
Kabatoff Sand & Gravel Ltd	3	\$	808.92
Kabel, Peter C	1	\$	1,000.00
Kal Tire (Nelson)	6	\$	2,850.54
Kaslo Building Maintenance	1	\$	609.00
Kaslo Front Street Market	3	\$	242.47
Kaslo Home Hardware	1	\$	73.33
Kaslo Infonet Society	2	\$	237.00
Kaslo Pump	1	\$	57.77
Kaslo, Village Of	1	\$	273.42
Kathy Gordon's Cleaning Services	6	\$	1,030.50
Kel Print	3	\$	206.54
Kelly, Patrick	1	\$	47.60
Kelly's Maintenance and Services	1	\$	2,625.00
KEM Services	3	\$	3,150.00
Kendrick Equipment (2003) Ltd	1	\$	4,126.75
Kennlyn Enterprises	1	\$	197.69
Kilburn, Jackie	1	\$	1,900.00
Kite Refrigeration	2	\$	2,716.01
Kokanee Chalets	1	\$	833.18
Kokanee Fire & Safety Ltd.	3	\$	1,678.05
Kone Inc	1	\$	1,537.70
Kootenay Carshare Cooperative	1	\$	1,411.98
Kootenay Glass & Mirror Ltd	4	\$	1,173.61
Kootenay Industrial Supply Ltd	15	\$	2,404.89
Kootenay Lake East Shore Men's Shed Society	1	\$	951.00
Kootenay Valley Water & Spas	5	\$	161.10



Remaining 20% of payments by value	Number of Payments		Value
	1,108	\$	807,809
Kootnikoff, Amy (Aimee)	1	\$	829.60
Korn Ferry Hay Group Ltd.	1	\$	2,625.00
Kyle, James D	1	\$	485.00
Lambert, Paul	1	\$	485.00
Laramée, David	1	\$	260.00
Lardeau Valley Community Club	1	\$	4,914.00
Laurie, Ashley	1	\$	264.59
Lawless, Kendrick AM	1	\$	1,298.49
Lay, Jessie	2	\$	223.72
LCL Enterprises	1	\$	3,348.24
Leffelaar, Steven A	1	\$	1,003.42
Lesperance Mendes	1	\$	1,154.72
Lidstone & Company	13	\$	21,256.40
Lifesaving Society (Burnaby)	6	\$	1,360.00
Lillies, Rebecca	2	\$	1,174.24
Little h Design Works	1	\$	7,485.19
Lockwood, Diana LD	1	\$	56.94
Lo-Cost Propane	1	\$	257.60
Loewen, Trevor	1	\$	59.84
Loomis Express	1	\$	62.13
Lordco Parts Ltd	7	\$	1,388.46
Luck, Kalen	1	\$	42.24
M.J Fabrication & Maintenance Welding	1	\$	4,368.00
Maglio, Benjamin	1	\$	44.88
Main Jet Motorsports Inc	6	\$	1,985.90
Manhas, Aditya	1	\$	141.44
Marshall, Charity	3	\$	369.03
Marshall, Jay T	1	\$	1,085.45
Martech Electrical Systems Ltd	2	\$	592.20
Martech Motor Winding Ltd	2	\$	5,575.77
Mayday Electric Ltd	4	\$	3,099.86
McCuaig, Stuart	1	\$	36.72
McElhanney Consulting Services Ltd	1	\$	2,415.00
McFaddin, Maria June	1	\$	66.74
McLaren-Caux, Aiden(Kenneth)	1	\$	199.24
Medical Technology Inc	1	\$	646.80
Mega Technical Holdings Ltd	1	\$	2,293.76
Mental Health Commission of Canada	1	\$	70.00
Mills Bros Construction Ltd	5	\$	3,859.80
Mills Office Productivity	3	\$	1,294.39
Minister of Finance	1	\$	73.37
Minister Of Finance - Product Distribution Centre	5	\$	916.89
Mitchell Supply Ltd	6	\$	275.48
Morissette, Taila	1	\$	111.24
Mountain Ridge Road Users Cooperative Association	1	\$	600.00
Mountain Transport Institute ltd	1	\$	145.00
Multigas Detection Ltd.	1	\$	1,582.40
MyZone Media Inc.	1	\$	1,981.23
Nanaimo, City of	9	\$	1,916.25
Napa Auto Parts (Castlegar)	1	\$	52.15
Navigata Communications Ltd. dba ThinkTel	1	\$	15.07
Nelson Building Centre Ltd	34	\$	2,564.39
Nelson Farmers Supply Ltd	18	\$	1,219.15
Nelson Hydro	13	\$	5,573.78
Nelson Search & Rescue	3	\$	1,500.00
Nelson Toyota	1	\$	198.23
Nelson, City Of	5	\$	11,406.72
Newell, Thomas	2	\$	38.18
Northstar Creston - Chev Olds Pontiac Buick	1	\$	112.09
Northtown Rental & Sales	1	\$	40.27
Olympic International Agencies Ltd	1	\$	506.01
Orkin Canada Corporation	2	\$	353.64
Overland West Freight Lines Ltd	2	\$	2,285.25
P.R.C. Cab Co. Ltd. DBA: Glacier Cab Company	2	\$	92.50
Paragon Micro Canada	5	\$	1,628.96
Pass Creek Community Hall	1	\$	2,000.00
Pass Creek Exhibition Society	1	\$	4,000.00
Pass Creek Neighbourhood Association	1	\$	5,400.00

Remaining 20% of payments by value	Number of Payments		Value
	1,108	\$	807,809
Passmore Laboratory Ltd	6	\$	1,500.00
Pennywise	2	\$	348.36
Pereversoff Automotive Repair	2	\$	5,184.46
Peters Custom Doors & More Inc.	1	\$	184.80
Peters, Cody	1	\$	81.60
Peyton, Claire DBA: Upstream Environmental Consulting	2	\$	4,633.35
Piche, Annabelle	1	\$	136.54
Pipe, Nicolai	2	\$	338.64
Pitney Bowes	3	\$	1,303.41
PNT Contracting	1	\$	3,325.35
Points West Technologies Ltd.	1	\$	1,124.21
Poirier, Guillaume	1	\$	221.74
Popoff, Walter A	2	\$	84.32
Prestige Lakeside Resort	1	\$	506.00
Priore, Amy-Beth	1	\$	44.88
Prism Engineering	1	\$	2,761.50
Procter-Harrop Seniors #118	1	\$	1,846.77
Pro-Cut Industries Ltd.	1	\$	114.24
Propane Busters Inc.	1	\$	6,558.77
Purolator Inc	3	\$	267.69
Pyramid Building Supplies	4	\$	391.00
Rae, Kerry	1	\$	90.00
Regional District of Central Okanagan	1	\$	5,556.00
Reliance Office Services Ltd	1	\$	2,415.00
Rfs Canada	1	\$	2,544.53
Ricalton, Ryan	1	\$	100.00
Ricoh Canada Inc	2	\$	118.31
Riondel & District Curling Club	1	\$	1,627.00
Riondel Cable Society	2	\$	80.00
Riverside Farm	7	\$	10,946.04
Roadpost Inc. T46274	2	\$	864.98
Robson Community Memorial Church	1	\$	6,750.00
Robson Fire Department Social Club	1	\$	1,200.00
Rocky Mountain Agencies	6	\$	22,366.85
Rocky Mountain Phoenix	2	\$	6,292.72
Roenspiess, Ethan (Kai)	2	\$	214.20
Rosebery-Bonanza-Summit Trail Alliance Society	1	\$	4,950.00
Roth IAMS	1	\$	6,069.04
Rowe, David	1	\$	105.00
Rutherglen, Cohen	1	\$	911.33
Salmo & District Arts Council (SDAC)	1	\$	570.00
Salmo Valley Youth & Community Centre	1	\$	866.67
Schmidt, Julie	1	\$	108.80
Seguin, Daniel	1	\$	162.84
Selkirk College (Nelson)	1	\$	199.00
Selkirk Irrigation Services	1	\$	126.30
Selkirk Security Services Ltd	1	\$	63.01
Seminoff, Michelle	2	\$	3,900.00
Sfj Inc	1	\$	3,399.95
Sharma, Kunal	1	\$	485.00
Shaw Buisness A division of Shaw Telecom G.P.	1	\$	1,194.09
Shaw Cable	21	\$	3,044.95
Shoreacres Community Cemetery	1	\$	530.00
Shoreacres Hall Society	1	\$	1,000.00
Shulman, Barak	2	\$	336.45
Simon's Garage Door Services	3	\$	1,933.05
Sinclair, Alexander	1	\$	2,900.00
Sk Electronics Ltd	19	\$	3,938.01
Skyway Hardware	2	\$	199.59
Slocan Park Community Hall Society	2	\$	1,074.75
Slocan Park Repair	2	\$	767.97
Slocan Valley Home Hardware	3	\$	408.69
SLR Consulting (Canada) Ltd.	3	\$	7,726.06
Smienk, Johannes	1	\$	10.50
Smith Cameron Process Solutions	2	\$	2,857.12
Smith, Heather	1	\$	684.06
Smith, Kirk	1	\$	170.00
Smith, Ricky	2	\$	121.24

Remaining 20% of payments by value	Number of Payments		Value
	1,108	\$	807,809
SMP	2	\$	1,766.12
Sommerfeldt, Jacob	1	\$	127.84
South Kootenay Lake Art Connect Society	1	\$	1,427.00
South Kootenay Lake Community Service Society	6	\$	6,426.00
Speedpro Signs	1	\$	616.51
Speedpro Signs (Trail)	1	\$	2,688.00
Sperling Hansen Associates Inc	1	\$	358.92
Stafford Welding	4	\$	6,788.25
Sterling Backcheck Canada Corp.	1	\$	93.18
Stewart Mcdannold Stuart	1	\$	4,110.40
Stewart, Heather	1	\$	39.00
Storey, Clarissa	1	\$	678.91
Strong Data Inc.	2	\$	11,718.01
Summit Valve & Controls (BC) Inc.	1	\$	504.00
Sun Life Assurance Company of Canada	2	\$	1,123.98
Sundry Vendor	31	\$	18,627.15
Sykes Audio Visual Holdings Inc.	1	\$	1,453.20
Taghum Community Hall Society	1	\$	600.00
Taghum Shell (1997)	24	\$	2,105.75
Tarry's & District Community Hall Society	1	\$	2,000.00
Technical Safety BC	1	\$	617.40
Telus Communications Inc	5	\$	8,214.14
Telus Communications Inc. Mascon by Telus	4	\$	291.20
Thiele, Dustin	3	\$	1,060.00
ThinkTel	1	\$	324.37
Thurber Engineering Ltd.	1	\$	2,304.03
Tierney, Roger Bruce	2	\$	366.12
Tip-it Waste Solutions Kootenay	3	\$	751.80
TRAFx Research Ltd	1	\$	525.00
Tremlock Properties Ltd	2	\$	1,686.57
Trican Filtration Group Inc.	1	\$	2,571.46
Tucker the Plumber	1	\$	362.25
Tu-Dor Lock & Safe Ltd	6	\$	927.42
Tursa Group Inc.	1	\$	2,047.50
Twin Rivers Controls Ltd	1	\$	384.30
Uline Canada Corporation	6	\$	5,220.25
Union of Spiritual Communities of Christ-Grand Forks	1	\$	4,500.00
United Rentals Of Canada	1	\$	2,745.10
Univar Canada Ltd	1	\$	1,507.88
Valley Voice Ltd	5	\$	1,659.51
Van Kam Freightways Ltd	2	\$	1,497.07
Vandenbergh, Kelly	1	\$	173.60
VH Sport Canada	5	\$	1,354.53
Vista Radio Ltd	1	\$	504.00
Vitalaire Canada Inc	2	\$	77.52
Vousden, Jodi	3	\$	2,542.64
W.H. Excavating	2	\$	1,673.45
Wasp Manufacturing Ltd.	2	\$	4,712.77
Waste Management	19	\$	9,047.50
Watson, Aimee	4	\$	598.40
Weatherhead, Teresa A	1	\$	201.96
Weber, Matthew J	1	\$	485.00
Wesco Distribution-Canada Inc	1	\$	1.88
West K Concrete Ltd.	2	\$	64.06
WEX Canada Ltd.	1	\$	3,838.19
WFR Wholesale Fire & Rescue Ltd	6	\$	4,990.86
Wheeler, Tracy	1	\$	98.60
Wight, Nelson	1	\$	218.64
Wilkinson, James	2	\$	1,017.28
Winlaw Mini-Mart	1	\$	213.11
Winter, Julie	2	\$	320.80
Wolseley Waterworks Branch	4	\$	16,893.91
Wood Wyant Inc	7	\$	6,089.98
Wood, Roy	1	\$	860.86
Xplore Inc.	1	\$	117.04
Yahk Allied Horse Club	1	\$	5,000.00
Yahk-Kingsgate Recreation Society	2	\$	2,600.00
Yellow Pages Group	1	\$	0.52

Remaining 20% of payments by value	Number of Payments		Value
	1,108	\$	807,809
Ymir Community Association	2	\$	8,075.00
Zimich, Robert	2	\$	753.44
Zone West Enterprises Ltd	1	\$	543.20

**Employees and Directors September 2023**

<b>Directors</b>	<b>Number of Payments</b>		<b>Value</b>
	<b>24</b>		<b>2,481</b>
Cunningham, Hans	2	\$	88.40
DeBoon, Arnold Frank	1	\$	200.63
Ferguson, Colin	1	\$	131.50
Graham, Cheryl Elaine	1	\$	45.14
Jackman, Garry	1	\$	98.33
Lockwood, Diana LD	1	\$	56.94
McFaddin, Maria June	1	\$	66.74
McLaren-Caux, Aiden(Kenneth)	1	\$	199.24
Newell, Thomas	2	\$	38.18
Popoff, Walter A	2	\$	84.32
Smienk, Johannes	1	\$	10.50
Smith, Ricky	2	\$	121.24
Tierney, Roger Bruce	2	\$	366.12
Vandenberghe, Kelly	1	\$	173.60
Watson, Aimee	4	\$	598.40
Weatherhead, Teresa A	1	\$	201.96

<b>Employees</b>	<b>Number of Payments</b>		<b>Value</b>
	<b>101</b>	<b>\$</b>	<b>34,571</b>
Allaire, Michael	1	\$	206.72
Allen, Aiden	1	\$	130.56
Anderson, Pearl	1	\$	61.28
Barnhouse, Greg	2	\$	1,058.96
Beaudet, Philippe	1	\$	450.00
Bergeron, Genevieve	3	\$	877.20
Bibby, Michael	1	\$	128.10
Bloomfield, Cory	1	\$	173.62
Briscoe, Ian	1	\$	590.24
Clark, Gerald	2	\$	136.00
Coutu, Stephane	2	\$	3,552.12
Crosland, Brittany	2	\$	350.40
Davison, Trisha	1	\$	307.36
Deschenes, Felix	1	\$	75.00
Dickieson, Nicole	1	\$	62.56
Doran, Andrew	2	\$	688.05
Durning, Stuart	1	\$	168.64
Dye, Shane	1	\$	412.92
Evans, Jillian	1	\$	119.68
Fehr, Carol	2	\$	1,219.24
Fergie, Barbara	1	\$	59.84
Fishlock, Garrett	1	\$	104.12
Froehlich, Clifford	1	\$	152.32
Gilbert, Ryan	2	\$	1,221.32
Grant, Jeff	1	\$	249.32
Greene, Gregory	3	\$	1,988.94
Grill, Martin	1	\$	231.00
Gutwin, Susan	1	\$	133.35
Habljak, Julia	1	\$	392.36
Hansum, Donna	2	\$	84.35
Herman, Maria	1	\$	127.84
Hopkyns, John (Chris)	1	\$	61.20
Horn, Stuart	1	\$	1,422.64
Hornby, Clayton	1	\$	209.98
Ihlen, Gord	1	\$	450.00
Kabel, Peter C	1	\$	1,000.00
Kelly, Patrick	1	\$	47.60
Kootnikoff, Amy (Aimee)	1	\$	829.60
Kyle, James D	1	\$	485.00
Lambert, Paul	1	\$	485.00
Laramée, David	1	\$	260.00
Laurie, Ashley	1	\$	264.59
Lawless, Kendrick AM	1	\$	1,298.49
Lay, Jessie	2	\$	223.72
Leffelaar, Steven A	1	\$	1,003.42
Lillies, Rebecca	2	\$	1,174.24
Loewen, Trevor	1	\$	59.84
Luck, Kalen	1	\$	42.24
Maglio, Benjamin	1	\$	44.88
Manhas, Aditya	1	\$	141.44
Marshall, Charity	3	\$	369.03
Marshall, Jay T	1	\$	1,085.45
McCuaig, Stuart	1	\$	36.72
Morissette, Taila	1	\$	111.24
Peters, Cody	1	\$	81.60
Piche, Annabelle	1	\$	136.54

Employees	Number of Payments		Value
	101	\$	
Pipe, Nicolai	2	\$	338.64
Poirier, Guillaume	1	\$	221.74
Priore, Amy-Beth	1	\$	44.88
Rae, Kerry	1	\$	90.00
Ricalton, Ryan	1	\$	100.00
Roenspiess, Ethan (Kai)	2	\$	214.20
Rowe, David	1	\$	105.00
Schmidt, Julie	1	\$	108.80
Seguin, Daniel	1	\$	162.84
Sharma, Kunal	1	\$	485.00
Shulman, Barak	2	\$	336.45
Smith, Heather	1	\$	684.06
Smith, Kirk	1	\$	170.00
Sommerfeldt, Jacob	1	\$	127.84
Storey, Clarissa	1	\$	678.91
Vousden, Jodi	1	\$	110.00
Weber, Matthew J	1	\$	485.00
Wheeler, Tracy	1	\$	98.60
Wight, Nelson	1	\$	218.64
Wilkinson, James	2	\$	1,017.28
Winter, Julie	2	\$	320.80
Wood, Roy	1	\$	860.86
Zimich, Robert	2	\$	753.44

**Accounts Payable for September 2023 Breakdown by Type of Payment**

Discretionary, Community Development, and Other Grants	Number of Payments		646,822
	57	\$	
Arrow & Slocan Lakes Community Services (ASLCS)	1	\$	800.00
Arrow Park Community Association	1	\$	5,760.00
Balfour Senior Citizens Association Branch #120	2	\$	1,984.00
Boswell & District Farmers Institute	1	\$	1,689.00
Boswell Memorial Hall Society	1	\$	1,522.00
Burton Community Association	1	\$	10,800.00
Canyon Community Association	2	\$	27,603.61
Creston Pet Adoption Welfare Society	1	\$	9,956.87
Creston Valley Jr Hockey Society	2	\$	800.00
Creston Valley Regional Airport Society	1	\$	201,775.00
Creston Valley Rotary Club	3	\$	1,500.00
Creston, Town of	2	\$	144,998.58
East Shore Trail & Bike Association	1	\$	2,352.00
Edgewood Volunteer Fire Department	1	\$	500.00
Friends of Kootenay Lake Stewardship Soc.	1	\$	2,000.00
Friends of Pulpit Rock Society	1	\$	18,000.00
Healthy Community Society of the North Slocan Valley	1	\$	1,080.00
Horse Association of Central Kootenay	1	\$	527.01
Kootenay Lake East Shore Men's Shed Society	1	\$	951.00
Lardeau Valley Community Club	1	\$	4,914.00
Lister Community Association	1	\$	21,522.18
Mountain Ridge Road Users Cooperative Association	1	\$	600.00
Nelson Search & Rescue	3	\$	1,500.00
Pass Creek Community Hall	1	\$	2,000.00
Pass Creek Exhibition Society	1	\$	4,000.00
Pass Creek Neighbourhood Association	1	\$	5,400.00
Procter-Harrop Seniors #118	1	\$	1,846.77
Riondel & District Curling Club	1	\$	1,627.00
Robson Community Memorial Church	1	\$	6,750.00
Rosebery-Bonanza-Summit Trail Alliance Society	1	\$	4,950.00
Salmo & District Arts Council (SDAC)	1	\$	570.00
Salmo Museum Society	1	\$	20,468.00
Salmo Public Library Association	1	\$	97,000.00
Salmo, Village of	1	\$	9,516.60
Shoreacres Community Cemetery	1	\$	530.00
Shoreacres Hall Society	1	\$	1,000.00
South Kootenay Lake Art Connect Society	1	\$	1,427.00
South Kootenay Lake Community Service Society	6	\$	6,426.00
Taghum Community Hall Society	1	\$	600.00
Tarry's & District Community Hall Society	1	\$	2,000.00
Union of Spiritual Communities of Christ-Grand Forks	1	\$	4,500.00
Yahk Allied Horse Club	1	\$	5,000.00
Ymir Community Association	2	\$	8,075.00



**Accounts Payable for September 2023 Breakdown by Type of Payment**

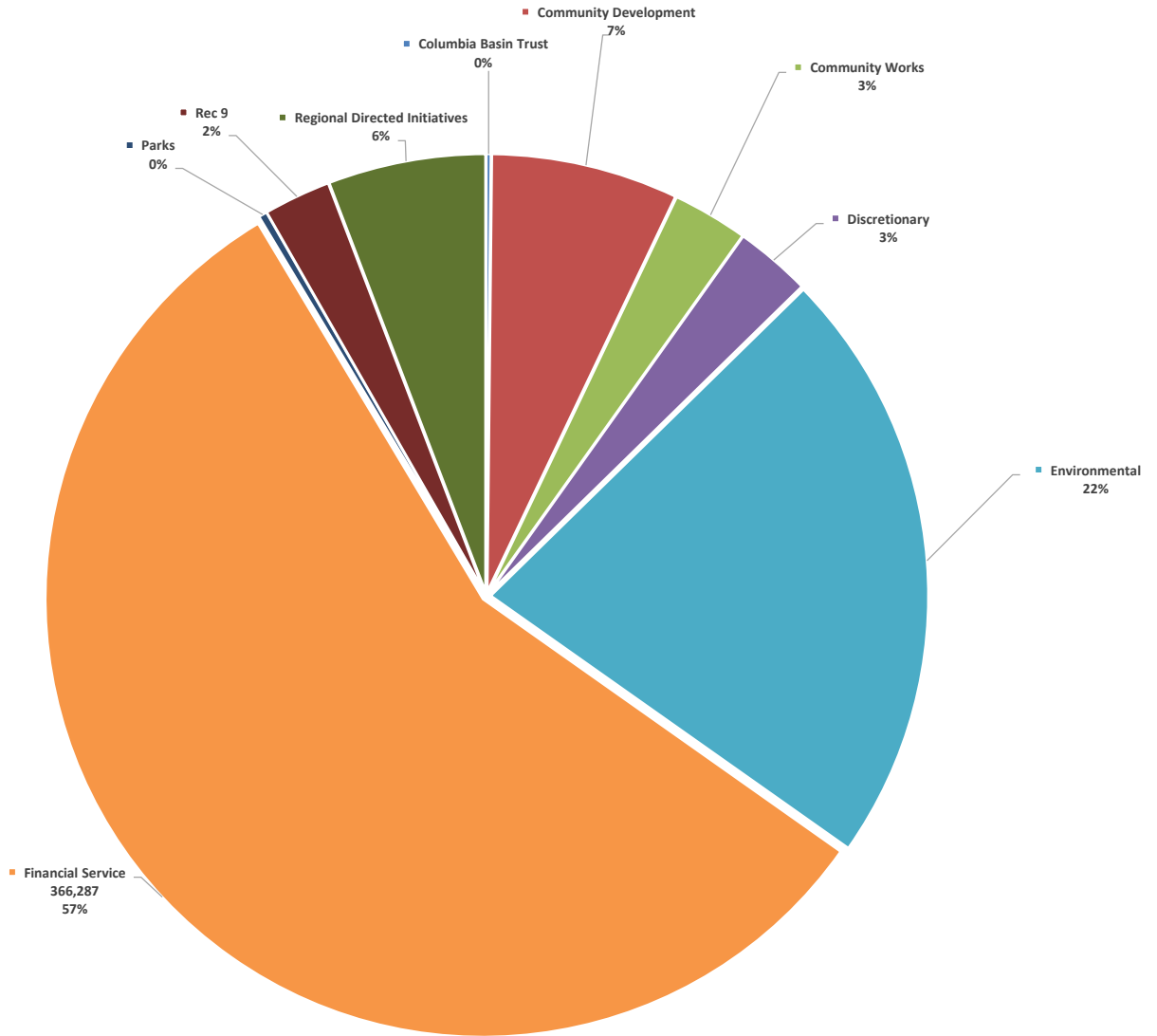
All Other Vendors	Number of Payments		Value
	985	\$	
			<b>3,369,459</b>
1022117 Alberta Ltd.	2	\$	84,134.16
1217404 BC LTD DBA Trevor Hutt Bulldog	1	\$	157.50
1400142 BC Ltd.	1	\$	863.43
633410 BC Ltd DBA: LaFond Construction	1	\$	3,675.00
Ab Firetech Ltd	1	\$	2,332.73
Able Plastics Ltd	1	\$	987.85
ACE Courier Services	8	\$	1,375.89
Air Liquide Canada Inc	2	\$	161.10
Alberta Fire Chiefs Association	3	\$	837.95
All Around Septic Services Ltd	1	\$	1,168.13
ALS Canada Ltd.	4	\$	2,793.30
Aluma Systems Inc.	1	\$	2,723.07
Andex Equipment Rentals	9	\$	2,255.77
Andrew Sheret Ltd	17	\$	5,593.34
Armstrong, Bill	1	\$	1,260.00
Arrow Lakes Aggregates	1	\$	19,047.32
Arrow Mountain Carwash & Mini Storage Ltd	1	\$	3,150.00
Associated Fire Safety Equipment	3	\$	984.20
B&L Security Patrol (1981) Ltd	1	\$	1,867.95
B.C. Scale Co. Ltd.	1	\$	3,977.64
Babe's Automotive	1	\$	317.86
BC Housing	1	\$	120.75
BC Hydro & Power Authority	5	\$	2,060.29
BC Transit	10	\$	348,088.16
Beaver's Septic Tank Cleaning Service	2	\$	1,156.39
BG Power Clean	1	\$	787.50
Black Press Group Ltd	7	\$	7,889.43
Bluebell Publishing	1	\$	42.00
Border Holdings Ltd.	1	\$	63,248.84
Boswell, Dorian	1	\$	1,837.50
Boundary Fencing Ltd.	1	\$	15,681.77
Breath Love Enterprises Ltd. O/A Mountain Valley Station	1	\$	456.17
Brikcon Masonry Ltd	1	\$	3,150.00
Brogan Fire & Safety	7	\$	11,087.49
Burton Internet Society	1	\$	39.20
BWS Enterprise Ltd	1	\$	9,852.26
Canada Post Corporation - Remittance Processing	1	\$	10.94
Canadian Centre for Occupational Health and Safety	3	\$	99.75
Canadian Fitness Education Services Ltd	2	\$	1,062.32
Canadian Linen & Uniform	4	\$	377.32
CanCADD Imaging Solutions Ltd.	1	\$	2,293.49
CanGas Propane Inc.	6	\$	1,120.42
Case Grypma Mechanical LTD	1	\$	5,248.95
Castlegar Home Hardware	1	\$	51.49
Castlegar Machine & Chrome Ltd	1	\$	146.81
Castlegar, City Of	1	\$	262.50
Cathro Consulting Ltd	2	\$	40,644.98
CDW Canada Corp	2	\$	143.98
Central Kootenay Garbage Club Inc.	1	\$	9,817.50
Central Kootenay Invasive Species Society	1	\$	33,496.53
CentralSquare Canada Software Inc.	2	\$	2,598.76
Centrix Control Solutions LP	2	\$	3,562.61
Chef's Choice Authentic Street Food	1	\$	327.20
Chris Kellett & Associates Ltd	1	\$	5,355.00
CivicInfo BC	1	\$	1,785.00
Classic Glass & Trim	2	\$	326.35
Cleartech Industries Inc	2	\$	4,470.35
CMJ Equipment	1	\$	777.00
Columbia Basin Broadband Corporation	1	\$	4,860.80
Columbia Wireless Inc	5	\$	408.80
Comfort Welding Ltd	7	\$	1,739.45
Cottonwood Autobody Ltd	1	\$	1,247.12
Cover Architectural Collaborative Inc.	1	\$	588.00
Cowan's Office Supplies	20	\$	3,885.52
CPR Depot	1	\$	174.29
Cranbrook Water Conditioning Ltd.	1	\$	23.70
Crawford Bay & District Hall & Parks Association	1	\$	157.50
Crawford Bay Store	11	\$	1,373.00
Crescent Valley Community Hall Society	1	\$	40.00
Creston Card & Stationery	1	\$	101.17
Creston Valley Chamber Of Commerce	1	\$	2,651.25
Creston, Town Of	2	\$	256,033.43
Cupe Local 2262	1	\$	2,344.49
Cupe Local 748	1	\$	933.09
Custom Dozing Ltd	3	\$	5,647.25
Dave's Plumbing Ltd	4	\$	7,305.30
DB Perks & Associates Ltd	5	\$	8,578.50
DHC Communications Inc	6	\$	3,744.46
Dominion Govlaw LLP	2	\$	2,199.74
East Shore Internet Society	2	\$	129.92
Emco Corporation	1	\$	100.35
Entandem	11	\$	1,883.41
Enviromarine Ltd	1	\$	1,511.80
Evoke Buildings Engineering Inc.	1	\$	20,448.75
Expresslane Deliveries	1	\$	395.47
Federated Co-Operatives Ltd	8	\$	2,953.21
Fergusson, Daniella	1	\$	1,312.50
Fluent Information Management Systems Inc	2	\$	7,560.00
FortisBC - Electricity	35	\$	43,276.22

All Other Vendors	Number of Payments		Value
	985	\$	
			<b>3,369,459</b>
Fortisbc - Natural Gas	2	\$	12,545.05
Four Star Communications Inc	1	\$	115.50
FPInnovations	1	\$	12,206.25
Fraser Valley Building Supplies Inc.	19	\$	1,045.10
Gain, Thomas Scott	1	\$	2,275.00
Geo H Hewitt Co Ltd	1	\$	78.40
GFL Environmental Inc.	8	\$	114,397.64
GHD Limited	3	\$	34,514.51
Gilbert Parts Depot	17	\$	811.52
Glacier Valley Tree Care Ltd	1	\$	7,835.64
Glade Materials Testing	4	\$	5,394.38
Glendale Tire Ltd.	1	\$	67.20
GoTo Technologies Canada Ltd.	1	\$	406.56
Gray Creek Store	1	\$	36.91
Gray's Contracting	1	\$	367.50
Guillevin International Inc	4	\$	2,229.18
Hairy Productions Sound & Lighting	1	\$	105.00
Hall Printing	2	\$	102.59
Heritage Roofing & Sheet Metal Ltd.	1	\$	24,710.17
Hewgill, Mathew	1	\$	125.00
Highland Consulting Ltd	2	\$	15,745.97
Hipperson Hardware	2	\$	215.83
Hitchon, William DBA: 5th Gear	1	\$	2,600.00
Hufty's Leasing Ltd	5	\$	7,514.12
Hume Hotel	4	\$	1,518.00
HuskyPro	1	\$	1,597.47
Hywood Truck & Equipment Ltd	6	\$	2,778.59
I.T. Blueprint Solutions Consulting Inc.	1	\$	1,581.16
In the Air Networks	2	\$	204.40
Industrial Alliance Insurance and Financial Services Inc.	1	\$	911.30
Infosat Communications	1	\$	239.82
Inland Allcare	20	\$	7,666.44
Inland Kenworth (Castlegar)	2	\$	3,040.04
Insight Canada Inc.	3	\$	34,188.88
Insurance Corporation of BC	6	\$	145,618.00
Interior Health Authority - Environmental Health	1	\$	147.00
Iron Mountain	1	\$	380.07
Irwin Air Ltd	1	\$	146.58
Jakubow Enterprises Ltd o/a Canadian Tire Castlegar (492)	19	\$	1,877.58
James Ridge Consulting Inc.	1	\$	945.01
Jennifer Wickwire	1	\$	200.00
Justice Institute Of Bc	1	\$	11,933.25
Kabatoff Sand & Gravel Ltd	3	\$	808.92
Kal Tire (Nelson)	6	\$	2,850.54
Kaslo Building Maintenance	1	\$	609.00
Kaslo Front Street Market	3	\$	242.47
Kaslo Home Hardware	1	\$	73.33
Kaslo Infonet Society	2	\$	237.00
Kaslo Pump	1	\$	57.77
Kaslo, Village Of	1	\$	273.42
Kathy Gordon's Cleaning Services	6	\$	1,030.50
Kays Road Contracting Ltd	2	\$	648,717.23
KB Plumbing & Heating Ltd.	1	\$	10,834.80
Kel Print	3	\$	206.54
Kelly's Maintenance and Services	1	\$	2,625.00
KEM Services	3	\$	3,150.00
Kendrick Equipment (2003) Ltd	1	\$	4,126.75
Kennlyn Enterprises	1	\$	197.69
Kilburn, Jackie	1	\$	1,900.00
Kite Refrigeration	2	\$	2,716.01
Kokanee Chalets	1	\$	833.18
Kokanee Fire & Safety Ltd.	3	\$	1,678.05
Kone Inc	1	\$	1,537.70
Kootenay Carshare Cooperative	1	\$	1,411.98
Kootenay Glass & Mirror Ltd	4	\$	1,173.61
Kootenay Industrial Supply Ltd	15	\$	2,404.89
Kootenay Valley Water & Spas	5	\$	161.10
Korn Ferry Hay Group Ltd.	1	\$	2,625.00
LCL Enterprises	1	\$	3,348.24
Lesperance Mendes	1	\$	1,154.72
Lidstone & Company	13	\$	21,256.40
Lifesaving Society (Burnaby)	6	\$	1,360.00
Little h Design Works	1	\$	7,485.19
Lo-Cost Propane	1	\$	257.60
Loomis Express	1	\$	62.13
Lordco Parts Ltd	7	\$	1,388.46
M.J Fabrication & Maintenance Welding	1	\$	4,368.00
Main Jet Motorsports Inc	6	\$	1,985.90
Martech Electrical Systems Ltd	2	\$	592.20
Martech Motor Winding Ltd	2	\$	5,575.77
Mayday Electric Ltd	4	\$	3,099.86
McElhanney Consulting Services Ltd	1	\$	2,415.00
Medical Technology Inc	1	\$	646.80
Mega Technical Holdings Ltd	1	\$	2,293.76
Mental Health Commission of Canada	1	\$	70.00
Mills Bros Construction Ltd	5	\$	3,859.80
Mills Office Productivity	3	\$	1,294.39
Minister of Finance	2	\$	8,006.92
Minister Of Finance - Product Distribution Centre	5	\$	916.89
Ministry of Transportation and Infrastructure	1	\$	100,000.00
Mitchell Supply Ltd	6	\$	275.48
Mountain Transport Institute Ltd	1	\$	145.00
Multigas Detection Ltd.	1	\$	1,582.40
MyZone Media Inc.	1	\$	1,981.23

All Other Vendors	Number of Payments		Value
	985	\$	
			<b>3,369,459</b>
Nanaimo, City of	9	\$	1,916.25
Napa Auto Parts (Castlegar)	1	\$	52.15
Navigata Communications Ltd. dba ThinkTel	1	\$	15.07
Nelson Building Centre Ltd	34	\$	2,564.39
Nelson Farmers Supply Ltd	18	\$	1,219.15
Nelson Hydro	14	\$	37,041.56
Nelson Toyota	1	\$	198.23
Nelson, City Of	6	\$	30,980.92
Northstar Creston - Chev Olds Pontiac Buick	1	\$	112.09
Northtown Rental & Sales	1	\$	40.27
Olympic International Agencies Ltd	1	\$	506.01
Orkin Canada Corporation	2	\$	353.64
Overland West Freight Lines Ltd	2	\$	2,285.25
P.R.C. Cab Co. Ltd. DBA: Glacier Cab Company	2	\$	92.50
Paragon Micro Canada	5	\$	1,628.96
Passmore Laboratory Ltd	6	\$	1,500.00
Pennywise	2	\$	348.36
Pereversoff Automotive Repair	2	\$	5,184.46
Peters Custom Doors & More Inc.	1	\$	184.80
Peyton, Claire DBA: Upstream Environmental Consulting	2	\$	4,633.35
Pitney Bowes	3	\$	1,303.41
PNT Contracting	1	\$	3,325.35
Points West Technologies Ltd.	1	\$	1,124.21
Prestige Lakeside Resort	1	\$	506.00
Prism Engineering	1	\$	2,761.50
Pro-Cut Industries Ltd.	1	\$	114.24
Propane Busters Inc.	1	\$	6,558.77
Purulator Inc	3	\$	267.69
Pyramid Building Supplies	4	\$	391.00
Regional District of Central Okanagan	1	\$	5,556.00
Reliance Office Services Ltd	1	\$	2,415.00
Rfs Canada	1	\$	2,544.53
Ricoh Canada Inc	2	\$	118.31
Riondel Cable Society	2	\$	80.00
Riverside Farm	7	\$	10,946.04
Roadpost Inc. T46274	2	\$	864.98
Robson Fire Department Social Club	1	\$	1,200.00
Rocky Mountain Agencies	6	\$	22,366.85
Rocky Mountain Phoenix	2	\$	6,292.72
Roth IAMS	1	\$	6,069.04
Rutherglen, Cohen	1	\$	911.33
Salmo Valley Youth & Community Centre	1	\$	866.67
Selkirk College (Nelson)	1	\$	199.00
Selkirk Irrigation Services	1	\$	126.30
Selkirk Security Services Ltd	1	\$	63.01
Seminoff, Michelle	2	\$	3,900.00
Sfj Inc	1	\$	3,399.95
Shaw Buisness A division of Shaw Telecom G.P.	1	\$	1,194.09
Shaw Cable	21	\$	3,044.95
Simon's Garage Door Services	3	\$	1,933.05
Sinclair, Alexander	1	\$	2,900.00
Sk Electronics Ltd	19	\$	3,938.01
Skyway Hardware	2	\$	199.59
Slocan Park Community Hall Society	2	\$	1,074.75
Slocan Park Repair	2	\$	767.97
Slocan Valley Home Hardware	3	\$	408.69
SLR Consulting (Canada) Ltd.	3	\$	7,726.06
Smith Cameron Process Solutions	2	\$	2,857.12
SMP	2	\$	1,766.12
Speedpro Signs	1	\$	616.51
Speedpro Signs (Trail)	1	\$	2,688.00
Sperling Hansen Associates Inc	1	\$	358.92
SRK Consulting (Canada) Inc.	1	\$	16,450.12
Stafford Welding	4	\$	6,788.25
Stephen Regulatory Specialists Ltd. DBA: Stephen Engineering Assoc.	2	\$	63,010.71
Sterling Backcheck Canada Corp.	1	\$	93.18
Stewart Mcdannold Stuart	1	\$	4,110.40
Stewart, Heather	1	\$	39.00
Strong Data Inc.	2	\$	11,718.01
Summit Valve & Controls (BC) Inc.	1	\$	504.00
Sun Life Assurance Company of Canada	2	\$	1,123.98
Sundry Vendor	32	\$	32,127.15
Sykes Audio Visual Holdings Inc.	1	\$	1,453.20
Taghum Shell (1997)	24	\$	2,105.75
Technical Safety BC	1	\$	617.40
Telus Communications Inc	5	\$	8,214.14
Telus Communications Inc. Mascon by Telus	4	\$	291.20
Thiele, Dustin	3	\$	1,060.00
ThinkTel	1	\$	324.37
Thurber Engineering Ltd.	2	\$	10,494.03
Tip-it Waste Solutions Kootenay	3	\$	751.80
TRAFx Research Ltd	1	\$	525.00
Tremlock Properties Ltd	2	\$	1,686.57
Trican Filtration Group Inc.	2	\$	37,214.82
Tucker the Plumber	1	\$	362.25
Tu-Dor Lock & Safe Ltd	6	\$	927.42
Tursa Group Inc.	1	\$	2,047.50
Twin Rivers Controls Ltd	1	\$	384.30
Uline Canada Corporation	6	\$	5,220.25
United Rentals Of Canada	1	\$	2,745.10
Univar Canada Ltd	1	\$	1,507.88
Valley Voice Ltd	5	\$	1,659.51
Van Kam Freightways Ltd	2	\$	1,497.07
VH Sport Canada	5	\$	1,354.53

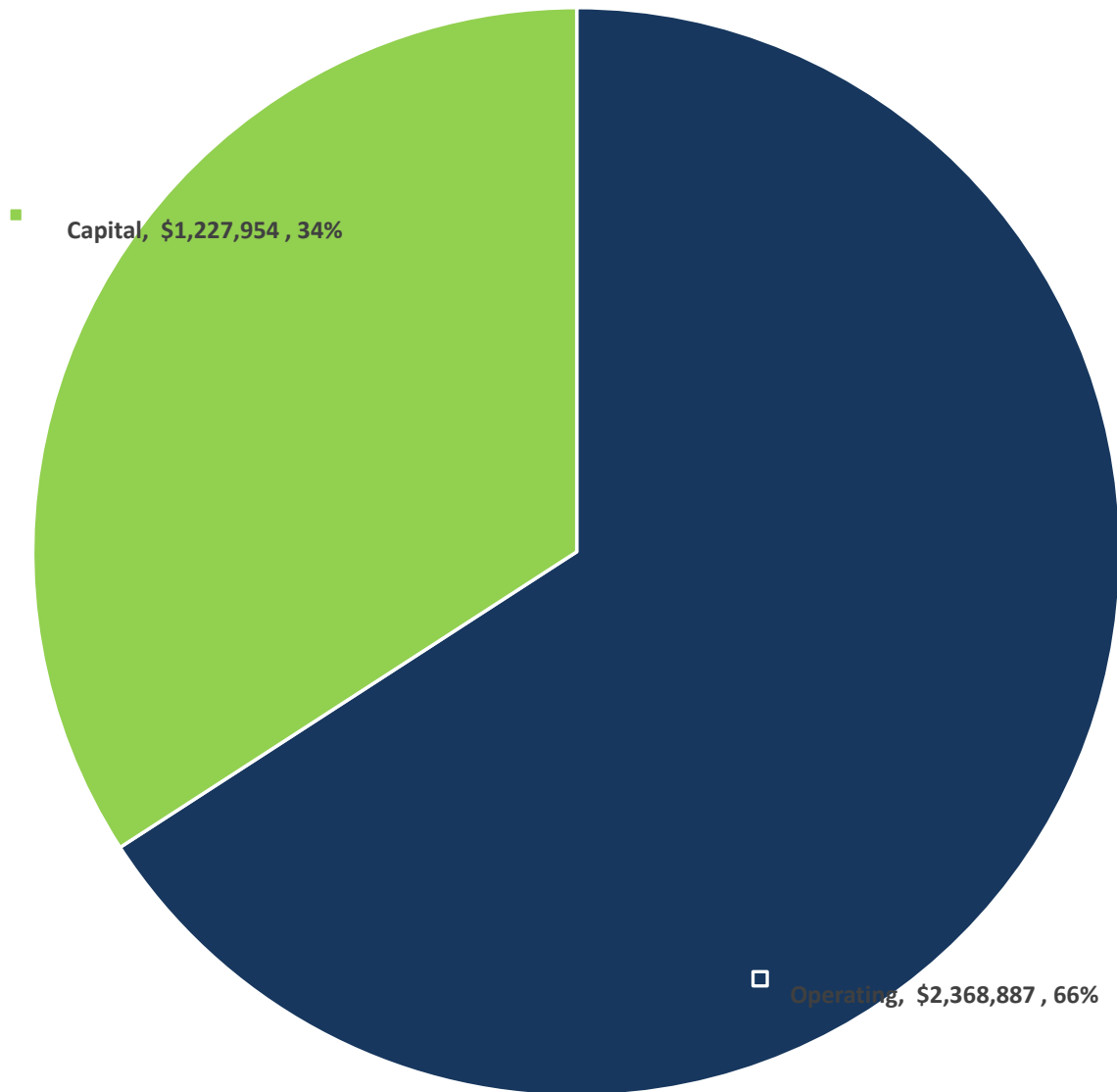
All Other Vendors	Number of Payments		Value
	985	\$	
Vista Radio Ltd	1	\$	504.00
Vitalaire Canada Inc	2	\$	77.52
Vousden, Jodi	2	\$	2,432.64
W.H. Excavating	2	\$	1,673.45
Wasp Manufacturing Ltd.	2	\$	4,712.77
Waste Management	19	\$	9,047.50
Wesco Distribution-Canada Inc	1	\$	1.88
West K Concrete Ltd.	2	\$	64.06
West Kootenay Boundary Regional Hospital District	1	\$	448,617.00
WEX Canada Ltd.	1	\$	3,838.19
WFR Wholesale Fire & Rescue Ltd	6	\$	4,990.86
Wild West Drilling Inc	1	\$	10,956.75
Winlaw Mini-Mart	1	\$	213.11
Wolseley Waterworks Branch	4	\$	16,893.91
Wood Wyant Inc	7	\$	6,089.98
Xplore Inc.	1	\$	117.04
Yahk-Kingsgate Recreation Society	2	\$	2,600.00
Yellow Pages Group	1	\$	0.52
Zone West Enterprises Ltd	1	\$	543.20

# Grants by Type



- Columbia Basin Trust
- Community Development
- Community Works
- Discretionary
- Environmental
- Financial Service
- Parks
- Rec 9
- Regional Directed Initiatives

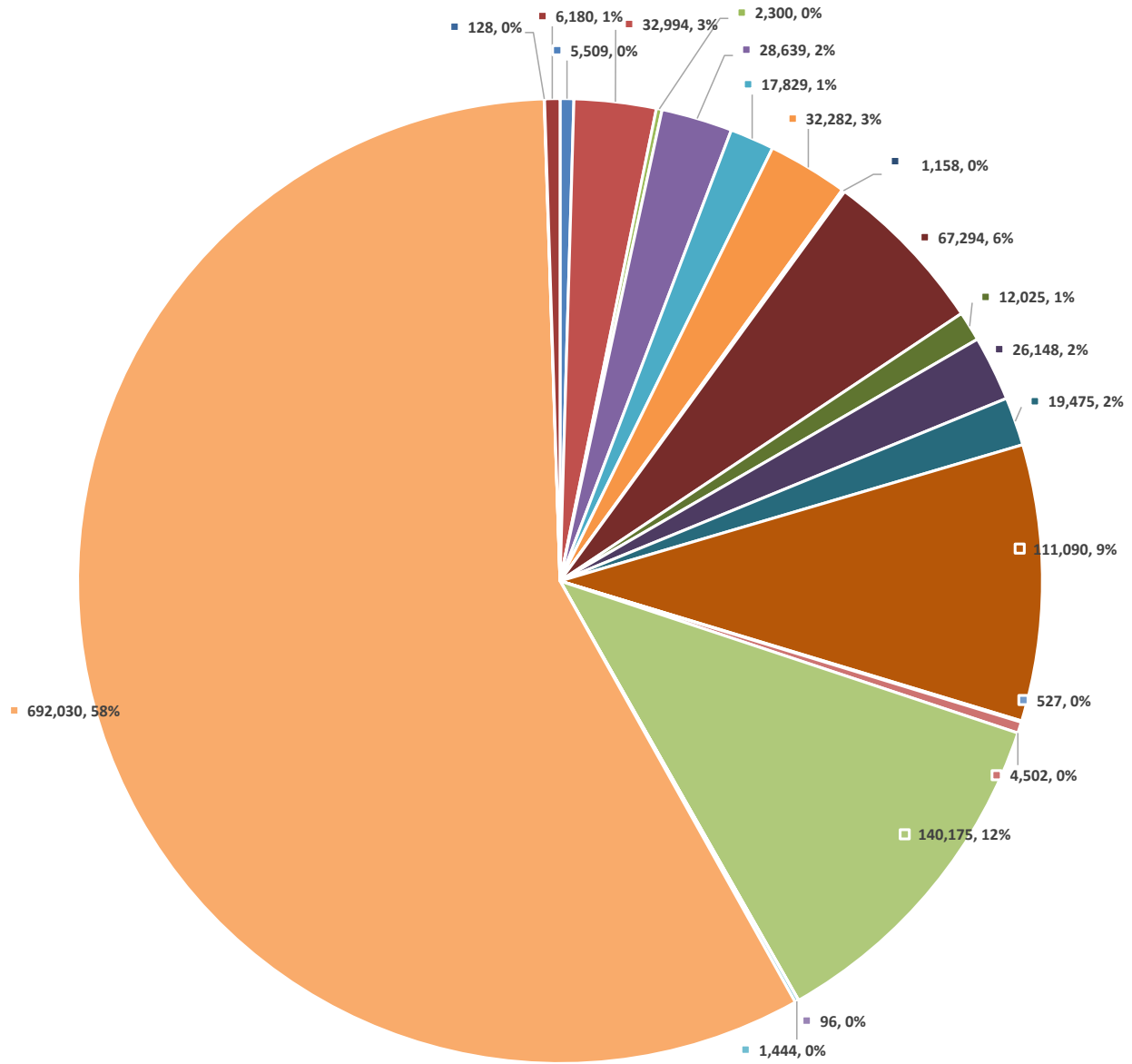
## September 2023 Capital VS Operating Expenditures



■ Operating

■ Capital

# September 2023 Capital by Service



- Arena (Castlegar Complex)-Castlegar and Areas I and J
- Fire Protection-Area A (Riondel)
- Fire Protection-Area G (Ymir)
- Fire Protection-Area I (Tarrys, Pass Creek)
- Fire Protection-Area J (Ootischena)
- Fire Protection-Areas E and F (Beasley, Blewett)
- Fire Protection-Areas H and I (Slocan Valley)
- Organics Program – Central & West Subregions
- Recreation Commission No.7-Salmo and Area G
- Recreation Facility-Area A (Riondel)
- Recreation Facility-Creston and Areas B, C and Area A
- Refuse Disposal (Central Subregion)-Nelson, Kaslo, Salmo and Areas D, E, F, and G
- Refuse Disposal (West Subregion)-Castlegar, New Denver, Slocan and Area H, I, J, and K
- Rural Administration
- Water Utility-Area B (Arrow Creek)
- Water Utility-Area B (Erickson)
- Water Utility-Area D (Woodbury)
- Water Utility-Area E (Balfour)
- Water Utility-Area E (Grandview)
- Water Utility-Area F (Duhamel Creek)



## REGIONAL DISTRICT OF CENTRAL KOOTENAY

# Bylaw No. 2921

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A Bylaw to provide for the exemption from taxation of certain lands used principally for community recreation, public worship, agricultural and horticultural societies, and services provided by local authorities within Regional District of Central Kootenay.

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WHEREAS the *Local Government Act* authorizes a regional district, by bylaw, to exempt property from taxation;

AND WHEREAS the *Local Government Act* authorizes a regional district Board to exempt from taxation land or improvements or both owned or held by or held in trust by the owner for a registered society or a local authority and used principally for community recreation, public worship, agricultural and horticultural societies;

AND WHEREAS the *Local Government Act* authorizes a regional district Board to exempt from taxation land or improvements owned or held by a municipality, another regional district or local authority for local government purposes;

NOW THEREFORE the Board of the Regional District of Central Kootenay, in open meeting assembled, HEREBY ENACTS as follows:

**1** The following described properties shall be exempt from taxation imposed under the *Local Government Act* to the extent indicated herein:

(1) Land and Improvements occupied by the Balfour Recreation Commission, locally known as the **Balfour Golf Course**, and legally described as follows:

Roll Number 707-00833.975  
602 Queens Bay Road Balfour, BC  
Lot A District Lot 184, Kootenay Land District Plan NEP83597 Except Plan EPP113093  
P.I.D. #027-029-760

Roll Number 707-07798.110  
220 Edward Street Balfour, BC  
Lot 2, District Lot 4961, Kootenay Land District, Plan 7334 except Plan EPP68103  
P.I.D. #011-179-236

Roll Number 707-07796.510  
602 Queens Bay Road Balfour, BC  
District Lot 4961, Kootenay District except parts included in Plans 2528 and 7334  
P.I.D #012-926-965

- (2) Land and Improvements occupied by the Salmo and District Golf Club, locally known as the **Salmo and District Golf Course** and legally described as follows:

Roll Number 707-01349.500  
1346 Airport Road Salmo, BC  
Block 31, District Lot 273, Kootenay Land District, except part in Plan 2861 & R151 &  
Block 32, District Lot 273, Kootenay Land District, except Plan R151 &  
Lot 1, Plan NEP61804, District Lot 273, Kootenay Land District &  
Lot A, Plan NEP61803, District Lot 273, Kootenay Land District  
P.I.D. #016-683-536, #016-683-552, #024-195-944, #024-195-936

- (3) Land and Improvements occupied by the Valley View Golf Club, locally known as the **Valley View Golf Course**, and legally described as follows:

Roll Number 707-20316.110  
6937 Highway 6 Winlaw, BC  
Lot 7, 8 & 9, Plan 2887, District Lot 383, Kootenay Land District &  
Lot 103, Plan 958, District Lot 383, Kootenay Land District  
P.I.D. #015-216-420, #006-270-867, #006-270-891 & #015-976-327

- (4) Land and Improvements occupied by the Castlegar Golf Club, locally known as the **Castlegar & District Golf Course** and legally described as follows:

Roll Number 709-07595-325  
1602 Aaron Road Castlegar, BC  
Lot A, Plan 5069, District Lot 4598, Kootenay Land District, except Plan 15837  
P.I.D. #010-364-498

- (5) Land and Improvements occupied by the Nakusp Centennial Golf Club, known locally as the **Nakusp Centennial Golf Course** and legally described as follows:

Roll Number 710-01655.000  
649 Highway 6 Nakusp, BC  
Lot 1, Plan 5565, District Lot 398, Kootenay Land District  
P.I.D. #007-740-085

- (6) Land and Improvements occupied by the Fauquier and District Golf Club, known locally as the **Fauquier & District Golf Course** and legally described as follows:

Roll Number 710-02953.100  
8034 Highway 6 Fauquier, BC  
Lot 1, Plan NEP22479, District Lots 2591 & 9156, Kootenay Land District  
P.I.D. #023-287-705

- (7) Land and Improvements occupied by the Slocan Lake Golf Club, locally known as the **Slocan Lake Golf Course** and legally described as follows:

Roll Number 710-01993.500  
101 Golf Course Road New Denver, BC

Parcel A, District Lot 2106, Kootenay Land District (Explanatory Plan 34338I) &  
Parcel A, District Lot 2108, Kootenay Land District, (Explanatory Plan 34338I) &  
Parcel 1, District Lot 6529, Kootenay Land District (Reference Plan 95815I) of Parcel B,  
(see 14647I)  
P.I.D. #'s 013-752-332, #013-752-359, #013-752-413

- (8) Land and Improvements occupied by the Creston Golf Club, locally known as the **Creston Golf Course** and legally described as follows:

Roll Number 786-06716.000  
1800 Mallory Road Creston, BC  
District Lot 15874, Kootenay Land District &  
District Lot 16402, Kootenay Land District  
P.I.D. #014-837-897, #014-889-323

- (9) Land and Improvements occupied by the Riondel Golf Club Society, locally known as the **Riondel Golf Course** and legally described as those portions of the following properties used exclusively for golf course purposes:

Roll Number 786-04694-000  
1298 Galena Bay Wharf Road Riondel BC  
Sublot 25, Plan X31, District Lot 4595, Kootenay Land District, except (1) Parcel A  
Reference Plan 23516A and (2) parts included in Plans 5803 and 8655.  
P.I.D. #016-717-325

Roll Number 786-04825.045  
1298 Galena Bay Wharf Road Riondel BC  
Lot 2 Plan 3045, District Lot 4595, Kootenay Land District except Plan 5461, 14087 and  
NEP21303.  
P.I.D. #008-022-313

- (10) Land and Improvements occupied by the Nelson Golf & Recreation Society, locally known as **Granite Point Golf Course** and legally described as follows:

Roll Number 707-02008.125  
1123 West Richards Street Nelson BC  
Lot A, Plan NEP67974, District Lot 304, Kootenay Land District  
P.I.D. #024-934-399

- (11) Land and Improvements occupied by the Regional District of Kootenay Boundary, locally known as the **Beaver Valley Water Supply System** water filtration and treatment plant, water intake structure and weir on Kelly creek.

Roll Number 707-05544.000  
999 Wildwood Road Salmo BC  
Lot 1, Plan 17591, District Lot 1236, Kootenay Land District  
P.I.D. #008-229-741

- (12) Land and Improvements occupied by the Boswell Historical Society, known locally as **The Heart** and legally described as follows.

Roll Number 21-786-05506.000  
12676 Highway 3A, Boswell, BC  
Lot 1, Plan NEP4803, DL 5027, LD26  
P.I.D. #014-787-806

- (13) Land and Improvements occupied by the Balfour & District Business and Historic Association, locally known as the **St. Michaels and All Angels Performance Centre** and legally described as follows.

Roll Number 00806.100  
8551 Busk Road, Balfour, BC  
Lot 12, Block 2, Plan NEP380, District Lot 184, Kootenay Land District & Lot 13, Block 2  
Plan NEP 380, District Lot 184, Kootenay Land District  
P.I.D. #024-722-081

- (14) Land and Improvements occupied by the South Kootenay Lake ArtConnect Society, locally known as the **Harrison ArtConnect** and legally described as follows.

Roll Number 21.786.01300000  
16074 Crawford Creek Road, Crawford Bay, BC  
Lot C, Plan NEP1253, District Lot 196, Kootenay Land District Assigned No 1.  
P.I.D. #015-873-633

**2** The tax exemption established by this Bylaw shall be for the taxation year 2024.

**3** This Bylaw may be cited as **“Permissive Tax Exemption Bylaw No. 2921, 2023.”**

READ A FIRST TIME this 19<sup>th</sup> day of October, 2023.

READ A SECOND TIME this 19<sup>th</sup> day of October, 2023.

READ A THIRD TIME this 19<sup>th</sup> day of October, 2023.

ADOPTED this 19<sup>th</sup> day of October, 2023.

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Aimee Watson, Board Chair

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Mike Morrison, Corporate Officer



# Board Report

**Date of Report:** October 4, 2023  
**Date & Type of Meeting:** October 19, 2023 General Open Board Meeting  
**Author:** Tom Dool, Research Analyst  
**Subject:** Bylaw 2922 Defined Area E (Nelson Contract) Fire Service Conversion  
**File:** 3200/10/2920 & 2917  
**Electoral Area/Municipality:** Area E

## SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to provide the Board consideration regarding first, second, and third reading of Defined Area E (Nelson Contract) Fire Protection Local Service Establishment Bylaw No. 2922, 2023.

The Regional District is required to convert the existing continued service to meet current legislative requirements. Staff are currently working with City of Nelson to renew the fire protection contract and regulatory bylaw for this fire protection service area and consider it an appropriate time to bring the service establishment bylaws into compliance with the *Local Government Act*.

Staff recommend that:

That the Defined Area E (Nelson Contract) Fire Protection Local Service Establishment Bylaw No. 2922, 2023, a bylaw to convert the Defined Portion of Electoral Area E Fire Protection Continued Service be read a first, second, and third time by content.

## SECTION 2: BACKGROUND/ANALYSIS

### Background

Regional District of Central Kootenay Defined Area “E” Fire Protection Service Area Bylaw No. 500, 1984 (See Attachment B) established a specified area within Electoral Area E for the purpose of providing fire protection.

Prior to 1989, Regional Districts were authorized to provide services by Cabinet through elector assent or petition through a specified area bylaw. Services established through specified area bylaws are known as continued services. Under the provisions of the *Local Government Act* Defined Area “E” Fire Protection Service Area Bylaw No. 500, 1984, is a continued service.

The Local Government Inspector has advised staff that Bylaw 500 is not compliant with the requirements of Section 339 of the *Local Government Act* and that best practices would require the service be converted by bylaw and brought into compliance with the *Local Government Act*.

## Analysis

To meet current legislative requirements Defined Area E (Nelson Contract) Fire Protection Local Service Establishment Bylaw No. 2922, 2023 (See Attachment A) converts the current continued service to a local service.

Board approval of Defined Area E (Nelson Contract) Fire Protection Local Service Establishment Bylaw No. 2922, 2023 is permitted through the consent of 2/3 or more of the service participants.

### **SECTION 3: DETAILED ANALYSIS**

#### **3.1 Financial Considerations – Cost and Resource Allocations:**

<b>Included in Financial Plan:</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<b>Financial Plan Amendment:</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Debt Bylaw Required:</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<b>Public/Gov't Approvals Required:</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Defined Area E (Nelson Contract) Fire Protection Local Service Establishment Bylaw No. 2922, 2023 has no budgetary impact. No financial plan amendments are required.

The current continued service bylaw restricts the means of cost recovery to taxation based on the value of land and improvements. This does not allow the service to use fees, charges, or grants as a means of cost recovery. The proposed conversion removes this limitation.

As per Section 339(1)(d) of the *Local Government Act* Defined Area E (Nelson Contract) Fire Protection Local Service Establishment Bylaw No. 2922, 2023 establishes the following as cost recovery methods:

- (a) Property value taxes;
- (b) Fees and charges;
- (c) Revenue raised by other means; or
- (d) Revenue received by way of the agreement, enterprise, gift, grant or otherwise.

Currently the service has no established maximum annual allowable requisitions. Section 339(1)(e) of the *Local Government Act* requires a maximum dollar amount, rate, or both be specified in a service establishment bylaw. The proposed bylaw establishes \$265,199 or \$0.7626 per \$1,000 of the net taxable value of land and improvements in the service area be applied as a maximum annual allowable requisition.

#### **3.2 Legislative Considerations (Applicable Policies and/or Bylaws):**

Section 341 of the *Local Government Act* grants the Regional District the authority to provide a continued service but requires that the Board adopt a bylaw, to convert the service to be under the authority of an establishing bylaw.

As per *Local Government Act* Section 339 Required Content for Establishing Bylaws, Defined Area E (Nelson Contract) Fire Protection Local Service Establishment Bylaw No. 2922, 2023 is required to:

- (a) describe the service;
- (b) define the boundaries of the service area;
- (c) identify all municipalities and electoral areas that include participating areas for the service;
- (d) indicate the method of cost recovery for the service, in accordance with Section 378 [options for cost recovery];
- (e) set the maximum amount that may be requisitioned for the service by:

- a. specifying a maximum amount,
- b. specifying a property value tax rate that, when applied to the net taxable value of land and improvements in the service area, will yield the maximum amount, or
- c. specifying both a maximum amount and a property value tax rate as referred to in subparagraphs (i) and (ii), in which case the maximum amount is whichever is greater at the applicable time.

The process to convert a regional district continued service is similar to the process of amending a regional district service establishing bylaw, with a few differences:

- The bylaw that converts the continued service must include all the current legislated content for a service establishing bylaw under section 339 of the *Local Government Act*.
- The bylaw that converts the continued service should specifically identify that it is a continued service that is being converted to a service establishing bylaw.

The process to convert a regional district continued service is:

1. Service establishing bylaw to convert a continued service drafted and board gives it three readings
2. Two-thirds of the participants in the service provide consent
3. Provincial review and statutory approval by the Inspector of Municipalities (six to eight weeks)
4. Period during which bylaw can be challenged by applying to Supreme Court (one month)
5. Adopted bylaw submitted to the Ministry of Municipal Affairs for its records

Regarding the conversion of Defined Area “E” Fire Protection Service Area Bylaw No. 500, 1984, because the service has only one participant consent would only be required by the Director from Area E.

### **3.3 Environmental Considerations**

None at this time.

### **3.4 Social Considerations:**

None at this time.

### **3.5 Economic Considerations:**

None at this time.

### **3.6 Communication Considerations:**

None at this time.

### **3.7 Staffing/Departmental Workplan Considerations:**

None at this time.

### **3.8 Board Strategic Plan/Priorities Considerations:**

Conversion of the existing continued service and the subsequent update of its legislative framework demonstrates the Boards commitment to excellence in governance and service delivery.

## **SECTION 4: OPTIONS & PROS / CONS**

### **Option 1.**



1. That the Defined Area E (Nelson Contract) Fire Protection Local Service Establishment Bylaw No. 2922, 2023 be read a first, second, and third time by content.

Advantages

- Brings the service establishment bylaw into compliance with the *Local Government Act*

Disadvantages

- None

**Option 2. That no further action be taken with respect to Defined Area E (Nelson Contract) Fire Protection Local Service Establishment Bylaw No. 2922, 2023 until such time as....;**

Advantages

- None

Disadvantages

- The bylaw which establishes the service to provide fire protection for the Nelson Contract Fire Protection Area will not be compliant with the *Local Government Act*

## SECTION 5: RECOMMENDATIONS

That the Defined Area E (Nelson Contract) Fire Protection Local Service Establishment Bylaw No. 2922, 2023 be read a FIRST, SECOND, and THIRD time by content.

Respectfully submitted,  
Tom Dool

## CONCURRENCE

Manager of Corporate Administration – Mike Morrison	Approved
Chief Administration Officer – Stuart Horn	Approved
Regional Fire Chief – Nora Hannon	Approved

### ATTACHMENTS:

Attachment A – Defined Area E (Nelson Contract) Fire Protection Local Service Establishment Bylaw No. 2922, 2023

Attachment B – Kootenay Defined Area “E” Fire Protection Service Area Bylaw No. 500, 1984

## REGIONAL DISTRICT OF CENTRAL KOOTENAY

# Bylaw No. 2922

---

A Bylaw to convert a continued service within a portion of Electoral Area E (Nelson Contract) for the purpose of providing fire protection and associated services.

---

WHEREAS the Board of the Regional District of Central Kootenay established the Defined Portion of Electoral Area E Fire Protection Service with the adoption of specified area bylaw Regional District of Central Kootenay Defined Area "E" Fire Protection Service Area Bylaw No. 500, 1984, within a defined portion of Area E to provide Fire Protection and Associated Services;

AND WHEREAS Regional District of Central Kootenay Defined Area "E" Fire Protection Service Area Bylaw No. 500, 1984 is a continued service which the Regional District may, by bylaw, convert to a local service under the provisions of the *Local Government Act*;

AND WHEREAS pursuant of the *Local Government Act* participating area approval has been obtained by consent from the Electoral Area E Director.

NOW THEREFORE the Board of the Regional District of Central Kootenay, in open meeting assembled, HEREBY ENACTS as follows:

- 1** The Defined Area E Fire Protection Continued Service, as established by specified area bylaw Regional District of Central Kootenay Defined Area "E" Fire Protection Service Area Bylaw No. 500, 1984, is hereby converted and established as a local service authorized to provide fire protection and associated services to a portion of Electoral Area E.
- 2** The converted and established service shall be known as the Defined Area E (Nelson Contract) Fire Protection Local Service.
- 3** The sole participant to the service established under Section 1 of this bylaw shall be Electoral Area E.
- 4** The boundary of the service area established by this bylaw includes a defined portion of Electoral Area E, described in Schedule A of this bylaw, and shall be known as the Defined Area E (Nelson Contract) Fire Protection Service Area.
- 5** Pursuant of the *Local Government Act*, the annual cost of providing the service shall be recovered by one or more of the following:
  - (a) Property value taxes;

- (b) Fees and charges;
- (c) Revenue raised by other means; or
- (d) Revenue received by way of the agreement, enterprise, gift, grant or otherwise.

**6** The maximum amount to be requisitioned annually for this service shall not exceed the greater of \$265,199 or \$0.7626 per \$1,000 of the net taxable actual value of land and improvements in the service area.

**7** This Bylaw may be cited as **“Defined Area E (Nelson Contract) Fire Protection Local Service Establishment Bylaw No. 2922, 2023.”**

READ A FIRST TIME this 19<sup>th</sup> day of October, 2023.

READ A SECOND TIME this 19<sup>th</sup> day of October, 2023.

READ A THIRD TIME this 19<sup>th</sup> day of October, 2023.

I hereby certify that this is a true and correct copy of the **“Defined Area E (Nelson Contract) Fire Protection Local Service Establishment Bylaw No. 2922, 2023”** as read a third time by the Regional District of Central Kootenay Board on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mike Morrison, Corporate Officer

ASSENT RECEIVED as per the *Local Government Act – consent of rural.*

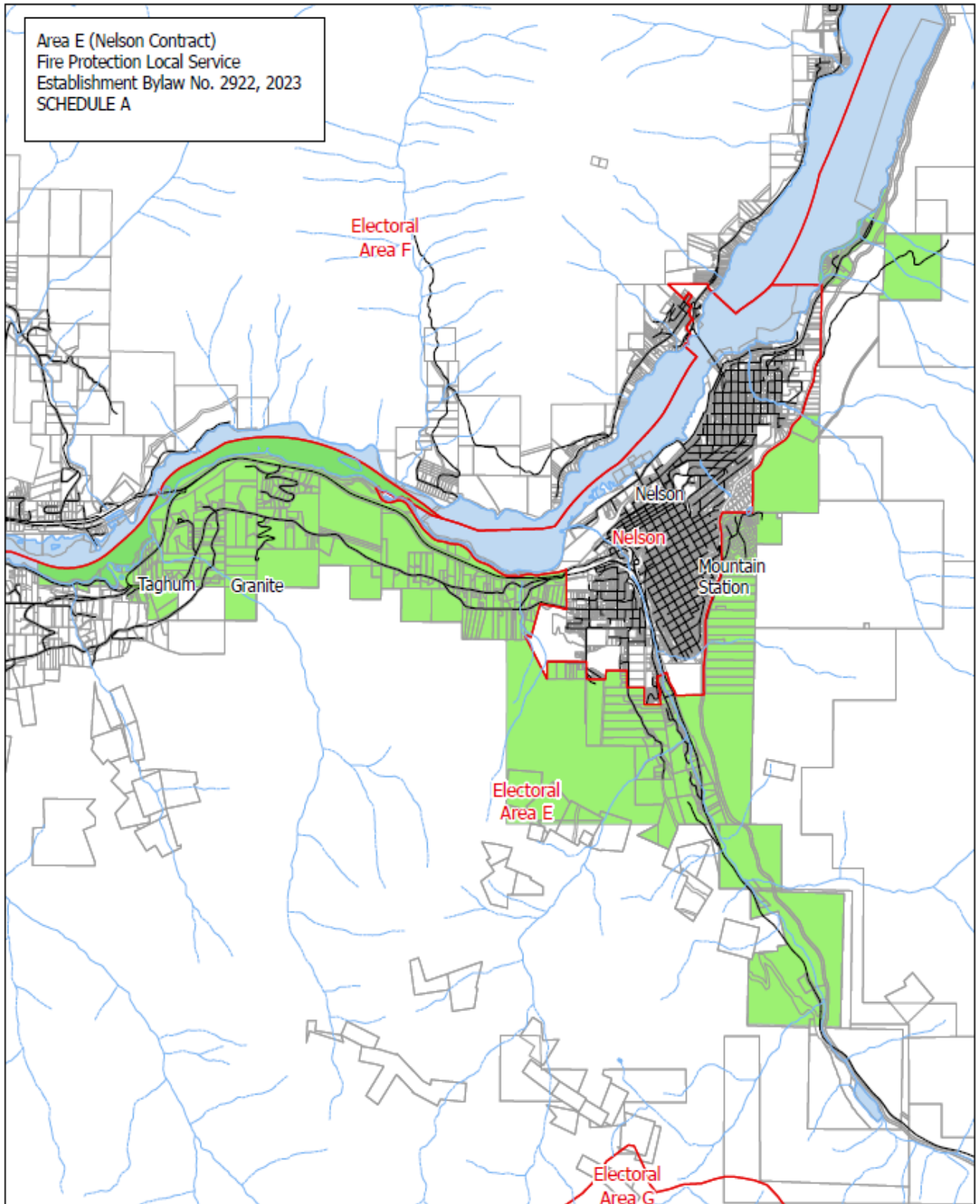
APPROVE by the Inspector of Municipalities on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.





\_\_\_\_\_  
Aimee Watson, Board Chair

\_\_\_\_\_  
Mike Morrison, Corporate Officer

Area E (Nelson Contract)  
Fire Protection Local Service  
Establishment Bylaw No. 2922, 2023  
SCHEDULE A



REGIONAL DISTRICT OF  
CENTRAL KOOTENAY

-  Nelson Contract Fire Protection Service
-  Electoral Boundaries
-  Cadastre
-  Streets

Date: 9/20/2023

The mapping information shown are approximate representations and should only be used for reference purposes.



# Board Report

**Date of Report:** October 4<sup>th</sup>, 2023  
**Date & Type of Meeting:** October 19<sup>th</sup>, 2023 Open Board Meeting  
**Author:** Tom Dool, Research Analyst  
**Subject:** Defined Area D Medical First Responder Bylaw 2923, 2023  
**File:** 3200/10  
**Electoral Area/Municipality:** Electoral Area D

## SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is provide the Board consideration regarding the establishment of a Medical First Responder Service in the portion of Area D outside of the Kaslo Fire Protection Area.

This report recommends that Defined Area D Medical First Responder Bylaw 2923, 2023 (See Attachment A) be given three readings.

## SECTION 2: BACKGROUND/ANALYSIS

### Background

At the February 2020 Open Board Meeting the Board resolved (158/20):

*That the Board direct staff to prepare a service case analysis and report back to the Board on the implications of establishing a First Responder Service and bylaw for the provision of first responder pre-hospital care services in Area D.*

At the July 20<sup>th</sup>, 2023 Open Board Meeting the Board resolved (454/23):

*That the Board authorize staff to prepare a service establishment bylaw for a Medical First Responder Service within a defined portion of Area D SUBJECT TO staff conducting a public consultation process; that voter approval, for the bylaw, be undertaken by means of Alternative Approval Process.*

### Analysis

Defined Area D Medical First Responder Bylaw No. 2923, 2023 proposes a medical first responder service for the portion of Electoral Area D outside of the Kaslo and District Fire Protection Area. The service is intended to provide pre-hospital care by responders trained by an accredited agency and licensed by the Emergency Medical Assistant Licensing Board.

The Village of Kaslo and the portion of Electoral Area D within the Kaslo and District Fire Protection Area will continue to receive Medical First Responder Services from the Kaslo and District Fire Department as an

associated service in accordance with Kaslo and District Fire Protection Service Establishment Bylaw No. 2300, 2013 and Volunteer Fire Service Regulation Bylaw No. 2796, 2023.

Between the medical first responder services provided by the Kaslo and District Fire Protection Service and the newly proposed Medical First Responder Service Electoral Area D will receive “wall-to-wall” medical first responder services.

The service is intended to support the provision of four (4) medical first responders in Meadow Creek/North End of Kootenay Lake and four (4) medical first responders in Ainsworth/Woodbury. These responders would be under the direction of the Kaslo and District Fire Chief and serve as members of the Kaslo and Area Volunteer Fire Department. Details of the proposed capital and operating plan for the Defined Area D Medical First Responder Service are included in the service case analysis submitted to the July 20<sup>th</sup>, 2023 Open Board Meeting (See Attachment B).

### SECTION 3: DETAILED ANALYSIS

#### 3.1 Financial Considerations – Cost and Resource Allocations:

<b>Included in Financial Plan:</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<b>Financial Plan Amendment:</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Debt Bylaw Required:</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<b>Public/Gov’t Approvals Required:</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

The maximum annual allowable amount that may be requisitioned annually for this service shall not exceed the greater of \$67,514 or a rate of \$0.2500/\$1000 of net taxable value of land and improvements in the service area.

At the maximum annual requisition rate a residential property assessed at \$450,000 in land and improvements would pay \$97.70 annually for a Medical First Responder Service.

#### 3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

As per *Local Government Act* Div4 S342 the establishment of a First Responder Service for a defined portion of Electoral Area D requires approval of the Provincial Government and the participating area. Participating Area Approval may be sought through the Alternative Approval Process (AAP) or Assent Vote.

#### 3.3 Environmental Considerations

None at this time.

#### 3.4 Social Considerations:

The provision of First Responder Services in rural areas may be a determining factor for community members intending to age in place and remain in smaller, more remote communities.

Through the current provision of these services by Kaslo and District Volunteer Fire Department the community has signaled clearly to the Regional District that these services are required as matter of living in rural portions of Electoral Area D.

#### 3.5 Economic Considerations:

None at this time.

### 3.6 Communication Considerations:

The establishment of a First Responder Service for defined portions of Electoral Area D will require public consultation with residents regarding the service and the proposed bylaw. Public consultation and engagement typically involves

- Open Houses
- Public Notices in the local paper of record
- Web and social media engagement
- Publicly distributed FAQ's

regarding the intended service and public approval process..

Public consultation is detailed in the board report outlining the AAP process. This report would be submitted to the Board following third reading and statutory approval of the proposed bylaw.

### 3.7 Staffing/Departmental Workplan Considerations:

If the Board chooses to give three (3) readings to Defined Area D Medical First Responder Bylaw No. 2923, 2023 the bylaw will then be provided to the Local Government Inspector for two (2) months to be considered for approval. Upon the approval of the Inspector staff will prepare a report for the Board detailing the AAP. It is anticipated that the process will take 60 days. If the bylaw receives approval of the electors in February the Board will be to consider the bylaw for approval in March of 2024.

### 3.8 Board Strategic Plan/Priorities Considerations:

Consideration of the Defined Area D Medical First Responder to First Responder Service demonstrates by the Boards commitment to excellence in service delivery.

## SECTION 4: OPTIONS & PROS / CONS

### Option 1. That the Board give three readings to Defined Area D Medical First Responder Bylaw 2923, 2023

#### Advantages

- Establishes a Medical First Responder Service for the defined portion of Area D in an equitable fashion.
- Improves the financial stability of the of Service S280 Fire Protection – Kaslo Fire, by not having this service subsidize an out of area service
- Formalizes Medical First Respond Services and provides a consistent funding to the program for all of Area D

#### Disadvantages

- Increased taxation for those residents within the new service area

### Option 2. That the Board direct staff to not proceed with the matter until such time as...

#### Advantages

- No taxation increases for the defined portion of Area D

#### Disadvantages



- The current provision of service outside of the Fire Protection Service Area is not aligned with best practices, Fire Service Regulation or the RDCK Values.
- The Kaslo and Area Fire Protection Service Area will no longer subsidize an out of service area first responder service; residents outside of the fire protection area would cease to receive this service.

## SECTION 5: RECOMMENDATIONS

That the Defined Area D Medical First Responder Bylaw No. 2923, 2023 be read a FIRST, SECOND, and THIRD time by content.

Respectfully submitted,  
Tom Dool, Research Analyst

## CONCURRENCE

Manager of Corporate Administration – Mike Morrison  
Chief Administrative Officer – Stuart Horn

Approved  
Approved

### ATTACHMENTS:

Attachment A – to Defined Area D Medical First Responder Bylaw 2923, 2023  
Attachment B – Board Report Kaslo and Area D First Responder Service, July 2023

## REGIONAL DISTRICT OF CENTRAL KOOTENAY

# Bylaw No. 2923

---

A Bylaw to establish a service to provide medical first responder services within a defined portion of Electoral Area D.

---

WHEREAS the regional district may, by bylaw, establish service under the provisions of the *Local Government Act*;

AND WHEREAS medical first responder service means pre-hospital care provided by emergency responders trained by an accredited agency and licensed by the Emergency Medical Assistant Licensing Board;

AND WHEREAS the Board of the Regional District of Central Kootenay deems it expedient to establish a medical first responder service within a defined portion of Electoral Area D;

AND WHEREAS pursuant of the *Local Government Act* participating area approval has been obtained by alternative approval process for a defined portion of Electoral Area D.

NOW THEREFORE the Board of the Regional District of Central Kootenay, in open meeting assembled, HEREBY ENACTS as follows:

- 1** The Regional District hereby establishes a service within a defined portion of Electoral Area D, to be known as the “Defined Area D Medical First Responder Service” for the purpose of providing medical first responder services to the service area.
- 2** The sole participant to the service established under Section 1 of this bylaw shall be Electoral Area D.
- 3** The boundaries of the service area established by this bylaw are those portions of Electoral Area D excluded from the Kaslo Fire Protection Area as described in Schedule A of this bylaw.
- 4** Pursuant of the *Local Government Act*, the annual cost of providing the service shall be recovered by one or more of the following:
  - (a) Property value taxes;
  - (b) Fees and charges;
  - (c) Revenue raised by other means; or
  - (d) Revenue received by way of the agreement, enterprise, gift, grant or otherwise.

5 The maximum amount that may be requisitioned annually for this service shall not exceed the greater of \$67,514 or a rate of \$0.2500/\$1000 of net taxable value of land and improvements in the service area.

6 This Bylaw may be cited as **“Defined Area D Medical First Responder Service Bylaw No. 2923, 2023.”**

READ A FIRST TIME this 19<sup>th</sup> day of October, 2023.

READ A SECOND TIME this 19<sup>th</sup> day of October, 2023.

READ A THIRD TIME this 19<sup>th</sup> day of October, 2023.

I hereby certify that this is a true and correct copy of the **“Defined Area D Medical First Responder Bylaw No. 2923, 2023”** as read a third time by the Regional District of Central Kootenay Board on the 19<sup>th</sup> day of October, 2023.

\_\_\_\_\_  
Mike Morrison, Corporate Officer

APPROVE by the Inspector of Municipalities on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

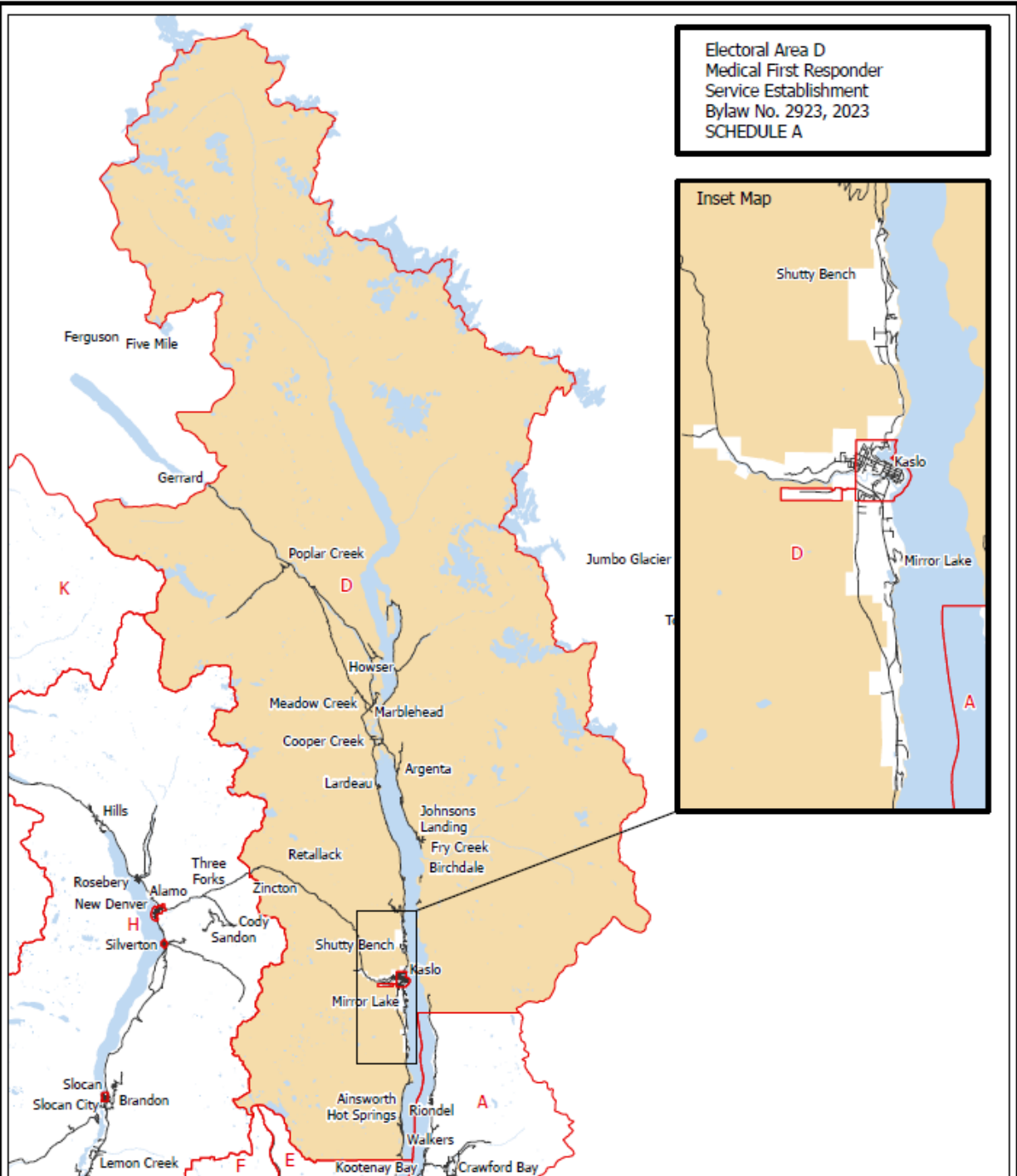
ASSENT RECEIVED as per the *Local Government Act – Alternative Approval Process*.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Aimee Watson, Board Chair

\_\_\_\_\_  
Mike Morrison, Corporate Officer

Electoral Area D  
 Medical First Responder  
 Service Establishment  
 Bylaw No. 2923, 2023  
 SCHEDULE A



- Area D Medical First Responder Service
- Electoral Boundaries
- Streets

Date: 9/21/2023

The mapping information shown are approximate representations and should only be used for reference purposes.



# Board Report

**Date of Report:** July 6<sup>th</sup>, 2023  
**Date & Type of Meeting:** July 20th, 2023 General Open Board Meeting  
**Author:** Tom Dool, Research Analyst  
**Subject:** Kaslo and Area D First Responder Service  
**File:** 7750\20  
**Electoral Area/Municipality:** Electoral Area D

## SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to provide the Board consideration regarding the establishment of a First Responder Service, for the provision of pre-hospital care, in that portion of Area D not within the Kaslo and District Fire Protection Service Area.

## SECTION 2: BACKGROUND/ANALYSIS

### Background

At the February 2020 Open Board Meeting the Board resolved (158/20)

*That the Board direct staff to prepare a service case analysis and report back to the Board on the implications of establishing a First Responder Service and bylaw for the provision of first responder pre-hospital care services in Area D.*

A Medical First Responder Service is intended to provide immediate life saving interventions on scene while awaiting additional medical resources or transport.

Electoral Area D and Village of Kaslo Emergency Response/Jaws of Life Local Service Area Establishment Bylaw No. 1340, 1998 (Attachment A) established a local service area for the purpose of providing an Emergency Response/Jaws of Life Service to Electoral Area D and the Village of Kaslo, known as the Electoral Area D and Village of Kaslo Emergency Response/Jaws of Life Local Service Area.

Kaslo and Electoral Area D Emergency Response/Jaws of Life Service Establishment Amendment Bylaw No. 2279, 2012 (Attachment B) amended Bylaw 1340 to identify it more appropriately as a financial contribution service. The service authorizes Regional District Jaws of Life – Kaslo & Area D (\$150), a contribution service to fund Kaslo Search and Rescue for the provision of Road Rescue Services. It does not fund Medical First Responder Services.

The Kaslo and District Volunteer Fire Department (VFD) provides Medical First Responder Services to the Village of Kaslo and that portion of Electoral Area D described in Schedule A of the Kaslo and District Fire Protection Service Establishment Bylaw 2300, 2013 (See Attachment C) as amended.

The current arrangement for the provision of Medical First Responder Services in Area D, beyond the Kaslo and District Fire Protection Area (FPA), was established in 2009 through an agreement between the Kaslo and District VFD and BC Health Services (Attachment E). First Responder positions in Ainsworth/Woodbury and Meadow Creek are staffed and resourced by the Kaslo and District VFD.

While Bylaw 1340, and subsequent amendments, authorize the Kaslo and District VFD to provide services beyond the Fire Protection Area those services are currently being funded through the Kaslo and District VFD Service S280, a service established by Bylaw 2300. While this arrangement is functional it could be improved in terms of transparency and the equitable provision of service.

### **Analysis**

If the intended service level for Medical First Responder Services in Area D is “Wall to wall” coverage the current service arrangement is inadequate as there is currently no response available in the more rural portions of Area D on the east side of Kootenay Lake and in the more northern areas near Trout Lake. An increase to current staffing levels and resources would ensure a more robust response in remote portions of the service area.

If the equitable provision of services is a priority then the current service establishment and funding arrangement is inadequate. Bylaw 1340 authorizes the provision of service for Kaslo and Area D. The net effect of the current service arrangement is that residents of the Kaslo and Defined Portions of D Fire Protection area are, to a degree, subsidizing the provision of Medical First Responder Services in those portions of D outside of the Fire Response Area.

To address the ongoing shortfall in Medical First Responder services outside the Kaslo and District Fire Protection Area the Board may consider the establishment of a Medical First Responder Service Area for the remainder of Area D, serviced and staffed by the Kaslo and District VFD.

The proposed service requires a capital expenditure of \$60,000 for the purchase of a response vehicle for Ainsworth/ Woodbury area. The expenditure would be funded through short term borrowing and financed over a 5 year period. The current proposal assumes continued use of the response vehicle in Meadow Creek with no exchange of funds with S280 Fire Protection – Kaslo, the current owner of that vehicle. There is no planned capital expenditure for facilities.

Operating expenses of \$37,732 a year are intended to support the provision of 4 First Responders in Meadow Creek/ North End of Kootenay Lake and 4 First Responders in Ainsworth/Woodbury. The expenditure is based on standard expenses for the same on-call arrangement as the Kaslo and District VFD, providing minimum wage for attendance at monthly First Responder practices, attendance at a 30 call annual average, a \$1200 annual stipend for the Captain of each sub regional Medical First Responder group, and 5% of the Kaslo Fire Chiefs annual salary.

Employee Health and safety expenditures are based on the assumed need to purchase new PPE in the first year of operations for the majority of the first responders. This amount is projected to be lower in subsequent years.

Education and Training expenses assume the need to train 8 new first responders in the first year of operation with reduced expenditures in subsequent years

Non-operating expenses of \$19,980 reflect equipment/vehicle borrowing costs, standard IT and Administration fees, and \$5000 annual contribution to reserves for the replacement of equipment and vehicles in the future.

Total annual requisition to fund the service is estimated to be \$57,712.00.

The 2023 actual revised assessed value for that portion of Area D not currently receiving First Responder services is \$270,011,836. The residential converted assessed value is \$31,096,768.

### SECTION 3: DETAILED ANALYSIS

#### 3.1 Financial Considerations – Cost and Resource Allocations:

**Included in Financial Plan:**  Yes  No      **Financial Plan Amendment:**  Yes  No  
**Debt Bylaw Required:**  Yes  No      **Public/Gov't Approvals Required:**  Yes  No

Based on 2023 revised assessment values of land and improvements the actual rate per thousand for the provision First Responder Services for that portion of Area D currently outside of the Kaslo and District Fire Protection Area is estimated to be \$0.2137/\$1000 of assessed value. The residential rate per thousand is estimated to be \$0.1856/\$1000 of assessed residential value.

The projected taxation for a single family dwelling with an assessed value for land and improvements of \$450,000 would be \$83.51.

#### 3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

As per Local Government Act Div4 S342 the establishment of a First Responder Service for defined portions of Electoral Area A requires approval of the Provincial Government and the participating areas. Participating Area Approval may be sought through the Alternative Approval Process or Assent Vote.

#### 3.3 Environmental Considerations

None at this time.

#### 3.4 Social Considerations:

The provision of First Responder Services in rural areas may be a determining factor for community members intending to age in place and remain in smaller, more remote communities.

Through the current provision of these services by Kaslo and District VFD volunteers the community has signaled clearly to the Regional District that these services are required as matter of living in rural portions of Electoral Area D.

#### 3.5 Economic Considerations:

None.

#### 3.6 Communication Considerations:

The establishment of a First Responder Service for defined portions of Electoral Area D will require public consultation with residents of the defined area and a public approval process in the form of an AAP or an Assent Vote. Both of these processes require a communications strategy.

#### 3.7 Staffing/Departmental Workplan Considerations:

None.



### 3.8 Board Strategic Plan/Priorities Considerations:

The proposed improvement to First Responder Services are driven by the Boards commitment to excellence in service delivery.

## SECTION 4: OPTIONS & PROS / CONS

### Option 1. Proceed with the recommendation that

the Board authorize staff to prepare a service establishment Bylaw for a Medical First Responder Service within a defined portion of Area D SUBJECT TO staff conducting a public consultation process; that voter approval, for the bylaw, be undertaken by means of Alternative Approval Process

#### Advantages

- Establishes a First Responder Service for a defined portion of Area D in an equitable fashion.
- Improves the financial stability of the of Service S280 Fire Protection – Kaslo Fire
- Formalizes First Respond Services and provides a consistent funding to the program

#### Disadvantages

- Increased taxation for those residents within the new service area

### Option 2. Do not proceed with staff recommendations

#### Advantages

- No taxation increases for a defined portion of Area D

#### Disadvantages

- The current provision of service outside of the Fire Protection Service Area is not aligned with best practices, Fire Service Regulation or the RDCK Values.
- Rate payers in the Kaslo Fire Protection Service Area will continue to subsidize those rate payers outside the service area who receive First Responder services through the Kaslo and District VFD using Kaslo and District VFD resources.

## SECTION 5: RECOMMENDATIONS

That the Board authorize staff to prepare a service establishment bylaw for a Medical First Responder Service within a defined portion of Area D SUBJECT TO staff conducting a public consultation process; that voter approval, for the bylaw, be undertaken by means of Alternative Approval Process.

Respectfully submitted,  
Tom Dool, Research Analyst

## CONCURRENCE

Regional Fire Chief – Nora Hannon

Approved

Chief Administrative Officer – Stuart Horn

Approved

### ATTACHMENTS:

Attachment A – Electoral Area D and Village of Kaslo Emergency Response/Jaws of Life Local Service Area Establishment Bylaw No. 1340, 1998

Attachment B - Kaslo and Electoral Area D Emergency Response/Jaws of Life Service Establishment Amendment Bylaw No. 2279, 2012

Attachment C - Kaslo and District Fire Protection Service Establishment Bylaw 2300, 2013

Attachment D - 2009 Agreement between the Kaslo and District VFD and BC Health Services

# REGIONAL DISTRICT OF CENTRAL KOOTENAY

## BYLAW NO. 1340

A Bylaw to establish a local service within Electoral Area D and the Village of Kaslo for the purpose of providing an Emergency Response/Jaws of Life Service.

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WHEREAS a regional district may, by bylaw, establish and operate a local service under the provisions of Part 24 of the Municipal Act;

AND WHEREAS the Regional Board of the Regional District of Central Kootenay wishes to establish a local service area for the purpose of providing an Emergency Response/Jaws of Life service within Electoral Area D and the Village of Kaslo as authorized by subsection 798(1)(g) of the Municipal Act;

AND WHEREAS the Regional Board of the Regional District of Central Kootenay has published notice under Section 809(3) of the Municipal Act that it intends to establish the local service within Electoral Area D and the Village of Kaslo;

AND WHEREAS in response to the notice published under Section 809(3) of the Municipal Act, less than 5% of the electors in the proposed participating area have petitioned against the proposed local service;

NOW THEREFORE THE REGIONAL BOARD OF THE REGIONAL DISTRICT OF CENTRAL KOOTENAY IN OPEN MEETING ASSEMBLED, ENACTS AS FOLLOWS:

1. The Regional District hereby establishes a local service area for the purpose of providing an Emergency Response/Jaws of Life service to Electoral Area D and the Village of Kaslo to be known as the "*Electoral Area D and Village of Kaslo Emergency Response/Jaws of Life Local Service Area*".
2. The participants in the local service established under Section 1 shall be Electoral Area D and the Village of Kaslo.
3. The cost of providing the service established under Section 1 shall be apportioned among the participating areas on the basis of the converted value of land and improvements.
4. The cost of providing the service established under Section 1 shall be recovered by requisition under Sections 822 and 823 to be collected by a property value tax levied and collected under Sections 824(1) and 825(1) of the Municipal Act.
5. The maximum amount that may be requisitioned annually under Section 816(1)(a) of the Municipal Act for the service shall not exceed \$10,000. or \$0.053/\$1000. of net taxable value of land and improvements, whichever is greater.
6. This Bylaw may be cited as "**Electoral Area D and Village of Kaslo Emergency Response/Jaws of Life Local Service Area Establishment Bylaw No. 1340, 1998**".

READ A FIRST TIME this 21st day of November, 1998.

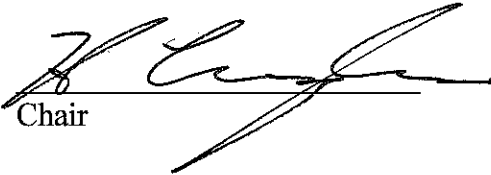
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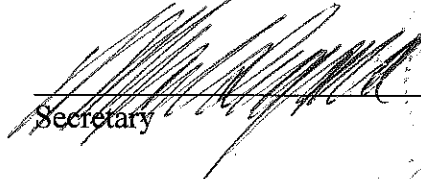
READ A THIRD TIME this 21st day of November, 1998.

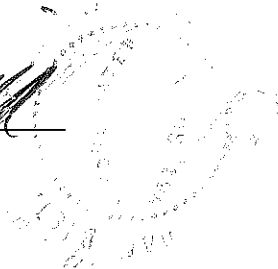
APPROVED by the Inspector of Municipalities on the 8th day of December, 1998.

ELECTOR ASSENT obtained by counter petition on the 26th day of February, 1999.

ADOPTED this 20th day of March, 1999.

  
Chair

  
Secretary



I hereby certify that this is a true and correct copy of  
**“Electoral Area D and Village of Kaslo Emergency  
Response/Jaws of Life Local Service Area Establishment  
Bylaw No. 1340, 1998”** as read a third time by the Board  
on the            day of            , 1998.

DATED this            day of            , 1998.

\_\_\_\_\_  
Secretary

I hereby certify that this is a true and correct copy of  
**“Electoral Area D and Village of Kaslo Emergency  
Response/Jaws of Life Local Service Area Establishment  
Bylaw No. 1340, 1998”**

DATED this            day of            , 1998.

\_\_\_\_\_  
Secretary

REGIONAL DISTRICT OF CENTRAL KOOTENAY

BYLAW NO. 2279

A Bylaw to amend Bylaw No. 1340, being the "Electoral Area D and Village of Kaslo Emergency Response / Jaws of Life Local Service Area Establishment Bylaw No. 1340, 1998"

WHEREAS a service has been established by the Regional District of Central Kootenay by Bylaw No. 1340, being the "Electoral Area D and Village of Kaslo Emergency Response / Jaws of Life Local Service Area Establishment Bylaw No. 1340, 1998", as amended;

AND WHEREAS the Board of the Regional District of Central Kootenay deems it expedient to further amend Bylaw No. 1340 to identify it more appropriately as a financial contribution service;

AND WHEREAS, pursuant to Sections 801.4 and 801.5 of the *Local Government Act*, consent has been received from at least two-thirds of the participants to amend Bylaw No. 1340.

NOW THEREFORE the Board of the Regional District of Central Kootenay in open meeting assembled enacts as follows:

1. Bylaw No. 1340, being the "Electoral Area D and Village of Kaslo Emergency Response / Jaws of Life Local Service Area Establishment Bylaw No. 1340, 1998", as amended, is hereby further amended as follows:

- (1) Section 1 is hereby deleted and the following is substituted therefore:

*The Regional District hereby establishes a service to be known as the "Kaslo and Electoral Area D Emergency Response / Jaws of Life Local Service" for the purpose of providing a financial contribution toward emergency response and Jaws of Life (road rescue) services with participants to the service being the Village of Kaslo and Electoral Area D.*

2. This Bylaw may be cited as the "Kaslo and Electoral Area D Emergency Response / Jaws of Life Service Establishment Amendment Bylaw No. 2279, 2012."

READ A FIRST TIME this 15<sup>th</sup> day of March, 2012.  
READ A SECOND TIME this 15<sup>th</sup> day of March, 2012.  
READ A THIRD TIME this 15<sup>th</sup> day of March, 2012.

I hereby certify that this is a true and correct copy of the  
"Kaslo and Electoral Area D Emergency Response /  
Jaws of Life Service Establishment Amendment Bylaw  
No. 2279, 2012" as read a third time by the Regional  
District of Central Kootenay Board on the \_\_\_\_\_ day of  
, 2012.

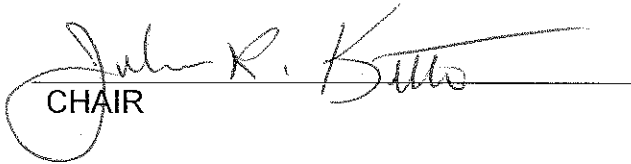
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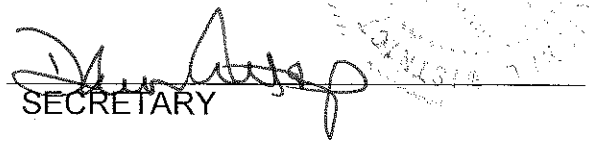
SECRETARY

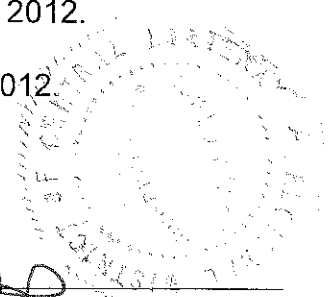
ELECTOR APPROVAL obtained in the participating area pursuant to Sections 801.4  
and 801.5 of the *Local Government Act*.

APPROVED by the Inspector of Municipalities on the 7<sup>th</sup> day of June, 2012.

ADOPTED this 21<sup>st</sup> day of June, 2012.

  
CHAIR

  
SECRETARY



## REGIONAL DISTRICT OF CENTRAL KOOTENAY

### BYLAW NO. 2300

A Bylaw to establish a service within the Village of Kaslo and a portion of Electoral Area D for the purpose of providing fire protection service.

WHEREAS a regional district may, by bylaw, establish and operate a service under the provisions of Part 24 of the *Local Government Act*;

AND WHEREAS the Board of the Regional District of Central Kootenay wishes to establish a service for the purpose of providing fire protection service to the Village of Kaslo and a defined portion of Electoral Area D;

AND WHEREAS pursuant to the *Local Government Act*, the approval of the electors has been obtained in accordance with Section 801.2;

NOW THEREFORE the Board of the Regional District of Central Kootenay, in open meeting assembled, enacts as follows:

1. The Regional District hereby establishes a service for the purpose of providing fire protection service to the Village of Kaslo and a defined portion of Electoral Area D, to be known as the "Kaslo and District Fire Protection Service Area."
2. The participants to the service established under Section 1 of this bylaw shall be the Village of Kaslo and Electoral Area D.
3. The boundary of the service area established under Section 1 of this bylaw shall be the Village of Kaslo in its entirety and a portion of Electoral Area D as detailed on Schedule A attached hereto and forming part of this bylaw.
4. The annual cost of providing this service shall be recovered by one or more of the following:
  - a) Property value taxes imposed in accordance with Division 4.3 of the *Local Government Act*
  - b) Parcel taxes imposed in accordance with Division 4.3 of the *Local Government Act*
  - c) Fees and charges imposed under Section 363 of the *Local Government Act*
  - d) Revenues raised by other means authorized under this or another Act



- e) Revenues received by way of agreement, enterprise, gift, grant or otherwise.
- 5. The maximum amount of money that may be requisitioned annually under the *Local Government Act* shall not exceed the greater of \$283,845 or \$0.974/\$1,000 of net taxable value of land and improvements within the service area.
- 6. There shall be no provision for service withdrawal until expiry of the debt.
- 7. This Bylaw may be cited as **“Kaslo and District Fire Protection Service Establishment Bylaw No. 2300, 2013.”**

READ A FIRST TIME this                    17<sup>th</sup>    day of            January ,                    2013.

READ A SECOND TIME this                17<sup>th</sup>    day of            January ,                    2013.

READ A THIRD TIME this                 17<sup>th</sup>    day of            January ,                    2013.

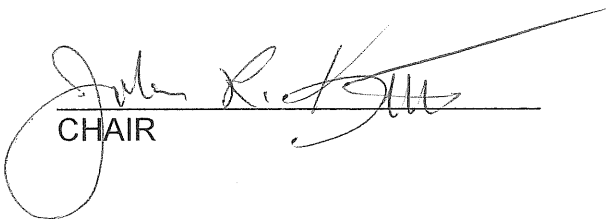
I hereby certify that this is a true and correct copy of the  
**“Kaslo and District Fire Protection Service Establishment  
 Bylaw 2300, 2013”** as read a third time by the Board on  
 the            day of            , 2013.

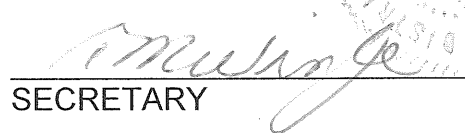
\_\_\_\_\_  
 Secretary

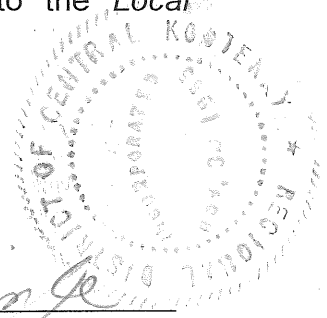
APPROVED by the Inspector of Municipalities on the 8<sup>th</sup> day of March, 2013.

ELECTOR APPROVAL obtained in the participating area pursuant to the *Local Government Act*.

ADOPTED this 16<sup>th</sup> day of May, 2013 .

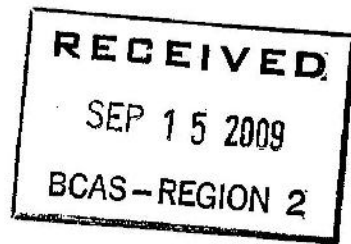
  
 CHAIR

  
 SECRETARY



**FIRST RESPONDER AGREEMENT (CONSENT AND INDEMNITY)**

**THIS AGREEMENT** dated for reference the 17<sup>th</sup> day of August 2009



**BETWEEN:**

Her Majesty the Queen in Right of the Province of British Columbia, represented by the Emergency and Health Services Commission continued under the provisions of the *Emergency and Health Services Act*, R.S.B.C. 1996, c. 182

(the "Commission")

**AND: Kaslo Fire Department**

(the "Agency")

(together the "Parties")

**WHEREAS:**

A. Under the provisions of the *Emergency and Health Services Act*, R.S.B.C. 1996, c. 182, the Commission has the power and authority to:

- (a) provide emergency health services in British Columbia; and
- (b) to assist hospitals, other health institutions and agencies, municipalities and other organizations and persons, to provide emergency health services and to train personnel to provide services, and to enter into agreements or arrangements for that purpose;

and no person may do anything that the Commission is given the power to do except with the written consent of the Commission, and on terms it may specify.

B. The Agency has employees or volunteer members who are licensed as EMA FR under the provisions of the *Emergency Medical Assistants Regulation*, B.C. Reg. 562/2004.

**NOW THEREFORE**, in consideration of the premises, and other good and valuable consideration (the receipt and sufficiency of which is acknowledged by each of the Parties), the Parties agree as follows:

Version for Execution – Approved May 21, 2009

**1.0 INTERPRETATION**

1.1 “EMA FR” has the same meaning as in the *Emergency Medical Assistants Regulation*, B.C. Reg. 562/2004;

“Emergency Health Service” has the same meaning as in the *Emergency and Health Services Act*;

“Emergency Medical Assistant” has the same meaning as in the *Emergency and Health Services Act*;

“First Nation” has the same meaning as in the *Community Charter*, S.B.C. 2003, c. 26;

“First Responder” means an individual who is licensed as an EMA FR in British Columbia;

“Local Authority” has the same meaning as in the *Community Charter*, S.B.C. 2003, c. 26.

**2.0 TERM**

2.1 This Agreement will continue until it is terminated in accordance with section 16.1.

**3.0 CONSENT**

3.1 The Commission consents to the Agency:

(a) providing Emergency Health Services in British Columbia by way of its First Responders; and

(b) training personnel to provide Emergency Health Services and entering into agreements or arrangements for that purpose;

(collectively “the Services”), subject to the terms and conditions contained in this Agreement.

#### **4.0 REQUIREMENT TO BE A LEGAL ENTITY**

- 4.1 The Agency must be a Local Authority or First Nation, or be a non-profit corporation.
- 4.2 An Agency which is not a Local Authority or First Nation must provide the Commission with:
- (a) a certificate of incorporation issued under the *British Columbia Society Act*, R.S.B.C. 1996, c. 433; or
  - (b) Letters Patent granted under the Federal *Canada Corporations Act*, Part 2, R.S.C. 1970, c. C-32.

#### **5.0 DISPATCH**

- 5.1 The Agency will only provide Emergency Health Services at the request of the Commission through the Commission's Emergency Medical Dispatch System.

#### **6.0 SERVICES**

- 6.1 It is a condition of this Agreement that an Agency will only allow a First Responder to provide Emergency Health Services:
- (a) for which the First Responder has been trained; and
  - (b) with respect to which the First Responder is licensed and holds a proper licence endorsement under the *Emergency Medical Assistants Regulation*, B.C. Reg. 562/2004.

#### **7.0 DIRECTION**

- 7.1 Subject to section 7.2, the Agency will require its First Responders to accept direction from an Emergency Medical Assistant employed by the Commission who has been dispatched by the British Columbia Ambulance Service to the scene of a medical emergency when:
- (a) both a First Responder and an Emergency Medical Assistant are in attendance;
  - (b) the direction provided by the Emergency Medical Assistant is directly related to the provision of Emergency Health Services;

- (c) the direction provided by the Emergency Medical Assistant does not require the First Responder to provide any Emergency Health Services for which the First Responder is not licensed or does not hold a proper license endorsement under the *Emergency Medical Assistants Regulation*, B.C. Reg. 562/2004; and
  - (d) the Agency has received the consent of the Commission under this Agreement to provide the Emergency Health Services for which direction is being given by the Emergency Medical Assistant.
- 7.2 First Responders may, at their discretion, accept direction or assistance from an off-duty Emergency Medical Assistant employed by the Commission if the First Responder believes that the direction is in the best interests of the patient.

## **8.0 INDEMNITY**

- 8.1 To the extent that the Agency is not indemnified under a valid and collectible policy of insurance, the Commission will indemnify and save harmless the Agency, against and from, all claims which may be brought or made by any person against the Agency or its First Responders in consequence of providing the Services in British Columbia in accordance with this Agreement, and whether sustained or incurred by reason of negligence or default, including legal fees and disbursements.
- 8.2 Despite section 8.1, the Commission will not indemnify or save harmless the Agency against claims which are the result of:
- (a) the gross negligence or willful, wanton or reckless conduct of a First Responder in providing the Services;
  - (b) a First Responder providing Services for which they have not been trained and for which they are neither licensed nor hold a proper license endorsement under the *Emergency Medical Assistants Regulation*, B.C. Reg. 562/2004;
  - (c) a First Responder traveling to or from a location for the purposes of providing the Services;
  - (d) a First Responder sustaining bodily injury or death as a result of providing the Services;

- (e) the Agency or a First Responder failing to comply with the terms of this Agreement.

## **9.0 DEFENCE**

- 9.1 For the purpose of this part:

"Action" means any action in which a Claim is brought, made or advanced against the Agency;

"Claim" means any Claim contemplated by section 8.1;

"Judgment" means an award of damages or other monetary compensation made in an Action which the Agency is ordered to pay by any court having proper jurisdiction, as a result of any Claim brought made or advanced against the Agency; and

"Settlement" means an agreement to compromise a Claim or an Action.

- 9.2 Upon the Agency becoming aware of any pending or threatened Claim or Action, written notice must be given by or on behalf of the Agency to the Commission within ten business days.
- 9.3 The Commission will investigate each Action or Claim as the Commission considers necessary, and must pay the costs of any investigation.
- 9.4 If the Commission has reasonable grounds for believing that any of the circumstances described in section 8.2 applies to the Action, the Commission may refuse to defend the Action. Such refusal will not relieve the Commission from its obligations to indemnify the Agency if it is subsequently determined that section 8.2 does not apply to the Action.
- 9.5 If the Commission obtains the written consent of the Agency (which the Agency agrees not to unreasonably withhold), the Commission may make a Settlement, provided that the Agency or its First Responders will not be required as part of the Settlement to admit liability.
- 9.6 If the Agency fails to give consent to the terms of a proposed Settlement under section 9.5, the Commission may require the Agency to negotiate or defend the Action independently of the Commission. In this case, any amount in excess of the Settlement negotiated by the Commission will not be recoverable under this Indemnity, and the Commission will only be responsible for legal fees and costs up to the time when the Settlement could have been made.



9.7 In respect of any claim or action which is founded upon any of the acts specified in section 8.2, the Agency will defend or negotiate a settlement and pay any compensation or other payment under any such settlement or any judgment.

## **10.0 COMMUNICATIONS**

10.1 The Agency must provide the Commission with one of the following:

- (a) a telephone number which allows the Commission to communicate with the Agency; or
- (b) proof that the First Responders can be efficiently dispatched by the Commission.

## **11.0 RELATIONSHIP**

11.1 No partnership, joint venture, agency or other legal entity will be created by or will be deemed to be created by this Agreement or any actions of the Parties pursuant to this Agreement.

## **12.0 MONEY**

12.1 The Agency will not in any manner whatsoever commit or purport to commit the Commission to the payment of money to any person, firm or corporation.

## **13.0 ASSIGNMENT**

13.1 The Agency will not assign, directly or indirectly, this Agreement or any right under this Agreement.

13.2 The Agency will not sub-contract the provision of the Services.

## **14.0 NON-WAIVER**

14.1 No term or condition of this Agreement and no breach by the Agency of any such term or condition will be deemed to have been waived unless such waiver is in writing signed by the Commission.



- 14.2 The written waiver by the Commission of any breach by the Agency of any term or condition of this Agreement will not be deemed to be a waiver of any other provision or any subsequent breach of the same or any other provision of this Agreement.

## **15.0 APPROVALS**

- 15.1 This Agreement does not operate as a permit, license, approval or other statutory authority which the Agency may be required to obtain from the Province of British Columbia or any of its agencies in order to provide the Services.
- 15.2 Nothing in this Agreement is to be construed as interfering with the exercise by the Province of British Columbia or its agencies of any statutory power or duty.

## **16.0 TERMINATION**

- 16.1 The Commission may terminate this Agreement immediately on giving written notice of termination to the Agency for the Agency's failure to comply with the terms and conditions of this Agreement; and both Parties may terminate the Agreement on giving thirty (30) days' written notice of termination to the other Party.

## **17.0 NOTICES**

- 17.1 Any written communication must be mailed, personally delivered or faxed to the following address:

if to the Commission:

Director, First Responder Services  
Emergency and Health Services Commission  
302 – 2955 Virtual Way  
Vancouver BC V5M 4X6  
Fax: (604) 660-6702

if to the Agency:

Name: Craig Kay Paul Sawyer  
 Title: Mayor CAO  
 Address: Village of Kaslo, Box 576  
Kaslo, BC V0G 1M0  
 Fax Number: 250 353 7767

17.2 Any written communication from a Party will be deemed to have been received by the other Party on the third business day after mailing in British Columbia; on the date of personal delivery if personally delivered; or on the date of transmission if faxed.

17.3 Any Party may, from time to time, notify the other Party in writing of a change of address and, following the receipt of such notice, the new address will, for the purposes of section 17.1 of this Agreement, be deemed to be the mailing address of the Party giving notice.

## **18.0 EXECUTION**

18.1 The Director, First Responder Services, is authorized to enter into and execute this Agreement on behalf of the Commission.

18.2 The Agency represents and warrants that it has authorized the signatory who has signed this Agreement on its behalf to enter into and execute this Agreement on its behalf without affixing the Agency's common seal.

## **19.0 MISCELLANEOUS**

19.1 All of the provisions of this Agreement in favour of the Commission, either at law or in equity, will survive any expiration or sooner termination of this Agreement.

19.2 This Agreement will be governed by and construed in accordance with the laws of the Province of British Columbia.

19.3 No amendment or modification to this Agreement will be effective unless it is in writing and duly executed by the Parties.

- 19.4 If any provision of this Agreement or the application to any person or circumstance is invalid or unenforceable to any extent, the remainder of this Agreement and the application of such provision to any other person or circumstance will not be affected or impaired thereby, and will be enforceable to the extent permitted by law.
- 19.5 Each of the Parties will, upon the reasonable request of the other, make, do, execute or cause to be made, done or executed all further and other lawful acts, deeds, things, devices, documents, instruments and assurances whatsoever for the better or more perfect and absolute performance of the terms and conditions of this Agreement.
- 19.6 Time will be of the essence in this Agreement.
- 19.7 The headings appearing in this Agreement have been inserted for reference and as a matter of convenience and in no way define, limit or enlarge the scope of any provision of this Agreement.
- 19.8 Any reference to a statute in this Agreement, whether or not that statute has been defined, includes all regulations at any time made under or pursuant to that statute and any amendments to that statute.
- 19.9 In this Agreement, wherever the singular or neuter is used it will be construed as if the plural or masculine or feminine, as the case may be, had been used where the context so requires.
- 19.10 This Agreement will enure to the benefit of and be binding upon the Parties and their successors and permitted assigns.
- 19.11 This Agreement constitutes the entire agreement between the Parties with respect to the subject matter of this Agreement.

19.12 This Agreement may be executed in counterpart, which when taken together will constitute one and the same Agreement. This Agreement may be executed by the exchange of signed counterparts by facsimile transmission or electronically in PDF or similar secure format.

**IN WITNESS WHEREOF** the Parties hereto have executed this Agreement the day and year first written.

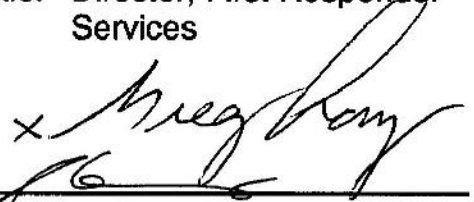
Director, First Responder Services )  
THE EMERGENCY AND HEALTH )  
SERVICES COMMISSION )



Name: David S. Mac

Title: Director, First Responder Services

Duly Authorized Signature of )  
THE AGENCY )

x 

Name: Greg Lay  
Mayor

Title: CAO

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 2928

A bylaw to amend Local Conservation Fund Service Area Parcel Tax Bylaw No. 2438 which provides for the imposition of a parcel tax on owners of land within the Local Conservation Fund Service Area.

WHEREAS the Board of Directors of the Regional District of Central Kootenay has, by Regional District of Central Kootenay Local Conservation Fund Service Establishment Bylaw 2420, 2014, established the Local Conservation Fund Service;

AND WHEREAS the Board has, by Regional District of Central Kootenay Local Conservation Fund Service Area Parcel Tax Bylaw No. 2438, 2014, imposed a parcel tax on property owners within the service area;

AND WHEREAS the Board has, by Regional District of Central Kootenay Local Conservation Fund Service Establishment Amendment (Area F) Bylaw 2810, 2022, included Electoral Area F in the Local Conservation Fund Service;

AND WHEREAS the Board considers it necessary to amend Bylaw 2438 to impose a parcel tax on Electoral Area F;

NOW THEREFORE the Board of the Regional District of Central Kootenay, in open meeting assembled, HEREBY ENACTS as follows:

1 That the portion of Section 1 which reads:

“Local Conservation Fund Service Area” is comprised of Electoral Areas A, D, E, and H

shall be deleted in its entirety and replaced with the following:

“Local Conservation Fund Service Area” is comprised of Electoral Areas A, D, E, F and H.

2 This Bylaw may be cited as “Local Conservation Fund Parcel Tax Amendment (Area F) Bylaw No. 2928, 2023.”

READ A FIRST TIME this 19<sup>th</sup> day of October, 2023.

READ A SECOND TIME this 19<sup>th</sup> day of October, 2023.

READ A THIRD TIME this 19<sup>th</sup> day of October, 2023.

ADOPTED this 19<sup>th</sup> day of October, 2023.

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Aimee Watson, Board Chair

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Mike Morrison, Corporate Officer



# Board Report

**Date of Report:** October 4, 2023  
**Date & Type of Meeting:** October 19, 2023  
**Author:** Tom Dool, Chief Elections Officer  
**Subject:** Slokan Valley Fire Protection Loan Authorization Assent Vote  
**File:** 3200/10/RDC/2929  
**Electoral Area/Municipality:** Areas H, I and the Village of Slokan

## SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to recommend to the Board that:

1. Slokan Valley Fire Protection Service Loan Authorization Assent Vote Bylaw No. 2929, 2023 be given three reading and adopted;
2. That resolution 503/23 be amended to read “That the Board appoint Tom Dool as Regional Voting Officer and Angela Lund as Deputy Regional Voting Officer for the Slokan Valley Fire Protection Service Loan Authorization (Frontline Fire Engine) Bylaw No. 2914, 2023 assent vote” replacing the titles of Chief and Deputy Elections Officer with Regional Voting Officer and Deputy Regional Voting Officer; and
3. That the participating area approval is to be obtained for the entire proposed service area.

## SECTION 2: BACKGROUND/ANALYSIS

### BACKGROUND

At the August 17, 2023 Open Board Meeting the Board resolved:

(504/23) *That the Slokan Valley Fire Protection Service Loan Authorization (Frontline Fire Engine) Bylaw No. 2914, 2023 be read a FIRST, SECOND, and THIRD time by content.*

(505/23) *That the Board approve the following question in relation to the Assent Voting for Fire Protection - Area H and I (Slokan Valley) Service S142:*

*Are you in favour of the Regional District adopting Slokan Valley Fire Protection Service Loan Authorization (Frontline Fire Engine) Bylaw No. 2914, 2023, which will permit the Regional District to borrow an amount not to exceed \$750,000 for the purpose of replacing the Winlaw Fire Department front line fire engine?*

YES  NO

506/23 *That the Board appoint Tom Dool as Chief Elections Officer and Angela Lund as Deputy Chief Election Officer for the Slokan Valley Fire Protection Service Loan Authorization (Frontline Fire Engine) Bylaw No. 2914, 2023, 2023 assent vote.*



As stated in the Slocan Valley Fire Protection Service Loan Authorization (Frontline Fire Engine) Bylaw No. 2914, 2023 and required by Section 344 of the *Local Government Act* Bylaw No. 2914 requires assent of the Electors prior to Board approval.

Electors eligible to participate in this assent vote reside within the Slocan, Winlaw, Passmore, and Creston Valley Fire Protection Areas (FPA). These fire protection areas are funded by the Slocan Valley Fire Protection Service (\$142). There are three jurisdictions which participate in the Slocan Valley Fire Protection Service, a defined portion of Electoral Area H, a defined portions of Electoral Area I and the Village of Slocan.

There are special provisions within the *Local Government Act* regarding approval by elector assent as it relates to processes involving multiple jurisdictions. Section 342 (3) of the *Local Government Act* requires that participating area approval must be obtained separately for each participating area in the proposed service unless the board, in accordance with Section 342(4), by resolution adopted by at least 2/3 of the votes cast, provides that participating area approval be obtained for the entire proposed service area.

In the case of approval under Section 342 (3) with each area participating separately, for each proposed participating area, a majority of the votes counted as valid would determine assent of the bylaw. In the event that fewer than 50% of the votes in any jurisdiction supported the approval of the bylaw the measure would fail. In the case of approval under Section 342 (4) with entire service area participation, a majority of votes counted as valid is in favour of the bylaw would result in elector approval.

*Local Government Act* Section 179 details special procedures required to conduct an assent vote for more than one local government. The participation of the Village of Slocan requires the assent vote process be compliant with this portion of the Act. It requires:

1. That the Regional District establish, by bylaw, the question to be used for the assent vote and the dates on which advance voting opportunities will be held; and
2. That the Board appoint a Regional Voting Officer and a Deputy Regional Voting Officer.

#### **ANALYSIS**

It should be noted that the proposed loan authorization is for the replacement of an frontline fire engine providing service to the Winlaw FPA which affects the provision of fire protection services to residents of that FPA but assent must be received from electors in the other three FPA's as well; and further, that those three FPA's span three different jurisdictions with non-contiguous boundaries. The current arrangement of funding four FPA's through a single Fire Protection Service evenly distributes the cost of fire protection over the entire service area while providing a consistent response and ensuring available resources through mutual aid agreements.

Participating area approval obtained from the entire service area best reflects integrated approach taken to the funding and provision of fire protection services within the Slocan Valley Fire Protection Service Area.

Regional District staff have discussed the matter with Village of Slocan staff and it has been agreed that the most efficient way to proceed with the assent vote process would be to have the Regional District oversee the assent vote for both the rural and municipal areas. This would allow one polling station to maintain two ballot boxes,

one for municipal residents and one for rural area residents as opposed establishing two polling stations in the north end of the service area.

### SECTION 3: DETAILED ANALYSIS

#### 3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan:  Yes  No      Financial Plan Amendment:  Yes  No  
Debt Bylaw Required:  Yes  No      Public/Gov't Approvals Required:  Yes  No  
None at this time.

#### 3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

In accordance with Section 342 of the *Local Government Act* if approval is to be obtained by assent vote, the Board may by resolution (adopted by at least 2/3 of the votes cast) provide that the participating area approval is to be obtained for the entire service area.

If it is the Boards intent to seek participating area approval, by assent vote, on behalf of the Village of Slocan Section 179 of the *Local Government Act* requires that the Board appoint a Regional Voting Officer and Deputy Regional Voting Officer.

If it is the Boards intent to proceed seek participating area approval, by assent vote, on behalf of the Village of Slocan the Board is required to state by bylaw, the question to be used for the assent vote and the dates on which advance voting opportunities will be held.

#### 3.3 Environmental Considerations

None at this time.

#### 3.4 Social Considerations:

None at this time.

#### 3.5 Economic Considerations:

None at this time.

#### 3.6 Communication Considerations:

None at this time.

#### 3.7 Staffing/Departmental Workplan Considerations:

None at this time.

#### 3.8 Board Strategic Plan/Priorities Considerations:

An equitable and transparent assent voting process across several jurisdictions demonstrates the Boards commitment to excellence in service delivery.

### SECTION 4: OPTIONS & PROS / CONS

**Option 1. That participating area approval be obtained for the entire service area.**

**Advantages**

- The process best reflects the integrated service and funding model for fire protection services in the Slocan Valley Fire Protection Area
- Is the most efficient approach in terms of resources required for the election
- Creates the strongest chain of custody in terms of ballot box results

**Disadvantages**

- None

**Options 2. That participating area approval be obtained separately for each participating area in the service area**

**Advantages**

- None

**Disadvantages**

- Does not reflect the integrated approach taken by this service for the funding and provision of fire protection Services
- A very small subset of the electors would decide the assent vote

**SECTION 5: RECOMMENDATIONS**

1. That participating area approval for the Slocan Valley Fire Protection Service Loan Authorization (Frontline Fire Engine) Bylaw No. 2914, 2023 be obtained for the entire service area.
2. That recommendation 506/23 be amended to read:

*That the Board appoint Tom Dool as **Regional Voting Officer** and Angela Lund as **Deputy Regional Voting Officer** for the Slocan Valley Fire Protection Service Loan Authorization (Frontline Fire Engine) Bylaw No. 2914, 2023 assent vote.*

3. That the Slocan Valley Fire Protection Service Loan Authorization Assent Vote Bylaw No. 2929, 2023 be read a FIRST, SECOND, and THIRD time by content.
4. That the Slocan Valley Fire Protection Service Loan Authorization Assent Vote Bylaw No. 2929, 2023 be ADOPTED and the Chair and Corporate Officer be authorized to sign the same.

Respectfully submitted,  
Tom Dool, Research Analyst

**CONCURRENCE**

Chief Administrative Officer – Stuart Horn	Approved
Manager of Corporate Administration – Mike Morrison	Approved

**ATTACHMENTS:**

Attachment A – Slocan Valley Fire Protection Service Loan Authorization Assent Vote Bylaw No. 2929, 2023

## REGIONAL DISTRICT OF CENTRAL KOOTENAY

# Bylaw No. 2929

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A Bylaw to establish the question and advance voting days for assent voting on the adoption of Slocan Valley Fire Protection Service Loan Authorization (Frontline Fire Engine) Bylaw No. 2914, 2023

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WHEREAS the *Local Government Act* requires the Regional District of Central Kootenay, by bylaw, to establish the question for voting and set the required advance voting day for assent voting on the required borrowing;

AND WHEREAS the Slocan Valley Fire Protection Service Loan Authorization (Frontline Fire Engine) Bylaw No. 2914, 2023 authorizes the borrowing of the up to Seven Hundred Fifty Thousand Dollars (\$750,000) for the purchase of a frontline fire engine for the Winlaw Volunteer Fire Department;

NOW THEREFORE the Board of the Regional District of Central Kootenay, in open meeting assembled, HEREBY ENACTS as follows:

### QUESTION

- 1 The question asked, on the assent ballot, to obtain elector approval of Slocan Valley Fire Protection Service Loan Authorization (Frontline Fire Engine) Bylaw No. 2914, 2023 shall be:

*Are you in favour of the Regional District adopting Slocan Valley Fire Protection Service Loan Authorization (Frontline Fire Engine) Bylaw No. 2914, 2023, which will permit the Regional District to borrow an amount not to exceed \$750,000 for the purpose of replacing the Winlaw Volunteer Fire Department front line fire engine?*

YES

NO

### ADVANCE VOTING OPPORTUNITY

- 2 Notwithstanding Regional District of Central Kootenay Election and Assent Voting Bylaw No. 2823, 2022, the advance voting opportunity to be scheduled for assent voting in all voting areas on this question shall be on the 10<sup>th</sup> day before the assent voting day from 8:00 a.m. to 8:00 p.m.

### CITATION

- 3 This Bylaw may be cited as “**Slocan Valley Fire Protection Service Loan Authorization Assent Vote Bylaw No. 2929, 2023.**”

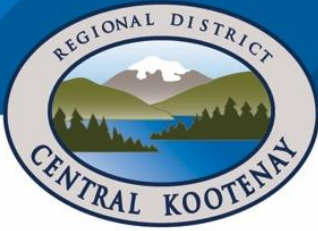
READ A FIRST TIME this	19 <sup>th</sup>	day of	October, 2023.
READ A SECOND TIME this	19 <sup>th</sup>	day of	October, 2023.
READ A THIRD TIME this	19 <sup>th</sup>	day of	October, 2023.
ADOPTED this	19 <sup>th</sup>	day of	October, 2023.

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Aimee Watson, Board Chair

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Mike Morrison, Corporate Officer



# Board Report

**Date of Report:** September 28, 2023  
**Date & Type of Meeting:** October 19, 2023 RDCK Board Meeting  
**Author:** Todd Johnston, Environmental Services Coordinator  
**Subject:** AMENDMENT TO BYLAW ENFORCEMENT NOTICE AND ADJUDICATION SYSTEM BYLAW NO. 2855, 2023  
**File:** 12-6240-20  
**Electoral Area/Municipality:** Entire RDCK

## SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to seek approval from the Board to repeal and replace a Schedule within the Regional District of Central Kootenay Amendment to Bylaw Enforcement Notice and Adjudication System Bylaw No. 2855, 2023 as listed in the Regional District of Central Kootenay Bylaw Enforcement Notice and Dispute Adjudication System Amendment Bylaw No. 2930, 2023.

## SECTION 2: BACKGROUND/ANALYSIS

Since the adoption of the RDCK Bylaw Enforcement Notice and Adjudication System Bylaw No. 2855, 2023 (BEN Bylaw), the Regional District of Central Kootenay Resource Recovery Facilities Regulatory Bylaw No. 2905, 2023 (RR Bylaw) was adopted. Changes made to the RR Bylaw, relevant to the BEN Bylaw are section number changes, and a new bylaw number, all of which must be reflected in Bylaw No. 2855. Specifically, the following must be repealed and replaced:

- Repeal and replace Schedule A in the Appendices Index to identify the new bylaw number and appendix number;
- Repeal and replace Schedule A: Appendix 17 (RDCK Resource Recovery Facilities Regulatory Bylaw No. 2891, 2023) with the correct Bylaw number and bylaw section references.

## SECTION 3: DETAILED ANALYSIS

### 3.1 Financial Considerations – Cost and Resource Allocations:

**Included in Financial Plan:**  Yes  No    **Financial Plan Amendment:**  Yes  No  
**Debt Bylaw Required:**  Yes  No    **Public/Gov't Approvals Required:**  Yes  No

None Anticipated

### 3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

If the Regional District of Central Kootenay Bylaw Notice and Dispute Adjudication System Amending Bylaw is not adopted, authorized RDCK staff including Bylaw Enforcement Officers and authorized Resource Recovery staff cannot issue fines for non-compliance with the Resource Recovery Facilities Bylaw No. 2905, 2023.

### 3.3 Environmental Considerations

None Anticipated

### 3.4 Social Considerations:

If staff cannot fine for non-compliance with Resource Recovery Facility regulations, then the RDCK's ability to protect employees, infrastructure and the environment is compromised over the long term.

### 3.5 Economic Considerations:

None Anticipated

### 3.6 Communication Considerations:

None Anticipated

### 3.7 Staffing/Departmental Workplace Considerations:

Administering the Bylaw Enforcement Notice and Adjudication System Bylaw and subsequent amendments is within the scope of Bylaw Enforcement staff and authorized Resource Recovery staff duties.

### 3.8 Board Strategic Plan/Priorities Considerations:

Ensuring safe and orderly operations of Resource Recovery facilities aligns with the Board priorities of:

- To Excel in Governance and Service Delivery
- To Manage our Assets and Operations in a Fiscally Responsible Manner
- To Strengthen our Relationships with our Community Partners

## SECTION 4: OPTIONS & PROS / CONS

**OPTION 1: That the Board adopt the Regional District of Central Kootenay Bylaw Enforcement Notice and Dispute Adjudication System Amendment Bylaw No. 2930, 2023.**

**PROS:**

- Staff will be able to issue fines associated with infractions of the Resource Recovery Facilities Regulatory Bylaw No. 2905

**CONS:**

- None.

**OPTION 2: That the Board not adopt the Regional District of Central Kootenay Bylaw Enforcement Notice and Dispute Adjudication System Amendment Bylaw No. 2930, 2023.**

**PROS:**

- None

**CONS:**

- If the amending bylaw is not adopted, there is no enforcement legislation for Bylaw Enforcement and other authorized RDCK staff to issue fines when addressing non-compliance at Resource Recovery Facilities, through Bylaw No. 2905, 2023, when any request made for voluntary compliance is not met.
- Without the current BEN Bylaw fine schedules, the limitations on bylaw enforcement and other RDCK authorized staff would result in court actions only, which can cost approximately \$10,000 - \$20,000.



## SECTION 5: RECOMMENDATIONS

1. That the Regional District of Central Kootenay Bylaw Enforcement Notice and Dispute Adjudication System Amendment Bylaw No. 2930 be read a FIRST, SECOND and THIRD time by content.
2. That the Regional District of Central Kootenay Bylaw Enforcement Notice and Dispute Adjudication System Amendment Bylaw No. 2930 be ADOPTED and that the Chair and Corporate Officer be authorized to sign the same.

Respectfully submitted,  
Todd Johnston, Environmental Services Coordinator

## CONCURRENCE

General Manager of Environmental Services – Uli Wolf	Approved
Chief Administrative Officer – Stuart Horn	Approved

### ATTACHMENTS:

- Attachment 01: Regional District of Central Kootenay Bylaw Enforcement Notice and Dispute Adjudication System Amendment Bylaw No. 2930, 2023
- Attachment 02: Regional District of Central Kootenay Bylaw Enforcement Notice and Dispute Adjudication System Amendment Bylaw No. 2930, 2023, Schedule A: Appendices Index and Appendix 17

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 2930

A Bylaw to amend Bylaw Enforcement Notice and Dispute Adjudication System Bylaw No. 2855, 2023.

WHEREAS it is deemed expedient to amend the Schedule 'A' – Designated Bylaw Contraventions and Penalties of the Regional District of Central Kootenay Bylaw Enforcement Notice and Dispute Adjudication System Bylaw No. 2855, 2023, and amendments thereto.

NOW THEREFORE the Board of the Regional District of Central Kootenay, in open meeting assembled, HEREBY ENACTS as follows:

- 1 The Regional District of Central Kootenay Bylaw Enforcement Notice and Dispute Adjudication System Bylaw No. 2855, 2023 is hereby amended and the following Schedule A – Designated Bylaw Contraventions and Penalties replace the associated appendices to form as part of this bylaw:
(a) Schedule 'A' – Appendices Index;
(b) Schedule 'A' – Appendix 17.

- 2 This Bylaw shall come into force and effect upon its adoption.

CITATION

- 3 This Bylaw may be cited as "Regional District of Central Kootenay Bylaw Enforcement Notice and Dispute Adjudication System Amendment Bylaw No. 2930, 2023."

READ A FIRST TIME this 19th day of October ,2023.

READ A SECOND TIME this 19th day of October ,2023.

READ A THIRD TIME this 19th day of October ,2023.

ADOPTED this 19th day of October , 2023.

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

## SCHEDULE A: APPENDICES INDEX

<b>APPENDIX</b>	<b>BYLAW</b>	<b>BYLAW NO.</b>
Appendix 1	Unsightly Property Bylaw	No. 1687, 2004
Appendix 2	Noise Control Bylaw	No. 2440, 2015
Appendix 3	Nuisance Bylaw	No. 2043, 2009
Appendix 4	E/F Dog Control Regulatory Bylaw	No. 2387, 2014
Appendix 5	Specified Portions I/J Dog Control Bylaw	No. 2388, 2014
Appendix 6	Define Area K Dog Control Bylaw	No. 2389, 2014
Appendix 7	Building Bylaw	No. 2200, 2010
Appendix 8	Soil Removal/Deposit Bylaw	No. 1183, 1996
Appendix 9	Parks Regulation Bylaw	No. 2173, 2011
Appendix 10	Manufactured Home Parks Bylaw	No. 1082, 1995
Appendix 11	A: Comprehensive Land Use Bylaw	No. 2315, 2013
Appendix 12	B: Comprehensive Land Use Bylaw	No. 2316, 2013
Appendix 13	C: Comprehensive Land Use Bylaw	No. 2317, 2013
Appendix 14	Zoning Bylaw	No. 1675, 2004
Appendix 15	Salmo River Valley Electoral Area G Land Use	No. 2452, 2018
Appendix 16	Electoral Area D Comprehensive Land Use Bylaw	No. 2435, 2016
Appendix 17	Resource Recovery Facilities Regulatory Bylaw	No. <del>2891</del> <u>2905</u> , 2023
Appendix 18	Regional District of Central Kootenay Water Bylaw	No. 2824, 2022

**Schedule A**  
**APPENDIX 17**  
**Resource Recovery Facilities Bylaw No. ~~2891~~2905, 2023**

Bylaw Section	Description	A1	A2	A3	A4
	The following fines apply to the Contraventions Below  (\$)	Penalty Amount	Discounted Penalty:  Within 14 days  (\$)	Late Payment  After 28 days  (\$)	Compliance Agreement Availability & Discount    (%)
<del>3.1</del> .2	Operation of a Vehicle off a Designated Road 1 <sup>st</sup> & 2 <sup>nd</sup> Offence 3 <sup>rd</sup> & Subsequent	100 200	100 175	175 275	N/A N/A
<del>3.4</del> .2.1	Failure to Properly Secure a Load 1 <sup>st</sup> & 2 <sup>nd</sup> Offence 3 <sup>rd</sup> & Subsequent	100 200	100 175	175 275	N/A N/A
<del>3.35</del> .1	Prohibited Smoking 1 <sup>st</sup> & 2 <sup>nd</sup> Offence 3 <sup>rd</sup> & Subsequent	100 200	100 175	175 275	N/A N/A
<del>3.35</del> .3	Failure to Dispose of Waste in a Manner that Conforms to WorkSafe BC Regulations 1 <sup>st</sup> & 2 <sup>nd</sup> Offence	100	100	175	N/A
<del>3.5</del> .7.2	Improper Disposal of Controlled Waste 1 <sup>st</sup> & 2 <sup>nd</sup> Offence	200	175	275	N/A
<del>3.57</del> .4 <del>3.57</del> .5 <del>3.57</del> .6	Improper Disposal or Deposit of Recyclable Materials 1 <sup>st</sup> & 2 <sup>nd</sup> Offence 3 <sup>rd</sup> & Subsequent	100 200	100 175	175 275	N/A N/A
<del>3.68</del> .2	Failure to Dispose of or Deposit Waste in a manner that Conforms with the Bylaw 1 <sup>st</sup> & 2 <sup>nd</sup> Offence 3 <sup>rd</sup> & Subsequent	100 200	100 175	175 275	N/A N/A

<u>3.68.6</u>	Failure to Dispose of or Deposit Waste in a Manner as Directed by the Site Operator or Service Personnel					
	1 <sup>st</sup> & 2 <sup>nd</sup> Offence	100	100	175	N/A	
	3 <sup>rd</sup> & Subsequent	100	100	175	N/A	
<u>3.68.9</u>	Unauthorized Removal of Waste from a Resource Facility					
	1 <sup>st</sup> & 2 <sup>nd</sup> Offence	100	100	175	N/A	
	3 <sup>rd</sup> & Subsequent	500	500	500	N/A	
<u>3.68.10</u>	Disposal or Deposit of Out-of-Area Municipal Solid Waste					
<u>3.68.11</u>		1 <sup>st</sup> & 2 <sup>nd</sup> Offence	100	100	175	N/A
<u>3.68.12</u>		3 <sup>rd</sup> & Subsequent	500	500	500	N/A
<u>3.68.13</u>						
<u>3.68.14</u>	Entering a Resource Recovery Facility at a Time other Than the Designated Hours of Operation					
	1 <sup>st</sup> & 2 <sup>nd</sup> Offence	100	100	175	N/A	
	3 <sup>rd</sup> & Subsequent	500	500	500	N/A	
<u>3.68.15</u>	Starting an Unauthorized Fire					
	1 <sup>st</sup> & 2 <sup>nd</sup> Offence	500	500	500	N/A	
<u>3.68.16</u>	Unauthorized Alteration of a Sign					
	1 <sup>st</sup> & 2 <sup>nd</sup> Offence	100	100	175	N/A	
	3 <sup>rd</sup> & Subsequent	500	500	500	N/A	
<u>3.68.19</u>	Loitering at Transfer Station					
	1 <sup>st</sup> & 2 <sup>nd</sup> Offence	100	100	175	N/A	
	3 <sup>rd</sup> & Subsequent	500	500	500	N/A	
<u>3.79.1</u>	Failure to Follow Direction Provided by Site Operator or Site Personnel					
	1 <sup>st</sup> & 2 <sup>nd</sup> Offence	100	100	175	N/A	
	3 <sup>rd</sup> & Subsequent	500	500	500	N/A	



# Board Report

**Date of Report:** October 12, 2023  
**Date & Type of Meeting:** October 19, 2023  
**Author:** Mark Crowe, Regional Park Planner  
**Subject:** TRADITIONAL USE STUDY  
**File:** 7015-CLRP  
**Electoral Area/Municipality** Creston, Electoral A, B, C

## SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the Board to receive the final Ktunaxa RDCK Traditional Use Study (TUS) Summary Report dated April 2023. The report was coordinated by Ktunaxa Nation Council Staff and their consultant Reciprocity Research Inc.

## SECTION 2: BACKGROUND/ANALYSIS

At the October 5, 2023 Creston Valley Services Committee meeting the TUS report was discussed and the following recommendation was passed.

*That the Ktunaxa RDCK Traditional Use Study (TUS) Summary Report dated April 2023 be received by the Board.*

The TUS Summary Report is attached for consideration. The goals of the TUS are identified on Page 6 of the report:

*For this TUS summary report, the focus will be to provide a reasonable review of Ktunaxa knowledge and use and the potential for impacts from the establishment of the proposed RDCK regional parks. We will hope to provide recommendations for management of the proposed parks, and highlight opportunities for collaborative management and stewardship of the parks. Our review includes a review of existing TUS documents from past projects, documentation of the project sites and adjacent areas from a Ktunaxa perspective, and identification of key Ktunaxa places, practices, and species or resources that may be influenced, including impacts and opportunities, by recreational development in the five proposed areas.*

It should be noted that the TUS does not commit the RDCK to creating parks at any of the locations which were studied, which included:

- Kyanukxu ʔa·kinmituk (Goat River South)
- Kayaqaniskuwal (West Creston Ferry Landing)
- ʔsanca (Martell Beach)
- Kwataq̓nuk (Crawford Creek Regional Park)
- Sina ʔaknuxuʔnuk (Powerline Beach, Teck)

The TUS improves our understanding of Yaqaan Nukiy and Ktunaxa culture and also provides understandings where consultation and collaboration can continue to occur. Should the RDCK proceed with the development of any of the potential parks locations further engagement is required with Yaqaan Nukiy and Ktunaxa Nation Council (KNC) Staff.

### SECTION 3: DETAILED ANALYSIS

#### 3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan:  Yes  No      Financial Plan Amendment:  Yes  No  
 Debt Bylaw Required:  Yes  No      Public/Gov't Approvals Required:  Yes  No

The report was completed on budget.

#### 3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

A considerable amount of strategic planning work (RDCK Board Priorities, Kootenay Lake Shoreline Guidance Document & Recreation Masterplan) has been done which identifies the importance of cultural values.

- TUS work is in alignment with RDCK Strategic Board Priorities associated with supporting and exploring partnership and potential opportunities with First Nations. This work is moving towards reconciliation with First Nation through respectful interactions and exploring partnership.
- The RDCK is a partner for the Kootenay Lake Shoreline Guidance Document (2020) which includes a commitment to Ktunaxa cultural values and enhanced engagement when planning development activities along Kootenay Lake. Crawford Creek, Martell Beach and Powerline Beach are identified in this document as requiring Enhanced Engagement.
- The Recreation Masterplan identifies the desire to implement a consolidated regional parks services. At this time a single parks service, however, the project was completed with the pooling of funding from Service S201 Regional Parks Creston and Areas B and C and Service S205 Regional Parks Area A.
- The Recreation Masterplan recommends acquiring land for the development of park sites including access to water (Recommendation #7). A key implementation consideration identified for this recommendation is to meet with the Lower Kootenay Band to discuss potential opportunities and seek opportunities of common interest.

#### 3.3 Environmental Considerations

Regional Parks must consider ecological integrity and cultural continuity first and foremost when making park development considerations.

#### 3.4 Social Considerations:

Regional Parks must consider meeting the needs of a growing number of people with a range of abilities and interests while also balancing social, cultural, and environmental factors.

#### 3.5 Economic Considerations:

Regional Park development can contribute to the local economy through job creation, tourism, commercial businesses and increases in real estate value.

#### 3.6 Communication Considerations:

Further communication will be required between Yaqaan Nukiy and KNC staff.



### **3.7 Staffing/Departmental Workplace Considerations:**

Staffing and workplan considerations will need to be considered in order to pursue new parks in collaboration with Yaqan Nukiy and KNC staff. Resources will be required to engage the public in park planning and management planning should the need arise.

### **3.8 Board Strategic Plan/Priorities Considerations:**

The RDCK 2019-2023 Strategic Plan identifies the following strategies and the desired results:

- Seek opportunities for partnership with local communities by moving towards reconciliation with First Nation through respectful interactions and exploring partnership.
- Work with societies and organization to operate and maintain recreation assets and explore diverse funding opportunities.

## **SECTION 4: OPTIONS & PROS / CONS**

### Pros

- The TUS is in alignment with RDCK Strategic Priorities, Recreation Masterplan, and the Kootenay Lake Shoreline Guidance Document.
- Should the RDCK proceed with the development of any of these parks we have a path forward for further engagement and additional studies that are required.
- We now understand which locations are recommended or not recommended for Regional Park development.

### Cons

- At this time the RDCK does not have a specified fund for capacity building projects with Indigenous communities and organizations.
- There is currently no budget specified for regional park acquisition.

## **SECTION 5: RECOMMENDATIONS**

That the Ktunaxa RDCK Traditional Use Study (TUS) Summary Report dated April 2023 be received by the Board.

Respectfully submitted,

Mark Crowe  
Regional Park Planner

## **CONCURRENCE**

Stuart Horn, CAO  
Joe Chirico, General Manager of Community Services

### **ATTACHMENTS:**

**Attachment A** – Ktunaxa RDCK Traditional Use Study (TUS) Summary Report dated April 2023



MT. RYKERT, "BLUEPRINT FOR THE STURGEON NOSE CANOE" - ROBIN LOUIE. PHOTO: SAMMY KENT

# KTUNAXA RDCK TUS SUMMARY REPORT (APRIL 2023)

FOR REGIONAL DISTRICT OF CENTRAL KOOTENAY'S (RDCK), FIVE PROPOSED REGIONAL PARKS NEAR  
CRESTON, BC



**reciprocity.**

## **KTUNAXA RDCK TUS SUMMARY REPORT (April 2023) For Regional District of Central Kootenay's (RDCK), Five Proposed Regional Parks near Creston, BC**

April 13, 2023

### **Prepared and authored by:**

Sammy Kent (BSc, A.Ag) with staff from Reciprocity Research Inc., with the Ktunaxa Nation Council.

### **On behalf of:**

Ktunaxa Nation Council (KNC) & Yaqan Nu?kiy (Lower Kootenay Band)

### **Submitted to:**

Caitlin Phillips & Jaime Vienneau  
Lands and Resources Sector, Ktunaxa Nation Council

### **Acknowledgements:**

This report is dedicated to the memory of Robert Louie Sr. whose contributions we have relied on for this report. Thanks, and acknowledgements go to Ktunaxa Citizens, Elders, knowledge holders, land users and staff who contributed including Robert Williams, Alfred Joseph, Robin Louie, Jesse Thomas, Cisco Luke-Jimmy, Lance Thomas, Jared Cayenne, Jayden Francis, Curtis Wullum, Caitlin Phillips, Jaime Vienneau, & Sebastien Martinez. And those who have contributed through past work: Wayne Louie, Isabel Louie, Annie Capillo, Chris Luke Sr, Chad Luke, Pete Williams, and Robert Louie. This report could not have been completed without their support and expert knowledge. Additional support was provided by staff at Reciprocity Research Inc.

### **Disclaimer:**

The information contained in this report is based on research conducted by KNC with Reciprocity Research Inc. It reflects the understanding of the lead authors and is not intended to be a complete depiction of the dynamic and living system of use and knowledge maintained by Ktunaxa Nation citizens. It may be updated, refined, or changed as new information becomes available. All mapped information is based on field visits and interviews with Ktunaxa Nation Knowledge Holders conducted within constraints of time, budget and scope. Base map data originate from the National Topographic System and Natural Resources Canada. The information contained herein should not be construed as to define, limit, or otherwise constrain the Aboriginal rights of the Ktunaxa Nation or any other First Nations or Aboriginal peoples.

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# 1. INTRODUCTION

Yaqan Nuʔkiy (Lower Kootenay Band - LKB) and Ktunaxa Nation Council (KNC) have been approached by the Regional District of Central Kootenay (RDCK) to produce a TUS report and guiding recommendations on the proposed establishment of five regional parks on the South Arm of Kootenay Lake and near to Creston, BC. Reciprocity Research Inc. (Reciprocity) was contracted to support on the review and documentation of a Ktunaxa-led review of the five proposed RDCK Regional Park sites (the Project) - Reciprocity is providing this Traditional Use Study (TUS) Summary Report on behalf of Yaqan Nuʔkiy, and the Ktunaxa Nation Council. The report provides a summary of key concerns and findings from the work including recommendations for each of the five proposed parks: Goat River South, West Creston Ferry Landing, Martell Beach, Crawford Creek, and Powerline Beach @ Walker's Landing (owned by Teck Metals Ltd). The field surveys took place from October 12-14<sup>th</sup>, 2022. There were 9 participants and included Ktunaxa Nation Council (KNC) staff, members, Ktunaxa elders and Knowledge Holders, environmental professionals, archaeologists, and anthropologists. The review was done to the best of our ability given the constraints of time, resources, and health limitations of Elders'. The concerns being raised below have been raised and informed by Ktunaxa Citizens and Yaqan Nuʔkiy and KNC Staff, the summary of concerns and recommendations is presented in a discreet list found in Section 4.

The focus of this TUS Summary Report is to identify Ktunaxa cultural values within the proposed park locations and in adjacent areas that could be reasonably impacted by increased public pressure. Field work for this Project included recording of current ecological conditions and brief place-based interviews with Ktunaxa knowledge holders at sites of ecological and cultural importance. Aerial and conventional video footage was collected during the site visits and included interviews with Ktunaxa citizens and staff who provided context for the proposed project. Through respectful and continued involvement of key Ktunaxa elders, knowledge holders and staff, this work may support ongoing negotiations and establishing mitigations between Yaqan Nuʔkiy, KNC and RDCK.

The field survey component of this work was led by KNC staff, Ktunaxa citizens, and staff of Reciprocity Research. The objective of the field survey was to look closely at the proposed park locations to identify concerns and Ktunaxa cultural and ecological interests at each proposed park location. We note that while the RDCK may view archaeology as an important value for study during their review of the proposed parks, Yaqan Nuʔkiy, KNC and Ktunaxa knowledge holders view archaeology as important both throughout the past, present, and into the future. The presence and persistence of culturally important sites from the past preserves the cultural integrity of the landscape and supports knowledge transfer and a sense of place for Ktunaxa Citizens now and into the future. Therefore, preservation of, and careful assessment of potential culturally important sites is



integral for a complete understanding of Ktunaxa traditional use and knowledge of the areas surrounding the proposed parks. Should RDCK proceed with the development of any of the proposed parks, it should engage Yaqaan Nu?kiy and KNC Archaeology staff to complete additional studies of the proposed *park impact zones*<sup>1</sup>.

## 1.1 GOALS OF THIS REPORT

For this TUS summary report, the focus will be to provide a reasonable review of Ktunaxa knowledge and use and the potential for impacts from the establishment of the proposed RDCK regional parks. We will hope to provide recommendations for management of the proposed parks, and highlight opportunities for collaborative management and stewardship of the parks. Our review includes a review of existing TUS documents from past projects, documentation of the project sites and adjacent areas from a Ktunaxa perspective, and identification of key Ktunaxa places, practices, and species or resources that may be influenced, including impacts and opportunities, by recreational development in the five proposed areas.

As defined in the Scope of Work (SoW) provided to KNC on June 16, 2022, the objectives of Reciprocity Research in supporting this Traditional Use Study are as follows:

- Review existing documents including: findings of KNC TUS (maps, interviews, etc.), archival review completed by KNC Staff, and other research undertaken by KNC and consultants;
- Work with KNC GIS staff to adapt and update existing field methods and survey forms (including On-territory TUS interviews, TEK field surveys, and data management) (based on feedback from Call to Gather results);
- Support a ½ day in-class and ½ day on-territory training and field planning session with KNC staff, Ktunaxa community staff and Ktunaxa knowledge holders;
- Support up to 5 brief, in-person family focus groups with Yaqaan Nu?kiy families to review existing information and document cultural and ecological importance of the project areas;
- Support 1 day of field visits to key sites in the area of Creston and Crawford Bay;
- Write a non-confidential Ktunaxa TUS summary report on the results of the field study, potential impacts on Ktunaxa rights and interests, and recommended mitigations (this report).

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<sup>1</sup> *Park Impact Zone*: encompasses an area of impact (ie. pressure of public presence) - this zone should include a reasonable study area that includes the proposed park itself and a 1 km buffer surrounding the park boundary.



- Filming and editing of a short (up to 5 minute) informative video of proposed park and the field surveys.

The primary goals of the October 2022 field survey were:

- for KNC staff and knowledge holders to visit the five proposed park locations presented by RDCK and to act as ‘eyes and ears’ to collect observations and recordings for the Ktunaxa Nation & members who were unable to visit the site, consent form for data collection provided below (Appendix A & B),
- to better understand the Project location, the realized impacts on the ground of the project, and to identify Ktunaxa values at risk;
- to support internal KNC capacity development for on-territory field data collection including use of Survey123 (Appendix B) for a PDF of the forms developed for this work, and field safety (Appendix C); and
- to facilitate identification of potential future Ktunaxa-led studies that may be needed or that may support future projects related to this work.

The five areas proposed by RDCK for regional parks<sup>2</sup>:

- Powerline Beach at Walkers Landing (owned by Teck Metals Inc.);
- Crawford Bay Regional Park;
- Goat River;
- Martell Beach; and
- West Creston Ferry Landing (WCFL).

## 1.2 PROPOSED PROJECT

The Regional District of Central Kootenay (RDCK) is proposing the establishment or expansion of five regional parks in the area of Creston, BC and on the South Arm of Kootenay Lake, referred to here as the Project or the proposed park sites.

The Project is encompassed by ʔaʔpu ʔamakʔis (Wolverine’s land), a district within ʔamakʔis Ktunaxa. Within this district is kuqni or Kootenay Lake, Creston, BC and the surrounding areas known as the Kootenay Lake Valley, Yaqaan Nuʔkiy, or areas on “the Flats”, the historic floodplain of the Kootenay River and home of the Lower Kootenay (Ktunaxa from Yaqaan Nuʔkiy). This region is rich in archaeological potential, and deep cultural history, culturally important places and Ktunaxa names cover most of the valley. Many of the current and Ktunaxa interactions with Kootenay Lake have been previously documented as part of the Kootenay Cultural Conservation Values work and the development of the Kootenay Shoreline Guidance Document. The region includes important travel

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<sup>2</sup> See Section 2.2 for Ktunaxa place names for each region that surrounds the proposed parks.

routes, placenames, cultural and spiritual sites, and habitat and subsistence areas for both culturally important and at-risk plant and animals species. By road the closest existing Ktunaxa community is Yaqan Nuʔkiy (Lower Kootenay Band).

The Project will result in additional disturbance and public pressure on rare lake and river front access areas through the Kootenay Lake and Creston valleys, Ktunaxa citizens have already been alienated from much of Kootenay Lake and access to the shoreline is increasingly difficult. The region holds significance for Ktunaxa as a central hub for Ktunaxa use, travel, habitation, subsistence and cultural and spiritual connection. Both valleys are also important corridors and habitat for culturally important (and threatened) wildlife including but not limited to Kławła (Grizzly bear), kitqañi (elk), niçnapku (moose), & naxni (caribou), Kokanee, (qustif) Rainbow trout, tuhuñ (Bull trout), wiyañ (Sturgeon), ʔaçuñam (Burbot), matif (Whitefish), and more. The valleys of Kootenay Lake and Creston also hold increasingly rare harvesting sites for culturally important plants (food & medicine), and minerals used for cultural art and ceremony.

The area includes steep and moderate slopes with a mix of open forest, densely-forested gullies and lower slopes draining to open grasslands, wetlands, estuary and forested riparian areas along the Kootenay River, Goat River, Crawford Creek, Kootenay Lake and other important habitat areas through the valleys. The Project area is ecologically diverse and provides regionally important vegetation, wildlife and habitat diversity. This TUS summary is intended to address information needs for Ktunaxa decision-makers, as well as those of the RDCK and will include a summary of findings from field-based surveys related to Ktunaxa values, use and interests, with consideration of key Ktunaxa values. The location of the proposed parks in relation to ʔamakʔis Ktunaxa, Kootenay Lake and the town of Creston is shown in Figure 1 below.

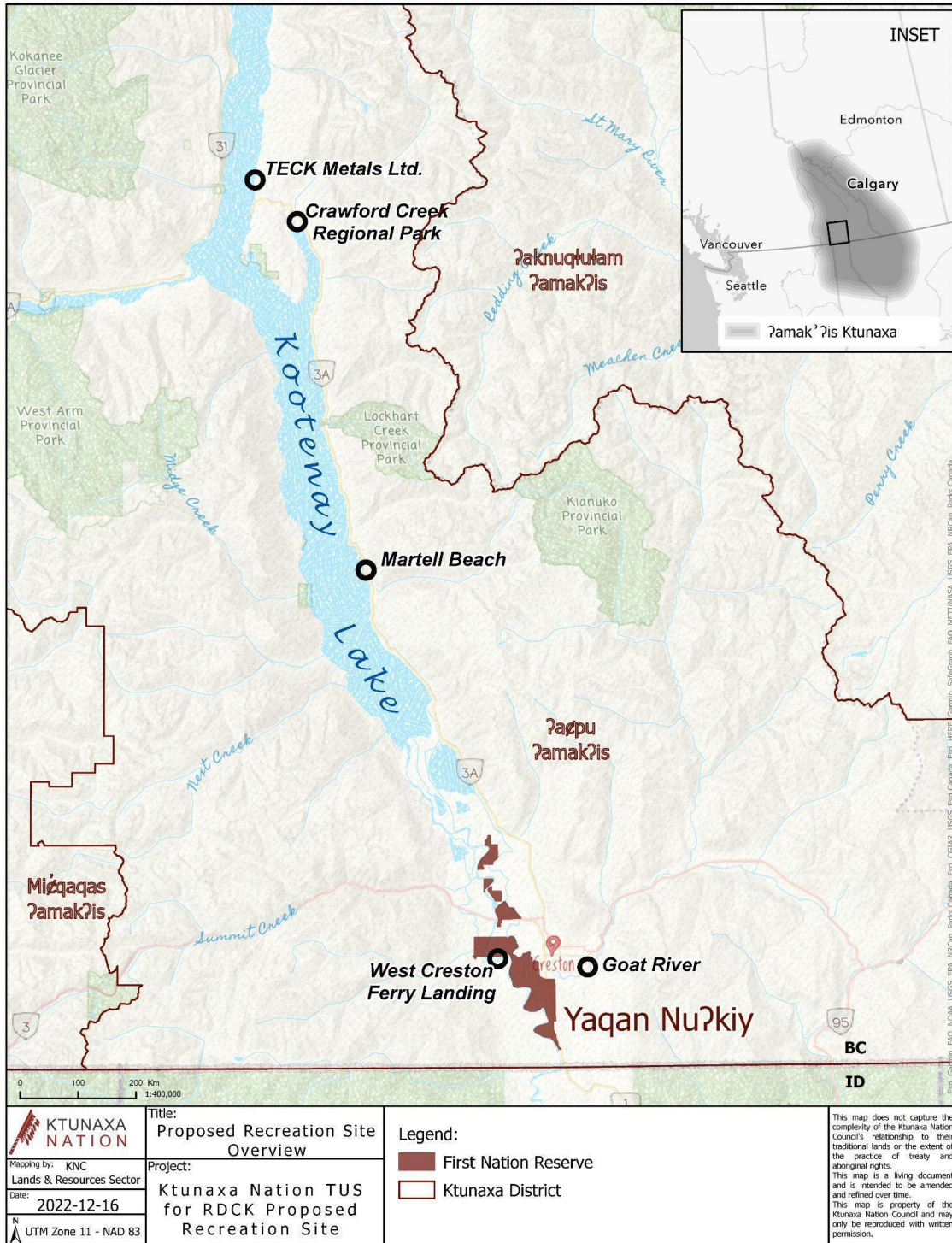


Figure 1. South Arm of Kootenay Lake & Creston, BC - Five proposed regional parks being reviewed with the Regional District of Central Kootenay (RDCK); all of the proposed parks occur within ?amak?is Ktunaxa. Yaqan Nu?kiy (Lower Kootenay Band) is the central Ktunaxa community connected to this part of the territory, known as ?a?pu ?amak?is (Wolverine's land) (Map by Sebastian Martinez, KNC).

## 2. METHODS

### 2.1 DESKTOP REVIEW

To guide the field site visits at the proposed parks, Reciprocity Research conducted a desktop review of RDCK project information, existing ecological information, topographic maps, maps of forestry road networks, google earth satellite images, and Ktunaxa use and occupancy mapping. The Kootenay Lake Shoreline Guidance Document (KLP, 2020), was relied on for determining past research on Ktunaxa use and concerns on Kootenay Lake. Table 1, below is the ranking guide used in the relevant results sections below. Using this information, a basemap was developed and integrated with Google Earth and the ArcGIS Online Suite of tools for use in the field. Previous projects completed in the region were reviewed to provide ecological and cultural context, primary data collected from previous studies was reviewed for context to this project. While some important and relevant information was pulled from past studies, it is important to note that this is not a complete documentation of all Ktunaxa use (see more in limitations below, section 2.4).

**Table 1:** Summary of the key considerations, relative risk rank, and associated map colour for interpretation in this guidance document.

Consideration	Rank	Map Colour
Aquatic Habitat Index	Very Low	Grey
	Low	Blue
	Moderate	Yellow
	High	Orange
	Very High	Red
Ktunaxa Cultural Values	Standard Engagement	Grey
	Enhanced Engagement	Purple
		Brown
Archeological Potential	N/A	Yellow
		Orange
		Red

Table 1. The above table is taken from the Kootenay Lake Partnership’s Shoreline Guidance Document (2020). This table was used alongside the virtual map to determine the potential impacts of park development on Ktunaxa rights and interest.

## 2.2 SITE SELECTION & NAMES

Planning for the site visits was discussed in a series of meetings with Ktunaxa elders, staff and knowledge holders through the fall of 2022, a presentation to the Elders Lands Advisory Working Group in early October, a community Call To Gather meeting was held in mid-October, and a presentation to Chief and Council was made in Late October. Through these discussions, a number of priority concerns related to Ktunaxa stewardship were identified including:

- Importance of valleys, movement corridors for wildlife (eg. Grizzly bear), and waterways including kokanee, sturgeon, & bull trout.
- Impacts to culturally important plants and rare habitat features;
- Sensitive ecosystems including rare aquatic shoreline habitat on Kootenay lake and in Creston.
- Culturally important areas including areas with high archaeological potential;
- Cultural use, hunting areas and trails; and
- Importance of Kootenay lake, and Creston Valleys to past, current and future Ktunaxa use.

Through a review of archival transcriptions of interviews with Ktunaxa knowledge holders, and a review of the Ktunaxa placenames database, Ktunaxa names were determined for the cultural regions surrounding each of the proposed park sites. Ktunaxa knowledge is living and growing, the following names are not intended to be permanent names for the parks but refer to the region around each proposed park and may change through further research and engagement with Ktunaxa knowledge holders.

- Kyanukxu ʔa·kinmituk (Goat River South)
- Kayaqaniskuwal (West Creston Ferry Landing)
- ʔsanca (Martell Beach)
- Kwataqʔnuk (Crawford Creek Regional Park)
- Sina ʔaknuxuʔnuk (Powerline Beach - Teck Metals Ltd)

## 2.3 ʔAMAKʔIS KTUNAXA SITE VISITS

Based on information provided through the planning meetings, a field-based review of the proposed park sites was determined to be necessary and selected for a staff and knowledge holder field visit. Prior to the field survey, an initial full-day of office-based map review was complete with Ktunaxa knowledge holders. Following this planning session, a training session was held with the field crew on October 12, 2022, the session was focussed on giving KNC staff the tools to complete on-territory interviews and data collection. The field visits included Ktunaxa Knowledge Holders, KNC staff, and Reciprocity staff and took place on October 13th & 14th, 2022. Once the field crew was on the ground, with highly experienced Ktunaxa land users and KNC staff, it

became evident there were some areas of high priority that may need special consideration and negotiation with RDCK (recommendations are found in Section 4). On-territory video interviews were completed with Ktunaxa Knowledge Holders to produce an informative video that has been shared with KNC staff and Ktunaxa Citizens.

The field crew was able to survey a portion of each of the proposed park sites, unfortunately, due to the scale of each site the surveys were restricted to easily accessible areas. Prior to development of the parks KNC and Yaqaan Nu?kiy should be engaged to support additional archaeological and ecological studies specific to construction impacts.

## **2.4 LIMITATIONS OF FIELD SURVEY RESULTS AND STUDY FINDINGS**

- A living and breathing document: Traditional Knowledge is always growing and changing, this document and related RDCK park management should allow for flexibility and accommodation of potential future report amendments. The findings and recommendations herein should be considered as draft until final approval from KNC and Yaqaan Nu?kiy leadership.
- Due to Covid-19, timing in relation to other projects, and personal commitments for Ktunaxa knowledge holders, some key knowledge holders were unavailable for this work. Work is ongoing to conduct additional interviews, at which time amendments or revisions may be made to this report.
- Due to time and budget constraints, the field crew was not able to thoroughly survey the entirety of the proposed parks, the findings of this report should not be interpreted as final or all encompassing. This report should be used to help guide future negotiations and co-management planning arrangements between RDCK, KNC, and Yaqaan Nu?kiy.
- Because of the uncertainty of archaeological findings within the proposed park areas, RDCK should continue to work with KNC and Yaqaan Nu?kiy to conduct follow-up archaeology assessments for specific construction activities, and a more thorough surficial materials survey for proposed park sites that are selected for designation as a Regional Park.

## 3. RESULTS

### 3.1 ʔA·KNUSTI TRAINING WORKSHOPS

On October 12, 2022 a land-based training workshop was held with KNC ʔa·knusti staff and knowledge holders who would be attending the following field site visits. A presentation was made of the Project area with visual map aids outlining all five proposed park locations. Training in the workshop included safety information, risk awareness, on-territory TUS interview methods, and data collection using ESRI's Survey123 software on phone/tablet devices. Workshop participants all tested the forms used for data collection and conducted mock on-territory interviews with other participants to test the method and to become comfortable with the recording technology. Participants also provided consent for audio and video documentation for the entirety of the class and following field visits (October 12-14, 2022)

### 3.2 SITE VISITS & TUS REVIEW

Results of both individual visits to the proposed park locations, and the related review of previously recorded TUS data are provided in the following five subsections, each proposed park is identified with mapped data, photos, and a summary of TUS findings.

The proposed parks were visited on the following schedule:

- October 12, 2022: Goat River South
- October 13, 2022: Powerline Beach, Crawford Creek, Martell Beach
- October 14, 2022: West Creston Ferry Landing

Not captured by the individual TUS research of the proposed parks is the context of Kootenay Lake, Creston, and the region's connection to Ktunaxa Culture and history of use. The landforms surrounding Kootenay Lake tell stories that connect Ktunaxa citizens to important places, stories, and environmental features that have supported Ktunaxa since time immemorial. From the Ktunaxa creation story is the creature naq̓muqcin, who on travelling through ʔamakʔis Ktunaxa created the lakes, rivers, and mountains.

The region hosts a diversity of Ktunaxa use sites that have only been partially documented through limited TUS reports and the work related to the Kootenay Shoreline Guidance Document. Documented use includes: important place names, petroglyphs, village sites, harvesting sites for culturally important minerals, ancient fishing sites, subsistence harvesting areas (fish, eggs, roots, bulbs, mountain goat, deer, berries, mushrooms), campsites, and travel routes both on land and by water. It is important to note current uses are already impacted by development on Kootenay lake, loss of use include wild rice, abundant kokanee, and shoreline accessibility.



### 3.2.1 KYANUKXU ʔA·KINMITUK (GOAT RIVER SOUTH)

#### General site description:

The Goat River is a publicly accessible recreation site that includes a gravel pit, dyke, and river access 3 km up Goat River South Road. The recreation area is approximately 21 hectares, provides 600m of water frontage, and is currently owned by BC Transportation and Financing Authority. A gravel road provides access to the area past a gate with private property on either side, and old roads provide vehicle parking and foot access to the dyke and river foreshore. There are numerous trails including old road beds. Past gravel mining has disturbed the area and shallow pits and material stockpiles remain, while the low lying gravel pit floods seasonally. Vegetation is patchy with regenerating areas of shrubs, deciduous trees, and black cottonwood, however there are known nesting sites and habitat for screech owl. The Goat River beach has limited potential and the river point bars with cobble rock, though potential remains for day use sites with picnic areas, a small trail system, a gate, signage and toilets.

#### Summary of TUS Values within 5km:

The Goat River and the surrounding habitat (Figure 3 below) holds both ecological and cultural value for Ktunaxa Citizens, sensitive and rare riparian and aquatic habitat (including for at-risk Kokanee salmon), mature stands of cottonwood and cedar, and harvesting areas for culturally important plants. Ktunaxa knowledge holders expressed a desire to reconnect with this land and this place as they have not had access to this important area of their territory that holds important cultural ecological features. Within 2km exist important habitation sites, including the homes of Ktunaxa Citizens, as well, documented subsistence and habitat features, archaeological sites, and an old Ktunaxa village site. Within 5km Ktunaxa Citizens have reported 7 cultural sites, 17 environmental features, 10 habitation sites, 46 subsistence sites, and 3 transportation routes.

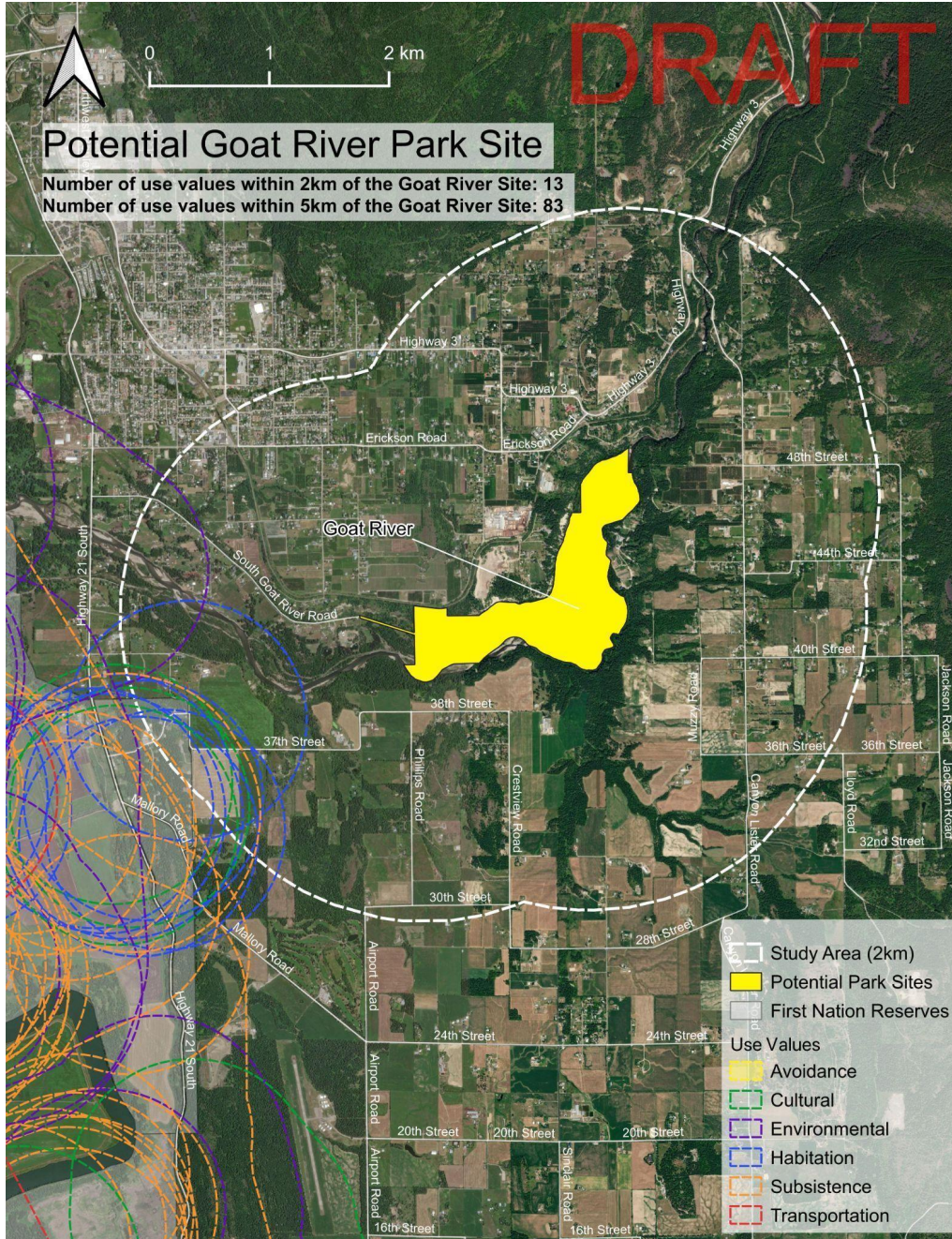


Figure 3. Goat River South, Proposed Park: Downstream of the Goat River Dam (built c.1930), this proposed park is adjacent to private lands and is currently held by the BC Ministry of Transportation. Yaqan Nuʔkiy and KNC hope to manage this proposed park collaboratively with RDCK to promote Ktunaxa use in the area. Reciprocity Research Visited this site with Yaqan Nuʔkiy and Ktunaxa knowledge holders on October 12, 2022.

**Site-specific observations and summary of data collection:**

Field surveys of the Goat River South proposed park took place on October 12, 2022. Ktunaxa knowledge holders and KNC staff were excited to visit this area as it is near high-value and culturally important mapped places but has been largely inaccessible for generations due to land privatization. The field team raised concerns regarding cumulative impacts to many ecological and cultural values in this area, including dwindling kokanee populations, legacy impacts from the Goat River Dam, and the importance of protecting wild spaces such as this as wildlife refuge and movement corridors. Increased public pressure will have impacts on ecosystem connectivity and Ktunaxa sense of place when practising rights. Mitigations for these impacts may come in supporting Yaqaan Nu?kiy in reconnecting Ktunaxa citizens with this place, and may include development of co-management strategies for Kokanee populations, harvest, management, and teaching spaces for culturally important plants and trees, and educational trails, events, and spaces for sharing traditional knowledge.

**Habitat:**

Habitat features included mature culturally important trees, including old standing wildlife trees, and living Kanuᓄmaquᓄaqpi?k (Cottonwood, *Populus sp.*), and ᓄiᓄnaᓄ (Western redcedar, *Thuja plicata*). Browse, antler rub sites, refuge and winter bedding areas were found for kiᓄᓄaᓄᓄi (elk), niᓄnapku (moose), and ᓄupqa (deer), as well sina (beaver) forage and nesting signs were present.

*That's what they call them, natural cellars, ...I know that along here right down to the lake, Kootenay Lake, they utilized the cottonwood. You see how thick it is? They would line that up and store their food in it. Winter supply in those areas. That's how smart our people were.*

Y04, Individual Interview, April 20, 2016

Observations include:

- Knowledge Holders identified this area as important to biological diversity, Ktunaxa stewardship and to the practice of Ktunaxa culture and rights.
- Ktunaxa Knowledge Holders observed a number of trails used by ungulates, including elk, moose, and predators to travel through the region away from people.

### 3.2.2 KAYAQANISKUWAL (WEST CRESTON FERRY LANDING)

#### General Site Description:

The West Creston Ferry Landing (WCFL) is used informally for access to the Kootenay River, and is located 5.3km west of Creston at the end of Kootenay River Road. Owned and managed by the Creston Dyking District (CDD, the area is approximately 2.4 hectares and offers 250m of water frontage. A gravel road leads to the foreshore, concrete boat ramp and picnic area, all of which can be accessed by vehicle and foot. The beach is a combination of sandy beach and rocky shoreline, and vegetation consists of regenerating shrubs and deciduous trees. Previously a provincial cable ferry site, the area was cleaned up with gravel and picnic tables added by the CV Trails Society, and has since been informally used as a park and for water access. The CDD has not given approval for work to be undertaken, and future work has been tabled until land tenure is sorted out. CDD is interested in a land tenure agreement with the RDCK if the site is developed as a regional park.

The complex legacy of land privatization, development, infrastructure, and boundary establishment with the United States of America have resulted in a fractured history of impact, loss, and displacement for Ktunaxa.

*...everytime I mention the Lower Kootenays, it wasn't only the Creston area, it was Creston and Bonner's Ferry. We were one Lower Kootenays before they put the 49th parallel in. They got caught across the line, we were up here. So we were one tribe, the Lower Kootenays. I always include Bonner's Ferry, because we were one. And then when they put that line in, some of us got caught down there.*

Y01, Individual Interview, August 19, 2016

The impacts of colonial history are still present today where members describe the immense changes to the lands around Creston and the Kootenay River Flats. These changes include: the use of a Ktunaxa canoe launching and safe crossing point on the Kootenay River, eventually becoming the West Creston Ferry Landing; dyking of the Kootenay River leading to an elimination of flooding on the flats, and a decrease in the habitat and species composition resulting in declines or losses of subsistence species such as kokanee, sturgeon, ducks, and wild rice.

*When I was a kid, there was two times a year you could literally sit out here on the flats and watch the sky turn black with ducks, that's why we use nets to catch them, we can't do that anymore.*

Robin Louie, On-Territory Interview, October 14, 2022

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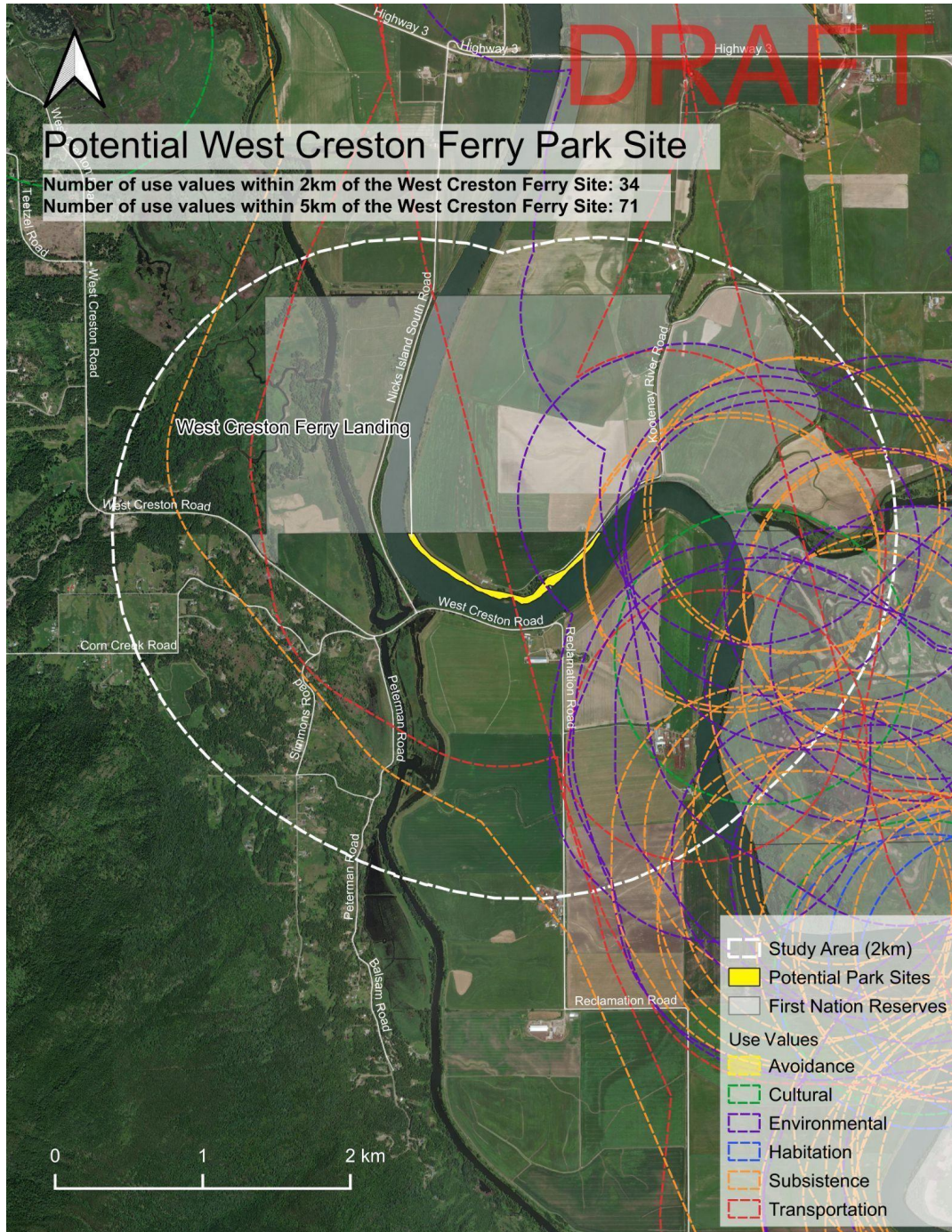


Figure 4. Kayaqaniskuwal - West Creston Ferry Landing (Proposed Park Site): This historic ferry crossing location was historically the main road crossing for the crow's nest highway. Prior to European settlement and the advent of major vehicle transportation routes, this crossing was an area of safe flow and current that was a manageable crossing by canoe or raft for Ktunaxa citizens. This site was visited by the KNC Field Crew with Reciprocity Research on October 14th, 2022.

### Summary of TUS Values within 5km:

Kayaqaniskuwal (WCFL) (Figure 4, above) is an area of layered historical and modern use, this location holds significant historical cultural value for Ktunaxa citizens, and the surrounding ecosystem provides a vital movement corridor and refuge area for sensitive and at-risk species (including grizzly bears and various species of migratory birds). Due to the history of dyking and industrial use, Ktunaxa citizens have lost the ability to practice their rights in this location, the impacts have resulted in permanent changes to local species composition and habitat type. Within 2km are reported subsistence and habitat features, cultural use areas, and an important water transportation route. Within 5km Ktunaxa Citizens have reported 6 cultural sites, 15 environmental features, 10 habitation sites, 37 subsistence sites, and 3 transportation routes.

### Site-specific observations and summary of data collection:

Field surveys at Kayaqaniskuwal, the WCFL proposed park, took place on October 14, 2022. Ktunaxa knowledge holders and KNC staff were excited to visit this area as it is a historic culturally important place, once used for crossing the Kootenay River in traditional Ktunaxa sturgeon-nosed canoes. Participants were dismayed by the current condition of the site, there was a lot of littering and pollution at this site from parties and the public boat launch. It was also apparent that very large bonfire type fires were regular as the fire ring was over-flowing with ash and burn materials (Figure 5 below). The field team raised concerns regarding impacts to ecological and cultural values in this area, including dwindling kokanee & sturgeon populations and the importance of protecting movement corridors for at-risk species like Grizzly bears. Increased public pressure will have impacts on ecosystem connectivity and Ktunaxa sense of place when practising rights. Mitigations for these impacts may come in supporting the reconnection of Ktunaxa citizens with this place.

### Habitat:

Habitat features included mature culturally important trees, including old standing wildlife trees, and living Kanuṡmaquṡaqpiṡk (Cottonwood, *Populus sp.*), and other culturally important plants (eg. snowberry and poplar).

Observations include:

- Knowledge Holders identified this area as important to biological diversity, Ktunaxa stewardship and to the practice of Ktunaxa culture and rights.
- Swallows and woodpeckers were observed on nearby trees
- Ktunaxa Knowledge Holders observed a number of culturally important plants, including snowberry, rosehips, poplar, and cottonwood.
- Invasive species were identified (ie. Tansy)





*Figure 5. Fire ring and park infrastructure at the West Creston Ferry Landing site. Lack of maintenance at the site evident as garbage, and ash build-up in the fire ring becoming a problem.*

### **3.2.3 ?SANCA (MARTELL BEACH)**

Martell Beach, also known as Sanca Beach, is a public access beach located 2.2km north of Sanca Creek on Highway 3A. It is currently owned by the Ministry of Transportation and Infrastructure (MOTI) as a portion of the highway right of way. The beach is approximately 2.25 hectares and provides approximately 400m of sandy and rocky water frontage. Gravel roads lead to the foreshore and parking areas, which can be accessed by both vehicle and foot. Martell/Sanca Beach is a popular location on the South Arm for both vehicle and boat access to the foreshore. There is existing access to the lake and uplands, and potential for tables, toilets, and viewpoints. MOTI and the Trails Society are pursuing development of a boat launch at this beach.

Kootenay Lake Shoreline Inventory Map Results:

- Archaeological Potential: Yellow (Moderate)
- Ktunaxa Cultural Values - Enhanced Engagement Required
- Aquatic Habitat Index: Very High
- Other Habitat features include Riparian Habitat and Sparse Emergent Vegetation



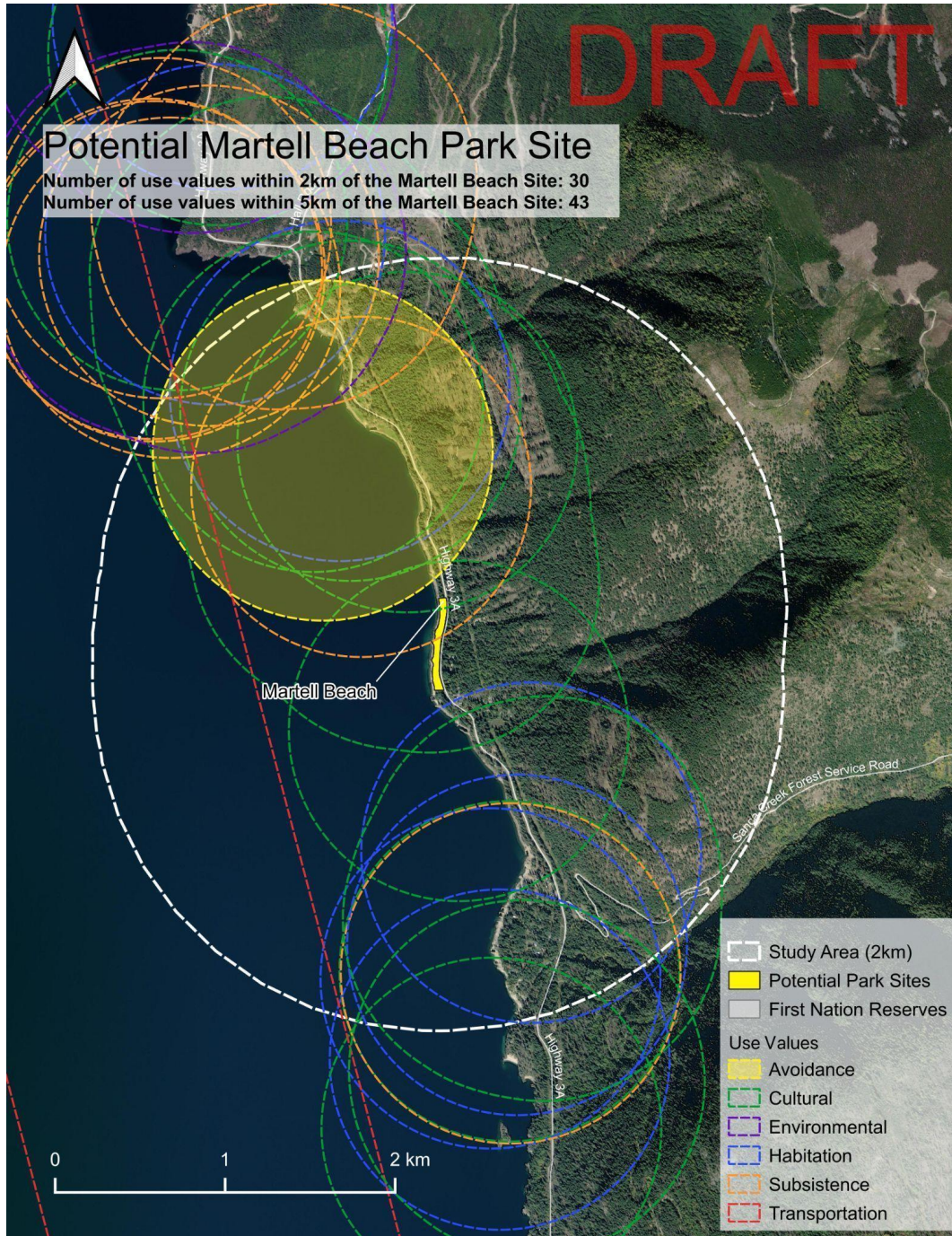


Figure 6. ʔsanca (Martell Beach, Existing Temporary Park Infrastructure): The existing park development here has been undertaken without the support of Yaqaṇ Nuʔkiy and KNC. Ktunaxa knowledge holders provided direction that this area should not be used as a park and should be protected as a lakeside movement corridor for wildlife (including Grizzly bears).

## Summary of TUS Values within 5km:

The ʔsanca (Martell Beach), (Figure 6 above) proposed park is an area of intensive Ktunaxa use this location holds significant historical cultural value for Ktunaxa citizens, and the surrounding ecosystem provides a vital movement corridor and refuge area for sensitive and at-risk species (including grizzly bears and various species of fish). Ktunaxa citizens have reported cultural features including nearby pictographs, camping areas, trails, story and teaching places connected to the Ktunaxa creation story, and a historic battle location. Some impacts to use include restricted access to the best fishing spots. Viewpoints from Martell Beach include a view to landmark feature that represents kʔawʔa (Grizzly bear), and it is believe this area holds a special connection and importance for Grizzly bear movement. Within 2km are reported subsistence, habitation, and cultural use areas, environmental features, and an important water route. Within 5km Ktunaxa Citizens have reported 14 cultural sites, 3 environmental features, 8 habitation sites, 11 subsistence sites, an important water route and two avoidance areas where Ktunaxa use has been impacted.

*I was there and I got some arrowheads and we got war clubs, we got a lot going back to the great fight. That's the Sanca Creek and that's the road here... according to my grandmother, Sanca Creek goes into Kootenay Lake and that's where Star Blanket got ambushed.*

Y14, Individual Interview, April 20, 2016

The history of active use, and layers of cultural complexity that include battles, artefacts, placenames, and passing on of stories and knowledge related to this place connects the cultural significance to the ecological importance.

*We'll accept the peace, you know, the peace and we will, no promises but we will end the fight there and we will accept the name \*Sanca.*

Y14, Individual Interview, April 20, 2016

\*The name Sanca came from a Ktunaxa word - ʔsanca - that was anglicised by Father De Smet to acknowledge the end of the bloodshed at Sanca. The term is loosely translated to bad, bad deed, or bad person (Y14, 2016).

The cultural significance of ʔsanca (Martell Beach) is reinforced by the proximity and occurrence of other Ktunaxa place names that connect the cultural landscape. This places and the cultural history and knowledge tied to these places is sacred and confidential. These places near Martell beach include generally:

- Island at ʔsanka (Sanca Creek) - "spear sticking out"
- ʔanaqʔmuqcin – place where naqʔmuqcin made whirlpools and was last seen.
- ʔakʔokʔi – antler creek
- Quskanuk – "where the lake comes to the edge" – Fish spawning habitat
- ʔawiçkunuk – area by the glass house near Boswell, sacred area with pictographs and a registered archaeological site.

### Site-specific observations and summary of data collection:

*This place [Martell Beach]... not a lot of people know, so the locals actually come here instead of going to other busy beaches... I could see if the other locals who use it like I do would get kind of upset if it got too overpopulated, cause we don't have many of those [accessible beaches like Martell Beach] anymore on this lake.*

Cisco Luke-Jimmy, On-territory Interview, October 13, 2022

Field surveys with Elders, knowledge holders, and staff at the Martell Beach proposed park, took place on October 13, 2022. The Ktunaxa field crew connected with this area right upon arrival and were all drawn in different directions. The participants were able to get a good sense of the site, the current impacts, and the risk of increased pressure. As a culturally important place, participants were not pleased with the recent changes and relocation of boulders to create a boat ramp. As much of the recreational infrastructure at this site was temporary, participants believed this site would be a good option for reducing amenities for the public and controlling the amount of visitors. The field team raised concerns regarding impacts to cultural and ecological values in this area, highlighting in particular the importance of protecting movement corridors for at-risk species like Grizzly bears and protecting spaces for cultural connection and peaceful enjoyment. Increased public pressure will have impacts on ecosystem connectivity and Ktunaxa sense of place when practising rights. Mitigations for these impacts may come in supporting the reconnection of Ktunaxa citizens with this place.

#### Habitat:

Habitat features included mature culturally important trees, and other culturally important plants (eg. snowberry and rosehips). Knowledge holders also shared the importance of the area for fishing and described important fish waterways along the shoreline through this area.

Observations include:

- Knowledge Holders identified this area as important to biological diversity, Ktunaxa stewardship and to the practice of Ktunaxa culture and rights.
- Grizzly bear tracks and scat were observed throughout the beach area.
- Ktunaxa Knowledge Holders observed a number of culturally important plants, including snowberry, and rosehips).

### 3.2.4 KWATAQNUK (CRAWFORD CREEK REGIONAL PARK)

Crawford Creek Regional Park is a 71 hectare park currently owned by the Regional District of Central Kootenay and located on the south side of Highway 3A near the Crawford Creek Bridge. The park consists of 28 fee simple lots. The park provides access to 1300m of water frontage and 18 hectares of foreshore (not in the park), including sandy beach areas. The park is accessed by a gravel road leading to parking areas, and vehicle and foot access to foreshore areas. There is a loop trail network within the park and additional trail access off of Peters Rd. In addition to recreational trails, the park contains an old airport runway and a wetland complex that extends across a floodplain between Beaver Creek and Crawford Creek. The floodplain is known habitat for beaver, river otter, mink, muskrat, elk, deer, moose, coyote, grizzly black bear, and cougar. There are areas of cedar and hemlock forests and deciduous riparian forest with cottonwood. The park serves to protect the Crawford Bay floodplain as a natural reservoir during natural, seasonal flooding events.

Kootenay Lake Shoreline Inventory Map Results:

- Archaeological Potential: Red (Very High)
- Ktunaxa Cultural Values - Enhanced Engagement Required
- Aquatic Habitat Index: Red (Very High)
- Other Habitat features include Riparian habitat, Submergent Vegetation, Emergent Vegetation, Emergent and Overhanging Vegetation, and Sparse Emergent Vegetation

During site visits with Ktunaxa knowledge holders to Crawford Creek, it was apparent how public use and pressures at regional parks results in alienation of Ktunaxa citizens from public parks. As well, increased infrastructure and accommodations for general public can create a feeling of discomfort and shift in perception of cultural safety. This change in Ktunaxa comfort in a particular place leads to a resulting loss of use and impact to the practice of culture and rights. With limited access to Kootenay Lake, Ktunaxa citizens hope to hold on to the few remaining special places with shoreline access.

*[Crawford Creek Area] It's got good potential for a park... if the Nation [KNC] is thinking about helping RDCK they need to think of what they're going to get back from it. We keep giving lands away and we don't get nothing back, if they want a park here then they'll give us a park someplace else.*

*Robert Williams, On-territory Interview, October 13, 2022*



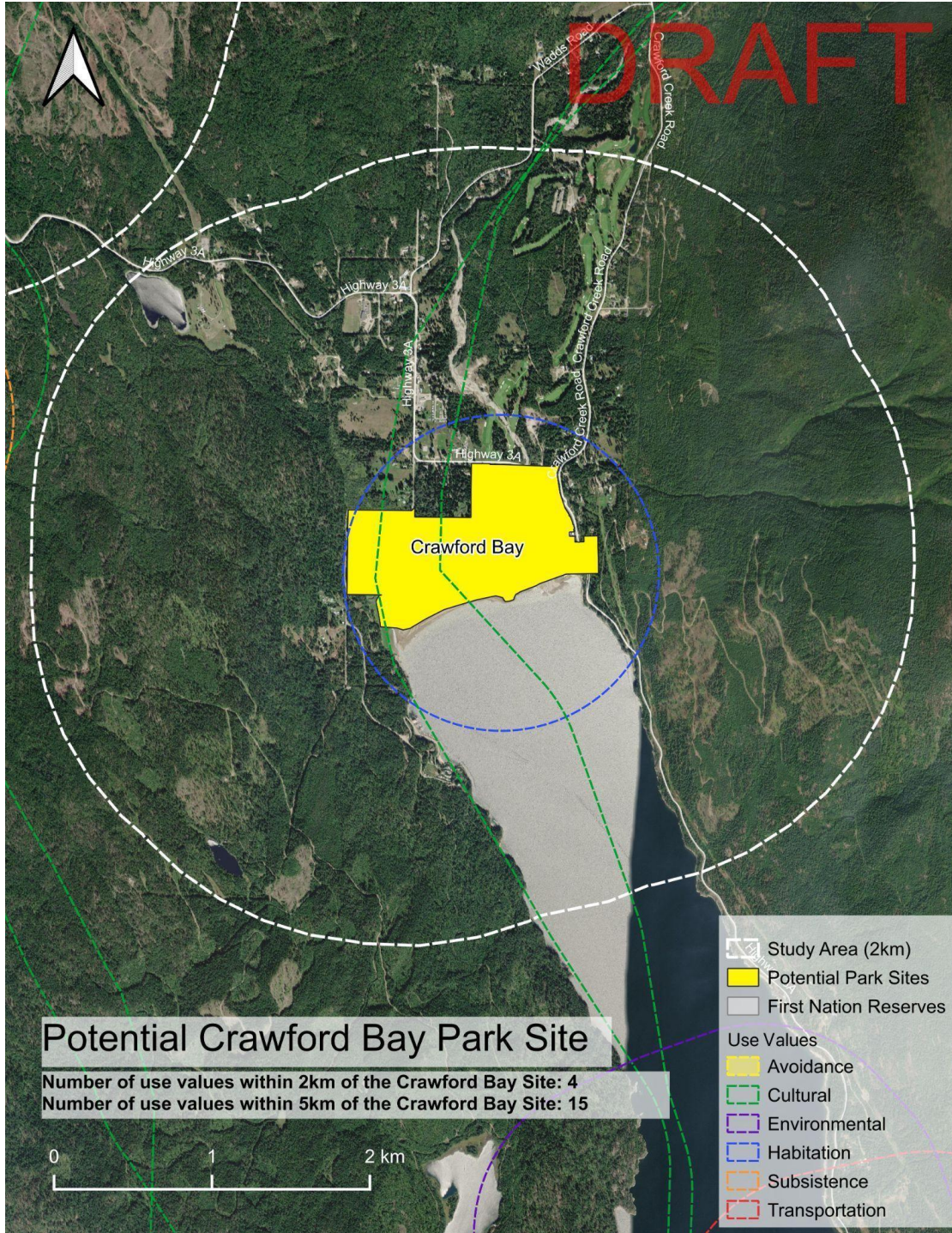


Figure 7. Kwataq̓nuk (Crawford Creek Regional Park) Visited by the KNC Field Crew on October 13, 2022. This existing Regional Park is a good candidate for increased park stewardship and infrastructure. Yaqan Nuʔkiy and KNC have interests in supporting sensitive habitat for at-risk species and connecting citizens to this culturally important place.

### Summary of TUS Values within 5km:

Kwataǰnuk (Crawford Creek Regional Park, Figure 7 above) is an area of layered Ktunaxa and settler historical and modern use, this location holds significant historical cultural value for Ktunaxa citizens. The location of the park was historically used by Ktunaxa citizens as a fishing camp where members would harvest Kokanee from Crawford Creek. There are existing opportunities for harvesting other culturally important fish, birds and game from the wetlands and the surrounding habitat. The slow moving shallow waters also provide essential spawning habitat for fish (including kokanee and sturgeon). Nearby culturally important trails, water routes, teaching areas, a spiritual places detail an undeniable affinity to this place that is shared among Ktunaxa citizens. Due to the history of settlement and agriculture by the Crawford family and preceding settler groups, Ktunaxa citizens' ability to practice their rights in this location has been impacted. The impacts have resulted in permanent changes to local species composition, health, and changes to habitat type. Within 2km are reported subsistence and habitat features, cultural use areas. Within 5km Ktunaxa Citizens have reported 6 cultural sites, 1 environmental feature, 2 habitation sites, 2 subsistence sites, and 3 transportation routes.

*That Crawford Bay... That's where they get their white pine to build their canoe and they camped they pick huckleberries and they hunt. There's a lot of hunting, good hunting there like elk, and deer and that white pine to make your canoe and they say that they don't like that place much because there's a lot of grizzly bear.*

Isabel Louie, Interview, April 01, 2003

Once a Ktunaxa habitation site, the history of use in this area including important travel corridors and subsistence plants and wildlife species indicate this site was heavily used prior to European settlement in the region. Ktunaxa citizens have noted that the area was a “hot spot” for berries (Wayne Louie, Individual Interview, 2001), as well as an important place for hunting and harvesting materials to build canoes.

### Site-specific observations and summary of data collection:

Field surveys at Kwataǰnuk (Crawford Creek Regional Park) took place on October 13, 2022. Ktunaxa knowledge holders and KNC staff mapped important habitat features and wildlife sign was found throughout the park and beach areas. One Ktunaxa knowledge holder and archaeologist, Robert Williams, discovered what could have been a hand tool on the beach; the item was documented by KNC staff (see Figure 8 below). The field crew acknowledge that the location has seen many iterations of development, from early settlement by the Crawford family, to agriculture, an airport, a proposed resort, and most-recently the Crawford Creek Regional Park. Participants noted this site



would benefit from additional investment and support from RDCK to maintain both park infrastructure and important habitat features. The field team raised concerns regarding cumulative impacts to many ecological and cultural values in this area, including dwindling kokanee & sturgeon populations, the overwhelming presence of invasive species and legacy impacts from nearby agriculture and a golf course. Previous use by Ktunaxa citizens in both the regional park and neighbouring provincial park lands included a tipi camp, future co-management of the park should include support for Ktunaxa to consider hosting cultural gatherings and knowledge sharing opportunities.

### Habitat:

Habitat features included mature culturally important trees, including old standing wildlife trees, and living Kanuṡmaquṡaqpiṡk (Cottonwood, *Populus sp.*) and ṡiṡnat (Western redcedar, *Thuja plicata*). With two creeks entering opposite ends of the park and flooding two low-lying riparian habitat areas with mixed anthropogenic, forest, and shrub areas between the creeks. There are important browse and refuge areas for wildlife, including kiṡṡaṡṡi (elk), niṡnapku (moose), ṡupqa (deer), kṡawṡa (Grizzly bear), sina (beaver), kaṡkin (wolf), and ṡaqawxaṡ (river otter). Estuary, lake shore, creeks, and riparian areas provide important habitat for culturally important fish (kokanee, sturgeon, bull trout, rainbow trout, and whitefish) and other aquatic species.

Observations include:

- Knowledge Holders identified this area as important to biological diversity, Ktunaxa stewardship and to the practice of Ktunaxa culture and rights.
- Ktunaxa Knowledge Holders observed a number of trails used by ungulates, including elk, moose, and predators to travel through the region away from people.



*Figure 8 (right). Possible hand tool found on the Crawford Creek beach area by Robert Williams & Jesse Thomas (October 13, 2022). Additional Archaeological surveys should be supported by RDCK prior to proceeding with regional park development at Crawford Creek.*



### 3.2.5 SINA ʔAKNUXUʔNUK (POWERLINE BEACH - TECK METALS LTD)

#### Site Description:

Powerline Beach is a rare sandy beach location near Walker's Landing on Kootenay Lake's East shore. This site is made up of two distinct properties, making up approximately 16 acres, owned by Teck Metals Ltd (Teck). The property is locally known as Powerline Beach as it is the crossing point for the main electricity transmission line that connects the West and East sides of Kootenay Lake. An informal recreation area exists here with public using the beach area and evidence of recent fires, camping, and pollution. Teck agrees that the unauthorized public use of the property is an issue for the local environment and public safety, Teck is working with RDCK on a long term lease of this property to establish a new Regional Park. The park provides access to rare water frontage on Kootenay Lake that includes sandy beach areas. The park is accessed by Walkers Landing Rd, approximately 650m from the junction with the Riondel Rd. (near Kootenay Bay, BC). Informal roadside parking areas provide foot access to foreshore areas from a main trail. There are braided shoreline trails that connect unregulated campsites and fire rings. In addition to trails, beaches and camping areas, the park contains artefacts of logging and historic industrial activity as well as areas of archaeological potential and cultural importance. The shoreline is known habitat and fishing areas (trout, kokanee) and harvesting areas for white pine (used in the construction of yaqsuʔmiʔ, Ktunaxa sturgeon-nose canoe). Ktunaxa canoes on Kootenay Lake were prolific and stories recognize their cultural importance.

*When they hit Kootenay Lake, we had canoe caches... there were so many sturgeon-nose canoes, they were disposable. On rivers, you'd see canoes on the other side in case some people got stranded... they had an unwritten rule, you were allowed to use them if you were stuck. If you rowed across to the other side, you left the canoes there for the next person to make it back across if he was stuck. ...whether it was Kootenay Lake, Bonner's Ferry, [Ponderay], something. We had a system, you'd never leave your brothers or sisters.*

Y01, Individual Interview, August 19, 2016

#### Kootenay Lake Shoreline Inventory Map Results:

- Archaeological Potential: Yellow (Moderate)
- Ktunaxa Cultural Values - Enhanced Engagement Required
- Aquatic Habitat Index: Orange (High)
- Other Habitat features include Emergent Vegetation and Emergent and Overhanging Vegetation.

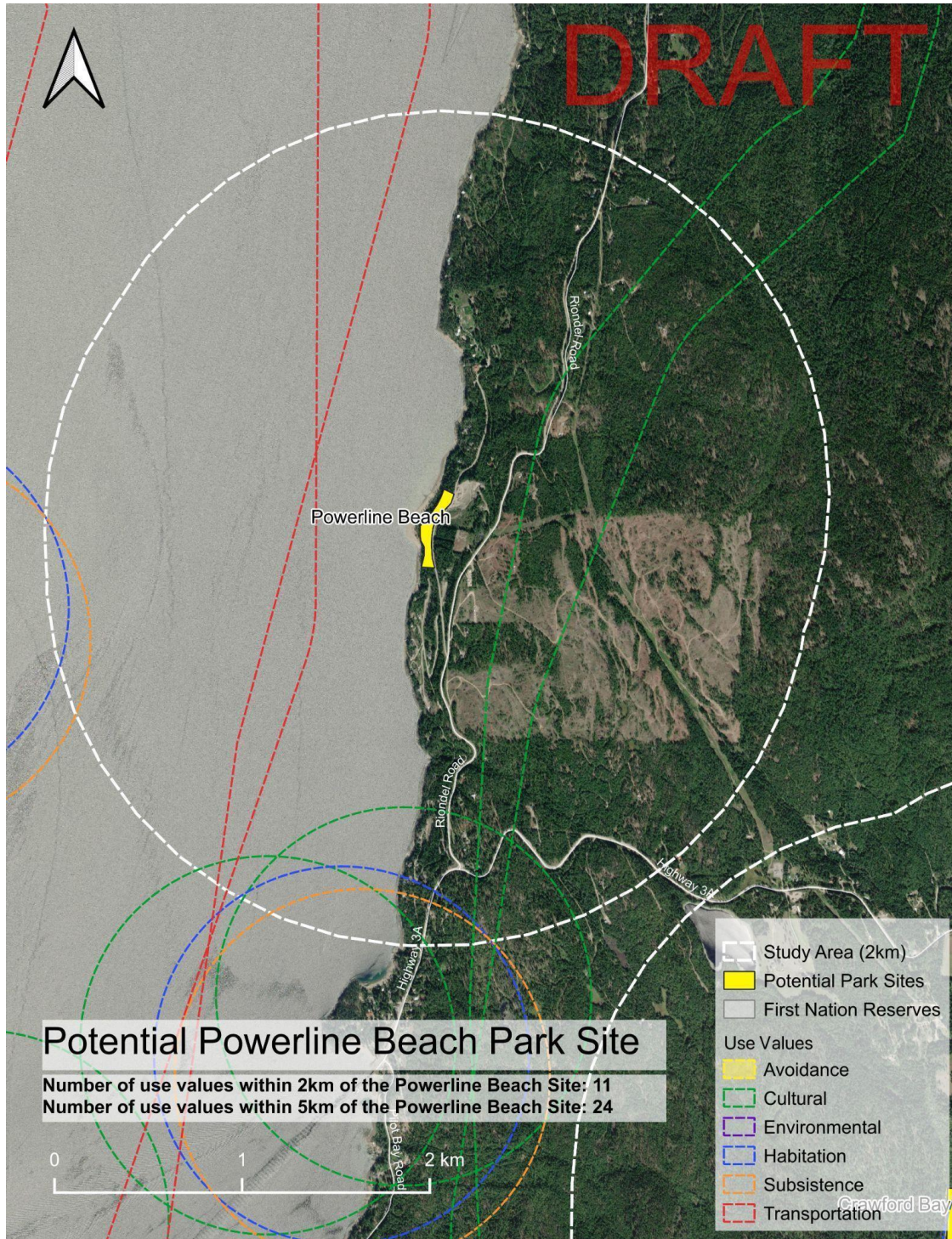


Figure 9. Ya-kił (Powerline Beach @ Walker's Landing (owned by Teck Metals Ltd) visited by the KNC Field Crew on October 13, 2022. This property and the proposed property showed high archaeological potential. Heavy, and unregulated, current use by the general public at this site is a concern for Ktunaxa citizens.

### Summary of TUS Values within 5km:

*Sina ʔaknuxuʔnuk (Powerline Beach near Walker's Landing (owned by Teck Metals Ltd) is shown in Figure 9 above.* This location sees current use from the general public and is in a complex location that has largely discouraged use from Ktunaxa Citizens for multiple generations. While visiting this site it was evident that this site would have historically been a very important use site for camping and refuge from storms while travelling on Kootenay Lake. The beach portion of this property is a beautiful sandy beach with a gentle slope and a point that juts out into the lake, this would offer wind and wave protection in any wind condition. This beach was likely a main crossing point for Ktunaxa Citizens hoping to reach other culturally important sites on the West side of Kootenay Lake. The Ktunaxa name selected for this site, *Sina ʔaknuxuʔnuk*, refers to the long ridge that parallels the Riondel road and extends from Mt.Crawford, and out along the peninsula from Crawford Bay. Some curious flat benches, fire rings, and arrangements of old stones should be reviewed further, and before any development occurs. Ktunaxa knowledge holders have indicated that this location holds high archaeological potential due to the landforms, location on Kootenay lake and ecological species composition. The Ktunaxa creation story has important linkages to this area, the legends describe how the mountains and lakes were formed by immense creatures. Subsistence fishing nearby included access to Rainbow trout, Dolly Varden, Kokanee, Suckers, and Northern Pike Minnow. Within 2km Ktunaxa citizens have reported 2 subsistence and habitation areas, 5 cultural use areas, and 2 transportation routes. Within 5km Ktunaxa Citizens have reported 13 cultural sites, 6 habitation sites, 3 subsistence sites, and 2 transportation routes.

Wayne Louie, was a well respected Ktunaxa Elder from Yaqaḅ Nuʔkiy, he contributed enormously to sharing Ktunaxa traditional knowledge and continuing cultural practices like building the yaqsuʔmiḅ “Kootenay Canoe”. In our review of archival transcripts for this project (Wayne & Isabel Louie, Project Interview, November 2001, *Lower Kootenay Traditional Use Site Report (2002)*), we found this excerpt that provides insights into the extensive use of Kootenay Lake by Ktunaxa:

*Isabel said at times there was up to fifty Ktunaxa canoes scattered around the Kootenay Lake*

*The Kootenay Lake area was prime for white pine - wood was used for the skeleton of the Kootenay canoe. Isabel says there was a switch to canvas after contact with the settlers along the Kootenay Lake; but in her great grandfather's time birch bark was used to cover the Kootenay canoe.*

### Site-specific observations and summary of data collection:

Field surveys at *Sina ʔaknuxuʔnuk (Powerline Beach)* took place on October 13, 2022. Ktunaxa knowledge holders and KNC staff mapped important habitat features and wildlife sign was found throughout the site. Ktunaxa knowledge holders identified

culturally important plants and trees occurring at this park making it a good site for sharing knowledge and culture with Ktunaxa and the public to encourage stewardship. The field crew acknowledged that the location does experience a high amount of public traffic in summer months that could be better managed with some recreational infrastructure (eg. bear-proof trash cans, outhouses, signage). Participants noted this site would benefit from additional investment and support from RDCK to maintain both park infrastructure and important habitat features. Future co-management of the park should include support for Ktunaxa to consider hosting cultural gatherings and knowledge sharing opportunities, park development should not impede Ktunaxa from accessing this site in the future.

**Habitat:**

Habitat features included mature culturally important trees, including old standing wildlife trees, and living Kanuḡmaquḡaqpiḡk (Cottonwood, *Populus sp.*). With two creeks entering opposite ends of the park and flooding a low-lying riparian habitat, there are important browse and refuge areas for wildlife, including kiḡḡaḡḡi (elk), niḡnapku (moose), ḡupqa (deer), kḡawḡa (Grizzly bear), sina (beaver), kaḡkin (wolf), and ḡaqawxaḡ (river otter).

Observations include:

- Knowledge Holders identified this area as important to biological diversity, Ktunaxa stewardship and to the practice of Ktunaxa culture and rights.
- Ktunaxa Knowledge Holders observed a number of trails used by ungulates, including elk, moose, and predators to travel through the region away from people.



## 4. CHANGES, IMPACTS AND RECOMMENDATIONS

### 4.1 GENERAL CHANGES AND IMPACTS

Insights on the change over time experienced throughout the study area, including recognition of impacts, and recognition of sensitive places and species were received through engagement effort with Ktunaxa citizens and staff of KNC and LKB. The engagement sessions included a call-to-gather, KNC staff meetings, Individual and Group Interviews, and on-territory site visits and interviews with Elders, knowledge holders, and staff. Some general changes and impacts within the region may be difficult to address through the management of individual and small scale regional parks. KNC and Yaqan Nuʔkiy hope that through an engaged co-management process, some of the broader impacts and issues can be addressed and considered through cumulative-impacts, and cumulative-benefits strategy within the RDCK.

#### General Changes:

- Loss of seasonal flooding of the Kootenay River flats have resulted in culturally important species decline and loss of harvesting areas (eg. Wild rice, ducks, sturgeon, kokanee)
- Spawning areas for fish (eg. dolly varden, burbot, sturgeon, kokanee, & bull trout)
- Kokanee decline in Kootenay Lake and Creeks (multi-trophic issues with freshwater shrimp, rainbow trout, etc.)
- Sturgeon population declines
- Increase in invasive species in park areas and risk of aquatic invasives from boat launch locations.
- 

#### Impacts & ongoing uses:

- Accessibility and Alienation from important places on Kootenay lake and in the Creston valley, public pressures leading to lack of safety for practice of culture and rights.
- Harvesting of culturally important plants, limited areas & an increasing concern of pollution and contamination.
- Important fish bearing creeks seeing changes in seasonal flow and impacts of land use changes, need to have better inventory and control of freshwater withdrawals for agriculture and industrial uses.
- Recreational pressures in new or expanded regional parks should not impact Ktunaxa practice of culture and rights, efforts should be made to accommodate hosting of cultural activities, events, and ceremonies within the region

#### Wildlife Issues:

- Several culturally important and at-risk species occur in this area (including Kokanee, Sturgeon, Western Screech Owl, Grizzly Bear), KNC hopes to co-manage these regional parks in support of sensitive species and culturally important resources.

It is important to note that while the field surveys allowed some Ktunaxa Knowledge Holders and staff to visit the proposed parks, COVID-19 Pandemic restrictions, accessibility, time, and budget prevented additional elders or Knowledge Holders from participating in the site visits. As RDCK continues negotiations and development of the proposed parks with Yaqaan Nu?kiy, it will be important to include additional Ktunaxa elders and knowledge holders out on the land in this area to document the history of impacts to Ktunaxa citizens. This work should help guide co-management recommendations for restoration of important habitat features for fish, berries, trails & movement corridors, rare ecosystems and preserving the viewscales of the landforms among other cultural and ecological aspects of the area.

## 4.2 GENERAL CONCERNS & RECOMMENDATIONS

1. **Culturally Important Western White Pine habitat:** Western White Pine (*Pinus monticola*) has been identified within sensitive and culturally important habitat areas near the proposed parks. White pine, especially mature stands and individuals, are increasingly rare in the area. Special protections for large White Pine and opportunities for Ktunaxa use should be managed with Yaqaan Nu?kiy & KNC.
2. **Indigenous Plants, Invasive Species and Restoration:** Ktunaxa Knowledge Holders noted the abundance and diversity of culturally important plants (CIPs) at all proposed regional parks. The accessibility of these culturally important plants can sometimes be challenged by alienation of Ktunaxa from private and public lands in the region. Additional work should be supported to engage Ktunaxa-led restoration efforts to improved CIP populations and control invasive species to support ecological and culturally functional public spaces.
3. **Teaching, Cultural Use, and Alienation:** Ktunaxa elders, staff and knowledge holders noted the importance of the overall cultural landscape as contiguous throughout the Kootenay Lake and Creston Vallers. The high cultural importance and history of use has been impacted by land privatization rendering important areas inaccessible. Increased public pressure can also drive alienation of Ktunaxa citizens that may discourage or restrict the practice of culture and rights. The valleys (and the proposed parks) include largely intact areas for Ktunaxa plant and berry harvesting and hunting, as well as important access to creeks, rivers, and lakes; access to these spaces should not be impeded at any time of year for Ktunaxa citizens. RDCK should also work with Yaqaan Nu?kiy and Ktunaxa land-users to determine if planned park closures may be necessary to allow for Ktunaxa hunting, harvesting, or cultural use. Creation of culturally and

ecologically effective habitat offsets, or mitigations, may be required if the development of the proposed parks results in a net-loss of use for Ktunaxa citizens. Including working with Yaqaan Nu?kiy and KNC to identify culturally preferred offset areas, and support for Ktunaxa practice, including elder and youth knowledge sharing opportunities, and access to culturally important places, plants, animals, and ecosystems.

4. **Species at Risk: At-risk fish and fish habitat and Grizzly bear movement:** Ktunaxa Knowledge Holders identified particular concern regarding cumulative effects on wildlife, including species at risk, that may be impacted by proposed park development. Restoration of habitat and local populations is a goal of Ktunaxa citizens, Yaqaan Nu?kiy and KNC. Species and habitat of special concern include: Kokanee, Bull trout, Rainbow Trout, Sturgeon, Western Screech Owl, American Badger, Moose, Elk, and potential habitat areas for Little Brown Bat, birds, and amphibians. Standing large diameter wildlife trees in old-growth or mature forest stands, large-diameter Cottonwood, Western White Pine, and Cedar for cultural uses, and movement corridors and habitat for Grizzly bears and other mammals. Mitigations may include support for Ktunaxa guardianship and education, and creation of culturally and ecologically effective habitat offsets through protection and restoration, especially for mature forested stands, with a goal of achieving a net-positive impact (NPI) for local sensitive habitat and ecosystems.

### 4.3 SITE-SPECIFIC FINDINGS AND RECOMMENDATIONS

The following list includes site-specific findings and recommendations based on field surveys and analysis of available mapped and archival data (General Recommendations are clearly labelled):

Findings	Recommendations
<p><b>Kyanukxu ?a-kinmituk (Goat River South):</b></p> <ol style="list-style-type: none"> <li>1. Proposed park is in an area of high archaeological potential due to the historic importance of Goat River, nearby Ktunaxa settlement, history of use values, and connection through the valley.</li> <li>2. Valley bottom, and high-ridge trails and</li> </ol>	<ol style="list-style-type: none"> <li>1. Additional archaeological testing and monitored excavation should be supported by Ktunaxa staff and Knowledge Holders during construction.</li> <li>2. Preserve wildlife corridors &amp;</li> </ol>



<p>wildlife corridors provide important connectivity for Ktunaxa practice of rights and for wildlife movement.</p> <ol style="list-style-type: none"> <li>3. Goat River drainage and surrounding area provides critical habitat for wildlife species, and contains many culturally important plant species, including those associated with valley bottom habitat (mature cedar and cottonwood).</li> <li>4. Because of the rare access and proximity to Yaqaan Nu?kiy, the Goat River South proposed park provides numerous opportunities for Ktunaxa to engage in cultural practices, which may include harvest of culturally important plants, fish, and wildlife, habitat restoration, and education through development of medicine trails and teaching areas.</li> </ol>	<p>fish habitat to allow culturally important species to move freely throughout the proposed park.</p> <ol style="list-style-type: none"> <li>3. Preserve sensitive and mature habitat features in the Goat River Valley, including careful construction of park infrastructure to avoid negative impacts to culturally important plants and species.</li> <li>4. Support opportunities for Ktunaxa citizens to use the natural resources available in the proposed park and to practice traditional practices, co-management of this proposed park will be important as Ktunaxa interests in the site may evolve as citizens are able to return to this part of their territory. Consider seasonal park closures for exclusive Ktunaxa use for hunting.</li> </ol>
<p><b>Kayaqaaniskuwal (WCFL):</b></p> <ol style="list-style-type: none"> <li>1. Proposed park is in an area of high archaeological potential due to the historic importance of the river crossing, nearby Ktunaxa settlement, history of use values, and connection through the valley.</li> <li>2. Valley bottom wildlife corridors provide important connectivity for Ktunaxa practice of rights and for wildlife movement (including for Grizzly bear and other at-risk species).</li> <li>3. The cultural history of the site should</li> </ol>	<ol style="list-style-type: none"> <li>1. Additional archaeological testing and monitored excavation should be supported by Ktunaxa staff and Knowledge Holders where infrastructure construction is planned.</li> <li>2. Preserve wildlife corridors &amp; fish habitat to allow culturally important species to move freely throughout the proposed park.</li> <li>3. Support Ktunaxa citizens to</li> </ol>

<p>be preserved by maintaining Ktunaxa connection and presence at this location.</p>	<p>create learning and knowledge sharing experiences through co-management of this site.</p>
<p><b>ʔsanca (Martell Beach):</b></p> <ol style="list-style-type: none"> <li>1. Proposed park is in an area of high archaeological potential due to the historic importance of ʔsanca (also ksanca, including the beach, creek, valley and surrounding areas), nearby Ktunaxa settlement, history of use values, and connection through the valley. This site is not recommended for the establishment of a regional park.</li> <li>2. Valley bottom wildlife corridors provide important connectivity for Ktunaxa practice of rights and for wildlife movement, this area is an area of high cultural, ecological and spiritual importance for Ktunaxa.</li> <li>3. Ksanca drainage and surrounding area provides critical habitat for wildlife species, and contains many culturally important plant species, the valley is an important historic trail and the beach area is connected to the Ktunaxa creation story.</li> </ol>	<ol style="list-style-type: none"> <li>1. This park location should be preserved for its cultural and ecological value. Existing temporary infrastructure should be removed or maintained as limited amenities. The boat ramp should be closed and restored to a natural beach with boulders replaced.</li> <li>2. Preserve wildlife corridors to allow culturally important species (eg. Grizzly bear,) to move freely throughout the proposed park.</li> <li>3. Preserve any sensitive and mature habitat features or movement corridors in the area of Martell Beach, including careful closure and clean-up to avoid negative impacts to culturally important plants and wildlife.</li> </ol>
<p><b>Kwataqñuk (Crawford Creek Regional Park)</b></p> <ol style="list-style-type: none"> <li>1. Proposed park is in an area of high archaeological potential due to the historic importance of Crawford Creek, nearby Ktunaxa settlement, history of use values, and connection through the region.</li> <li>2. Crawford Creek and the surrounding</li> </ol>	<ol style="list-style-type: none"> <li>1. Additional archaeological testing and monitored excavation should be supported by Ktunaxa staff and Knowledge Holders where infrastructure construction is planned.</li> </ol>

<p>area provides critical habitat for wildlife species, and contains many culturally important plant species, the valley is an important historic settlement area and transportation route and the beach and wetland habitat features are culturally and ecologically important.</p>	<ol style="list-style-type: none"> <li>2. Preserve any sensitive and mature habitat features and movement corridors in the area of Crawford Creek, the beach, wetland, estuary and other riparian areas, including careful construction of park infrastructure to avoid negative impacts to culturally important plants and species.</li> </ol>
<p><b>Sina ʔaknuxuʔnuk (Powerline Beach, Teck):</b></p> <ol style="list-style-type: none"> <li>1. Proposed park is in an area of high archaeological potential due to the historic importance of rare gradual and protected beach on Kootenay Lake, this location is also adjacent to very important sites on the West side of Kootenay Lake and is well suited as a narrow cross point. Nearby Ktunaxa settlements, history of use values, and connection through the region link Ktunaxa to this place.</li> <li>2. Because of the cultural history in this area and the presence of culturally important plants, a proposed park in this location would provide a good opportunity for interpretive education for the public.</li> </ol>	<ol style="list-style-type: none"> <li>1. Additional archaeological testing and monitored excavation should be supported by Ktunaxa staff and Knowledge Holders where infrastructure construction is planned. Implementation of a park here should not seasonally restrict Ktunaxa citizens from accessing the shoreline of Kootenay Lake.</li> <li>2. Work with Ktunaxa knowledge holders from Yaqan Nuʔkiy to develop signage that educates the public on places and species of cultural importance for Ktunaxa citizens and why they need to be protected.</li> </ol>

## 5. REFERENCES

- BGC Engineering Inc. (2020). RDCK Floodplain and Steep Creek Study (p. 177) [Flood Hazard Assessment]. Regional District of Central Kootenay. Retrieved April 13, 2023, from <https://www.rdck.ca/EN/main/services/community-planning/flood-map-study.html>
- Cisco Luke-Jimmy, (2022, October 12-14). *Field-Based Interviews regarding the RDCK Parks TUS Project*. (D. Robson & S. Kent, Interviewers) [Recorded Video and Audio]. Ktunaxa citizens and staff member.
- EcoLogic Consultants Ltd., Durand, R., & Ehlers, T. (2020). Crawford Bay Regional Park Biophysical Study (p. 81) [Biophysical Assessment]. Regional District of Central Kootenay. Retrieved April 13, 2023, from <https://www.rdck.ca/EN/main/services/recreation-parks-projects/crawford-creek-bay-regional-park-biophysical-study.html>
- Kootenay Lake Partnership (2020) Shoreline Guidance Document: Kootenay Lake (Version 9). <http://kootenaylakepartnership.com/wp-content/uploads/2020/05/Shoreline-Guidance-Document-May-2020.pdf>
- Ktunaxa Archival Transcriptions from Kootenay Cultural Conservation Values Study (2017): Y01, Individual Interview, August 19, 2016; Y04, Individual Interview, April 20, 2016; Y14, Individual Interview, April 20, 2016.
- Louie, Robert W. Ktunaxa Archival Transcriptions from Lower Kootenay Traditional Use Site Report (2002): Isabel Louie, Interview, April 01, 2003; Isabel Louie, Small Group Interview, November 2001; Wayne Louie, Small Group Interview, November 2001.
- Robin Louie, (2022, October 11-14). Office & Field-Based Interviews regarding the RDCK Parks TUS Project. (D. Robson & S. Kent, Interviewers) [Recorded Video and Audio]. Ktunaxa land user and knowledge holder.
- Robert Williams, (2022, October 12-14). Field-Based Interviews regarding the RDCK Parks TUS Project. (D. Robson & S. Kent, Interviewers) [Recorded Video and Audio]. Ktunaxa elder and staff member.

**APPENDIX A: DOCUMENTATION OF INFORMED CONSENT**

**Ktunaxa Nation Council (KNC) Rights, Use, and Interests Study and Assessment for RDCK Regional Parks – Creston & Kootenay Lake, BC**

Declaration of Informed Consent and Permission to use Information

I (name) \_\_\_\_\_, on this day \_\_\_\_\_, give permission for Reciprocity Research Inc. to interview me for the KNC Rights, Use, and Interests Study for the Regional District of Central Kootenay (RDCK) regional park planning in Creston & Kootenay Lake, BC.

I understand the study is being conducted by Yaqaan Nukiy (Lower Kootenay Band) & KNC. The purpose of this study is to document the use, rights and interests of Ktunaxa citizens in the Creston and Kootenay lake area, including areas adjacent to the 5 proposed Regional Parks: Crawford Creek, Martell Beach, Goat River, West Creston Ferry Landing, & Powerline Beach.

By signing below, I indicate my understanding that:

- (a) I give permission to have my words and responses recorded on maps, in notes and using audio and video recording equipment.
- (b) I am free to not respond to any questions that may be asked and to end the interview at any time I wish.
- (c) Yaqaan Nukiy & KNC will own and maintain intellectual property rights over all information and recordings collected through my participation and may use the information and recordings, including audio, video, or pictures, in pursuit of its claims and for defending and communicating the rights, interests, and titles of its members. This includes, but is not limited to, sharing information as part of environmental assessments and court actions.
- (d) KNC will ask permission from me or my descendants, before using my information for purposes not indicated above.

For more information, please contact Caitlin Phillips at (250) 421-7680.

I would like to have my name included in reports:  yes  no PIN #:

Signature of participant \_\_\_\_\_ Witness \_\_\_\_\_

**Reciprocity Research Inc.**

**APPENDIX B: SURVEY123 FIELD FORM**

The forms created for Survey123 follow an easy-to-follow format and allows you to only enter one type of observation at a time, this keeps the data clean and easy to interpret in later analysis. The screenshots below are an example of each page of the form, for confidentiality purposes the names of plants and wildlife have been excluded from this example.

This style of data collection allows Ktunaxa staff and citizens to quickly and easily collect field data that is relevant for ongoing research and mapping. Each entry requires time and date, name of respondent, and a GPS location. Photos, videos, audio files or other files can be attached to the forms for providing additional information or context.

RDCK Parks TUS - Incidental Observati...

Description content for the survey

---

**Date**

**Time**

**Completed By:**  
Please type your name

**Location**

**Type of Observation**

Wildlife Sign

Culturally Important Plant

Cultural Value

Disturbance

Other

**Photo**  
Please take a photo or upload from your gallery.

Drop image here or select image

**Wildlife Species** ▼

**Wildlife Observations**

Grizzly bear

**Wildlife Sign**

<input type="checkbox"/> Direct Observation
<input type="checkbox"/> Past Use / Harvest
<input type="checkbox"/> Tracks
<input type="checkbox"/> Scat
<input type="checkbox"/> Bed
<input type="checkbox"/> Browse / Feeding
<input type="checkbox"/> Den / Lodge / Nest
<input type="checkbox"/> Other

**Wildlife Density**

<input type="radio"/> Track from 1 Animal
<input type="radio"/> Trail from 2-5 Individuals

**Habitat Type**

<input type="checkbox"/> Forest - Mature / Old Growth
<input type="checkbox"/> Forest - Young / Mixed
<input type="checkbox"/> Riparian (River, Stream)
<input type="checkbox"/> Wetland
<input type="checkbox"/> Lake / Pond
<input type="checkbox"/> Grassland
<input type="checkbox"/> Anthropogenic
<input type="checkbox"/> Other

**Other Wildlife Comments**

**Culturally Important Plant(s) **



**Cultural Value** ▼

**Cultural Value**

<input type="checkbox"/> Cultural Trail
<input type="checkbox"/> Campsite
<input type="checkbox"/> Berry or Plant Harvesting
<input type="checkbox"/> Hunting
<input type="checkbox"/> Fishing
<input type="checkbox"/> Spiritual or Ceremonial site
<input type="checkbox"/> Archaeological Feature
<input checked="" type="checkbox"/> Culturally Modified Tree
<input type="checkbox"/> Other

**Disturbance** ▼

**Disturbance Type**

(All within ~200m / or complete a new entry for multiple disturbances over a wider area)

<input type="checkbox"/> Forestry
<input type="checkbox"/> Roads
<input type="checkbox"/> Mining
<input type="checkbox"/> Fire
<input type="checkbox"/> Pollution
<input type="checkbox"/> Invasive Plant
<input checked="" type="checkbox"/> Other

**Disturbance Notes**

**Additional Notes**

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**APPENDIX C: FIELD SAFETY FORM**

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**Yaqaan Nukiy / KNC - RDCK TUS (2022)  
TAILGATE SAFETY MEETING PLAN & REPORT**

Introduction

- Reciprocity Research is working with Yaqaan Nukiy & KNC to complete a Traditional Use and Cultural Values Study. Specifically looking at 5 proposed parks in the Creston Area, including at: Goat River, West Creston Ferry Landing, Martell Beach, Crawford Creek, and the Powerline Beach.

Incidental Observations & On-territory Interviews

- Review data collection & interview process (forms on Survey123)
- Provide overview of the forms and the key project components/locations
- Site visits are intended to visit important areas and places near the project area, as identified with the help of Yaqaan Nukiy & KNC staff and knowledge holders.

What are we doing today?

- Review Safety Plan and Sign sheet.
- Driving to identified sites.
- Using GPS (tablets/phones) to identify proposed parks, navigate.
- Conducting on-territory interviews with audio &/or video recording.
- Recording incidental observations using Survey123 (including wildlife sign, culturally important places, cultural sites, disturbance, etc.)
- End of day debrief, review concerns & recommendations from Ktunaxa Citizens.

What to expect?

- Driving up to 1 hour (highway and dirt roads), walking on unstable terrain (bring good boots).
- Bring snacks, lunch, water and extra food.
- Expect a full day of working (~9am-5pm)
- Vehicles and participants should stay together.

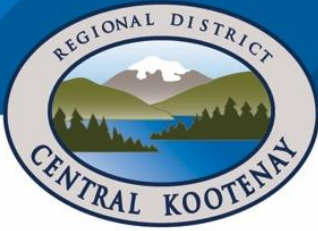


<i>Part III</i> HAZARDS AND SAFEGUARDS		
<i>Task</i>	<i>Hazard</i>	<i>Control Barrier</i>

<i>PART IV</i> INSPECTIONS AND EQUIPMENT CHECKLIST	
<input type="checkbox"/> First Aid Kit	<input type="checkbox"/> Axe/Saw
<input type="checkbox"/> High visibility vest	<input type="checkbox"/> Bear Spray
<input type="checkbox"/> Appropriate footwear and clothing	<input type="checkbox"/> Extra clothing / socks / gloves
<input type="checkbox"/> GPS	<input type="checkbox"/> Safety blanket(s)
<input type="checkbox"/> Maps/Compass	<input type="checkbox"/> Battery Charger
<input type="checkbox"/> Data forms and field guides	<input type="checkbox"/> Headlamps
<input type="checkbox"/> Radio	<input type="checkbox"/> Duct tape
<input type="checkbox"/> Tablets/Phones with Mapping Apps & Dioptra	<input type="checkbox"/> Matches/Lighter
<input type="checkbox"/> Vehicle inspection	<input type="checkbox"/> Tire chains
	<input type="checkbox"/> [Any other items?]

<i>PART V</i> EMERGENCY PROTOCOL
Emergency contact number for the area: _____
Nearest medical facility: <b>Creston Valley Hospital &amp; Health Centre</b> , 312 15 Ave N, Creston, BC, V0B 1G0, Phone: 250-428-2286





# Board Report

**Date of Report:** August 21, 2023  
**Date & Type of Meeting:** October 19, 2023 Regular Board Meeting  
**Author:** Jon Jackson, Emergency Program Coordinator  
**Subject:** RDCK Emergency Program Support for Yaqan Nukiy  
**File:** 14-7610-01  
**Electoral Area/Municipality:** All

## SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to seek Board approval for the new Mutual Aid Service Agreement for the RDCK to administer Evacuation Alerts & Orders on behalf of Yaqan Nukiy (the Band).

## SECTION 2: BACKGROUND/ANALYSIS

In the event of an impending disaster – wildfire, flood, and other hazards – Under B.C.'s legislation, local authorities can issue evacuation orders and alerts for residents of their jurisdictions. Local authorities in B.C. also have a responsibility to establish procedures to ensure residents are notified of an emergency or impending disaster. The RDCK utilizes the Voyent Alert system to notify its residents of impending disasters, but we need residents to sign up in order to receive the messages. Each year, through various media channels, residents are encouraged to voluntarily sign-up for the Voyent alerting system. Once signed-up, residents will receive messages based on their location preferences. The messages are managed and sent out by the RDCK Emergency Operations Centre.

The Lower Kootenay Band, locally known as Yaqan Nukiy, is located on approximately 6,000 acres in the Creston Valley. The Band has 237 citizens with about half living within the main community located 4 kilometers south of Creston and just north of the USA border on Simon Road.

Residents of Yaqan Nukiy are not currently included in the RDCK program for Evacuation Alerts & Orders. Without being included in the Voyent Alerting system, Band residents are less protected in emergencies when evacuation might be the best way to reduce exposure to the impacts of the hazards.

In response to the lack of alerting system, the Lower Kootenay Band submitted a request on May 17<sup>th</sup> for the RDCK to provide them assistance with issuing, maintaining and rescinding Evacuation Alerts & Orders on behalf of the Band.

Subsequently, at the June 15<sup>th</sup> Board meeting, staff were directed to draft a Mutual Aid service agreement to support the Lower Kootenay Band residents located on the reserve during an active emergency by providing Emergency Operations Centre support. (Resolution 382/23)

A Mutual Aid Services Agreement has been prepared in collaboration with the Lower Kootenay Band, detailing how the RDCK Emergency Program will issue, maintain and rescind Evacuation Alerts & Orders on behalf of the Band. RDCK staff time will be impacted as follows:

- Adapt existing RDCK processes for issuing, maintaining and rescinding Evacuation Alerts & Orders on behalf of the Band
- Issue, maintain and rescind Evacuation Alerts & Orders on behalf of the Band as required during emergencies. Although, in most situations where the Band requires a notification, there is a high likelihood that the EOC will already be stood up to prepare for or respond to a fire in RDCK boundaries surrounding the Band
- Maintain and administer the Service Agreement

Staff Recommendation: the RDCK Board approve and sign the proposed Mutual Aid Services Agreement.

### SECTION 3: DETAILED ANALYSIS

#### 3.1 Financial Considerations – Cost and Resource Allocations:

<b>Included in Financial Plan:</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<b>Financial Plan Amendment:</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<b>Debt Bylaw Required:</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<b>Public/Gov’t Approvals Required:</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

In the event of an emergency incident in the area that requires Evacuation Alerts and/or Orders to be issued, the RDCK Emergency Operations Centre would be activated to manage the response, regardless of whether the incident is on Yaqaan Nukiy lands, or in the RDCK electoral area. We will issue evacuation alerts and orders to RDCK residents and to Yaqaan Nukiy residents who reside in the electoral area.

Staff is proposing this service be provided for \$1 since most of the incremental response costs will be recoverable from by EMCR as well as any overtime costs incurred. The additional staff time to issue Evacuation alerts and orders for Yaqaan Nukiy will be minimal since we are responding to an event in the RDCK already.

#### 3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

The BC Local Authority Emergency Management Regulation, under the Emergency Program Act, “does not prevent a local authority from entering into mutual aid agreements ... for emergency resources”.

These mutual aid agreements with First Nations are not unique to the RDCK, and there are several similar existing agreements in the province, for example, the Regional Districts of East Kootenay and Central Okanagan provide similar supports to neighbouring First Nations.

#### 3.3 Environmental Considerations

None

#### 3.4 Social Considerations:

Our environment is changing in ways that will challenge us, and it is important to ensure the resilience of our communities.

Residents of Yaqaan Nukiy are not currently covered by our established processes for Evacuation Alerts & Orders and may therefore be less protected in emergencies, such as during floods or wildfires when evacuation might be the best way to reduce exposure to the impacts of the hazards.



The Band has requested the RDCK to assist them with issuing maintaining and rescinding Evacuation Alerts & Orders on behalf of the Band.

### 3.5 Economic Considerations:

Not applicable.

### 3.6 Communication Considerations:

None

### 3.7 Staffing/Departmental Workplan Considerations:

Time investment by staff to:

- Adapt existing RDCK processes for issuing, maintaining and rescinding Evacuation Alerts & Orders on behalf of the Band
- Issue, maintain and rescind Evacuation Alerts & Orders on behalf of the Band as required during emergencies. Although, in most situations where the Band requires a notification, there is a high likelihood that the EOC will already be stood up to prepare for or respond to a fire in RDCK boundaries surrounding the Band
- Maintain and administer the Service Agreement

### 3.8 Board Strategic Plan/Priorities Considerations:

To excel in governance and service delivery

To strengthen our relationships with our community partners

## SECTION 4: OPTIONS & PROS / CONS

**Option 1:** Board approves the draft agreement with Yaqaan Nukiy in order to provide assistance to the Band with issuing, maintaining and rescinding Evacuation Alerts & Orders on behalf of the Band.

Pros:

- Improve the safety of residents by implementing wise practices for emergency alerts & orders when there is a threat to life safety.
- Strengthen our relationship with Yaqaan Nukiy

Cons:

- Additional workload for staff

**Option 2:** Board does not approve the draft Service Agreement

Pros:

- No additional EOC workload to notify Yaqaan Nukiy

Cons:

- Potentially weaken our relationship with the Band

- Residents in the Yaqaan Nukiy community may be less protected when they are exposed to threats to life safety, such as floods or wildfires.
- Additional work by staff to renegotiate an agreement.

## SECTION 5: RECOMMENDATIONS

That the Board approves the Service Agreement between the RDCK and Yaqaan Nukiy formalizing the role of the RDCK in order to issue, maintain and rescind Evacuation Alerts & Orders on behalf of the Band as required during emergencies.

Respectfully submitted,  
Jon Jackson, Emergency Program Coordinator

## CONCURRENCE

Chief Administrative Officer – Stuart Horn	Approved	
GM of Development & Community Sustainability – Sangita Sudan		Approved
Manager of Community Sustainability – Dan Séguin	Approved	

### ATTACHMENTS:

**Mutual Aid Service Agreement**



# Mutual Aid Services Agreement

**Contract #:2023 – LOWER  
KOOTENAY BAND  
Project: Emergency  
Services  
Account #: Add code**

THIS AGREEMENT executed and dated for reference the:

**day** day of **month**, **year**  
(Day) (Month) (Year)

## BETWEEN

**REGIONAL DISTRICT OF CENTRAL KOOTENAY**  
(hereinafter called the “RDCK”)

at the following address:  
Box 590, 202 Lakeside Drive  
Nelson, BC V1L 5R4

Agreement Administrator: Jon Jackson  
Telephone #: 250-254-8255  
Email: jjackson@rdck.bc.ca

**AND**

**Lower Kootenay Band**  
(hereinafter called the “Band”)

at the following address:  
3425 Old Community Road  
Creston, BC

Agreement Administrator: Curtis Wullum  
Telephone: 250-428-6394  
Email: cwullum@kootenay.com

**FOR GOOD AND VALUABLE CONSIDERATION, THE RECEIPT OF WHICH IS CONFIRMED, THE BAND AND THE RDCK AGREE AS FOLLOWS:**

## KEY TERMS

- 1 The parties agree that the RDCK shall provide the Services detailed in Schedule A of this Agreement (the “Services”).
- 2 Notwithstanding the date of execution of this Agreement the RDCK shall provide the Services described in Schedule A hereof commencing on 1/1/2024 (the “Start Date”) and ending on 12/31/2026 (the “Term”), unless terminated earlier in accordance with Section 9 or 10 of this Agreement.
- 3 The Location for delivery of the Services shall be Nelson and Creston, BC and Lower Kootenay Band Creston IR 1.
- 4 For the provision of Services, the Band shall pay the RDCK the amounts and rates described in Schedule B. The RDCK shall invoice the Band for the Services annually during the Term and the Band shall pay the RDCK within 30 days of receipt of each invoice.

## DEFINITIONS

- 5 In this Agreement, words and phrases shall have the following meanings:
- (a) **“AGREEMENT”** means this Agreement;
  - (b) **“BASIC SERVICES”** means those Services identified as Basic Services in Schedule A;
  - (c) **“CLAIMS”** referred to in Section 11 and 12 hereof, means collectively: claims, demands, actions, suits, losses, damages, costs (including legal costs), fines, penalties, charges and expenses, including those for bodily injury or death;
  - (d) **“DEFAULT”** has the meaning described in Section 9;
  - (e) **“DEFAULTING PARTY”** has the meaning described in Section 9;
  - (f) **“ENACTMENT”** has the same meaning as defined in section 1 of the British Columbia Interpretation Act;
  - (g) **“ENHANCED SERVICES”** means those Services identified as Enhanced Services in Schedule A;
  - (h) **“FORCE MAJEURE”** has the meaning described in Section 35;
  - (i) **“SERVICES”** means the Basic Services and the Enhanced Services listed in Schedule A provided by the RDCK under this Agreement;
- 6 The following Schedules are attached, incorporated into, and form part of this Agreement:
- Schedule A: Description of Services
  - Schedule B: Payment Terms
  - Schedule C: Supplemental Terms and Conditions

## THE RDCK'S OBLIGATIONS

- 7 The RDCK shall:
- (a) undertake all work and supply all materials necessary to perform the Services, unless stipulated otherwise in Schedule A;
  - (b) upon the request of the Band, fully inform the Band of the Services done by the RDCK in connection with the provision of the Services and permit the Band at all reasonable times to inspect and review all works, data, specifications, drawings, reports, documents and materials, whether complete or otherwise, that have been produced, received or acquired by the Band as a result of this agreement;
  - (c) comply with all applicable municipal, provincial and federal legislation and regulations, including, without limitation, the legislation and regulations governing the protection of information and privacy applicable to the Band;
  - (d) exercise a standard of care, skill and diligence that could reasonably be expected of and observed in persons engaged in the performance of work or services similar to Services provided in similar local or provincial governments workplaces in British Columbia;
  - (e) at its own expense, obtain Workers Compensation coverage for itself and all workers and agents employed or engaged in the execution of the Services; and
  - (f) at all times, treat as confidential all records, data, information and material supplied to or obtained by the RDCK as a result of this Agreement, including that of the Band's elected officials, appointed officers and employees, and the Band's ratepayers, businesses and other members of the public, and not permit the publication, release or disclosure of the same without the prior written consent of the Band or in accordance with the applicable “enactment” (as defined in the British Columbia Interpretation Act);

- (g) respond to all requests made under section 5 of the Freedom of Information and Protection of Privacy Act in respect of the Band's records in the possession of the RDCK by transferring the requests to the Band, as the initiator and primary custodian of the records, in accordance with section 11 of that Act;
- (h) not in any manner whatsoever commit or purport to commit the Band to the payment of any money except the payment as set out in Schedule B of this Agreement for the Services.

## THE BAND OBLIGATIONS

- 8 The Band shall:
- (a) subject to the provisions of this Agreement, pay the RDCK in full for the Services which are provided under this Agreement at the rates and amounts detailed in Schedule B and as otherwise provided under this Agreement;
  - (b) make available to the RDCK all available information pertinent to the Services;
  - (c) give the RDCK reasonable notice of anything likely to materially affect the provision of the Services;
  - (d) examine all studies, reports, sketches, proposals and documents provided by the RDCK under this Agreement, and render decisions pertaining thereto within a reasonable time;
  - (e) at all times, treat as confidential all information and material supplied to or obtained by the Band as a result of this Agreement and not permit the publication, release or disclosure of the same without the prior written consent of the RDCK or in accordance with the applicable enactment;
  - (f) accept instructions from the RDCK in relation to the Services, and that the Band shall not be subject to the control of the RDCK in the manner in which such instructions are carried out;
  - (g) comply with all applicable municipal, provincial and federal enactments;
  - (h) abide by the requirements set out in Schedule C;
  - (i) not in any manner whatsoever commit or purport to commit the RDCK to the payment of any money.

## TERMINATION OF AGREEMENT

- 9 A failure by a party to perform its obligations under this Agreement constitutes a default (the "**Default**") and upon a party committing Default (the "**Defaulting Party**"), the other a party may provide written notice to the Defaulting Party and require the Defaulting Party to rectify the Default within 60 days of the notice, failing which the party providing notice may immediately terminate this Agreement.
- 10 Either party may in its absolute discretion terminate this Agreement on not less than 180 days' written notice to the other party.

## INDEMNITIES AND INSURANCE

- 11 The Band releases, indemnifies and saves harmless the RDCK and its elected officials, officers, employees and agents from and against all Claims which the RDCK may incur, suffer or be put to arising out of or in connection with this Agreement or the provision of the Services, directly or indirectly, arising from any negligence, act or omission of the Band or any breach by the Band of any of its obligations, representations, warranties or covenants under this Agreement, unless such Claims arise in whole or in part by any negligence, act or omission of the RDCK or any breach by the RDCK of any of its obligations, representations, warranties or covenants under this Agreement.
- 12 The indemnities in Section 11 survive the expiration or termination of this Agreement.
- 13 Under no circumstances will the RDCK be liable for any delay, failure, damage, loss, cost or injury caused by or resulting from:

- (a) services supplied to the Band by or on behalf of a third party, whether under the direction of the RDCK or otherwise;
  - (b) the Band's errors, including incorrect instructions or information from the Band or the Band's failure to provide relevant information or documentation;
  - (c) the requirements of any civil or governmental authority, or service, communication or utility supplier;
  - (d) Release of personal information as defined in the BC Freedom of Information and Protection of Personal Privacy Act by the Band or a third-party;
  - (e) Any fines and penalties levied against the Band resulting from a privacy breach resulting from 14(d).
- 14** Each party shall take out and keep in force during the Term comprehensive general liability (including bodily injury, death, property damage, and damage or loss) insurance on an occurrence basis of not less than \$5,000,000 per occurrence (or such greater reasonable amount as the parties may agree to from time to time), which insurance shall include the other party as an additional insured and shall protect the other party in respect of claims as if that party were separately insured.
- 15** The insurance required to be maintained by each party shall be on terms and with insurers to which the other party has no reasonable objection and shall require the insurer to provide to the other party six months prior written notice of cancellation or material alteration of its terms.
- 16** At the time of execution of this Agreement and at other reasonable times requested by a party, the other party shall furnish evidence of insurance to the requesting party, either by means of a certified copy of the policy or policies of insurance with all amendments and endorsements or a certificate from that party's insurer which, in the case of comprehensive general liability insurance, shall provide such information as the other party reasonably requires.

## DISPUTE RESOLUTION

- 17** If a dispute arises between the parties regarding this Agreement or any matter arising hereunder, the parties agree to avail themselves to the following procedures:
- (a) Either party (the "Sender") may give written notice (the "Notice") to the other party that it wishes to resolve the dispute through the procedures set out in this section;
  - (b) The Notice shall set out in reasonable detail the matter the Sender wishes to resolve, and the position of the Sender in respect to the disputed matter;
  - (c) Upon either party receiving a Notice, the Chief Administrative Officer of the Regional District and the Chief of the Band, or designate, shall meet and, in good faith, attempt to settle the dispute through negotiation;
  - (d) If the dispute cannot be settled by negotiation within thirty (30) days of receipt of the Notice, the parties will attempt to resolve such dispute by mediation with each party paying one-half of the costs of the mediation;
  - (e) If the dispute cannot be settled by mediation within a further thirty (30) days, either party may serve an Arbitration Notice upon the other party to submit the dispute to arbitration in accordance with the Arbitration Act (B.C.) by a single arbitrator agreed upon by the parties;
  - (f) The decision of an arbitrator appointed pursuant to this Agreement is final and binding on the parties and shall be handed down within sixty (60) days of the arbitrator's appointment and shall contain detailed reasons for the decision;
  - (g) Each party shall bear its own costs of any arbitration and pay one-half of the arbitrator's fee and

expenses, including the cost of the site of the arbitration, unless otherwise ordered by the arbitrator.

## GENERAL TERMS

- 18 The RDCK and the Band both acknowledge and agree that the printed, electronic and other records produced and maintained by the RDCK in connection with the Services are, for the purpose of compliance with the Freedom of Information and Protection of Privacy Act (B.C.) ("FIPPA"), under the custody and control of the RDCK. The RDCK agrees that it shall meet its statutory requirements and obligations under FIPPA. It shall process any requests under FIPPA in a timely fashion and copy the Band on any such response in relation to requests which affect or involve the Services described in Schedule A of this Agreement.
- 19 Any amounts due and owing under this Agreement and unpaid within 60 days shall bear interest at the prime lending rate of the RDCK's financial institution, calculated and compounded monthly not in advance, from the date due until paid.
- 20 The Band certifies that the Services purchased pursuant to this Agreement are for the use of and are being purchased by the Band and are therefore subject to the *Excise Tax Act* (Canada). The Band is registered for Goods and Services Tax ("GST") purposes and shall be responsible for and account for all GST payable in connection with the Services.
- 21 This Agreement may be amended by mutual agreement of the parties evidenced in writing, duly signed by their authorized signatories.
- 22 This Agreement shall be governed by and construed in accordance with the laws of the Province of British Columbia.
- 23 Time shall be of the essence of this Agreement.
- 24 The RDCK may provide similar Services to other municipalities or entities during the Term of this Agreement, provided such Services do not reasonably give rise to a conflict of interest with respect to the RDCK's duties under this Agreement or diminish the level of the Services available to the Band under this Agreement.
- 25 The Band and the RDCK expressly acknowledge that they are independent contractors and no agency, partnership, joint venture or employer-employee relationship is intended or created by this Agreement.
- 26 Any notice required to be given hereunder shall be delivered or mailed by prepaid certified or registered mail to the addresses above (or at such other address as either party may from time to time designate by notice in writing to the other), and any such notice shall be deemed to be received 72 hours after mailing.
- 27 This Agreement shall be binding upon the parties and their respective successors, heirs and permitted assigns.
- 28 A waiver of any provision or breach by either party of any provision of this Agreement shall be effective only if it is in writing and signed by both parties.
- 29 A waiver under Section 29 shall not be deemed to be a waiver of any subsequent breach of the same or any other provision of this Agreement.
- 30 This Agreement has been duly authorized by the requisite proceedings to enter into and execute this Agreement by each party.
- 31 Except as expressly set out in this Agreement, nothing herein shall prejudice or affect the rights and powers of either party in the exercise of its powers, duties or functions under the *Community Charter* or the *Local Government Act* or any of its bylaws, all of which may be fully and effectively exercised as if this Agreement had not been executed and delivered.
- 32 The parties will execute such further and other documents and so such further and other things as may be necessary to carry out and give effect to the intent of this Agreement.
- 33 There are no covenants, representations, warranties, agreements or conditions expressed or implied,



collateral or otherwise forming part of or in any way affecting or relating to this Agreement, save as expressly set out in this Agreement and this Agreement constitutes the entire agreement between the parties and may not be modified except by subsequent agreement in writing executed by the parties.

- 34 The RDCK does not warrant that the Services provided by the RDCK pursuant to this Agreement will be free from interruptions caused or required by, strikes, riots, insurrections, labour controversies, accidents or other causes beyond the commercially reasonable control of the RDCK (“**Force Majeure**”) and the Band releases the RDCK from any loss or expenses rising therefrom.
- 35 If the RDCK is rendered unable, wholly or in part, by Force Majeure to provide the Services then the RDCK shall provide to the Band notice of the Force Majeure as soon as reasonably possible, and to the extent that the RDCK’s performance is impeded by the Force Majeure it shall not be in breach of its obligations under this Agreement. The parties acknowledge and agree that during an event of Force Majeure, the RDCK’s obligations pursuant to this Agreement shall be reduced or suspended as the case may be, but not longer than the continuance of the Force Majeure, except for a reasonable time period after if required by the RDCK to resume its obligations.
- 36 This Agreement may be executed in counterparts, in which case the counterparts together shall constitute one agreement and communication of execution by fax or electronic transmission shall constitute good delivery.

IN WITNESS WHEREOF the parties hereto have duly executed this Agreement as of the day and year first above written.

REGIONAL DISTRICT OF CENTRAL KOOTENAY	LOWER KOOTENAY BAND
<hr/> (Signature of Authorized Signatory)	<hr/> (Signature of Authorized Signatory)
<hr/> (Name and Title of Authorized Signatory)	<hr/> (Name and Title of Authorized Signatory)
<hr/> (Signature of Authorized Signatory)	<hr/> (Signature of Authorized Signatory)
<hr/> (Name and Title of Authorized Signatory)	<hr/> (Name and Title of Authorized Signatory)

## SCHEDULE A: DESCRIPTION OF SERVICES

### The Basic Services

- 1 The services provided to the Band by the RDCK will be to administer, maintain and rescind Evacuation Alerts and Orders on behalf of the Band.
- 2 The request to the RDCK to initiate the Evacuation Alert or Evacuation Order process will be submitted by one of following Band members:
  - a. Emergency Plan Coordinator
  - b. Director of Operations
  - c. Facilities and Operations Manager

The request shall be authorized by the Band Chief.

If the RDCK receives a message from BC Wildfire Service recommending an evacuation on Band lands, the RDCK shall contact the Band for confirmation.

- 3 The RDCK will provide the following Basic Services (the “**Basic Services**”) package included in the annual fee:
  - (a) Activate the RDCK Emergency Operations Centre (EOC) when necessary to coordinate resources to respond to emergencies and disasters on the Band lands. In most cases, the RDCK EOC will already be activated to support the needs of the RDCK residents in the area.
  - (b) Issue, maintain and rescind States of Local Emergency (SOLE), Evacuation Alerts and Evacuation Orders on behalf of the Band, subject to written request from the Band’s authorized person.
  - (c) Yaqaan Nukiy residents will be eligible to sign up to receive Emergency messages via the RDCK automated messaging system (VoyentAlert), following which the residents who have signed up for the service will receive electronic messages from the RDCK.
- 4 In connection with the provision of the Basic Services, the Band is responsible for coordinating and covering all costs for the following:
  - (a) Preparing and maintaining an Emergency Plan for the Band’s community, and ensuring that the RDCK is provided with the current plan at all times.
  - (b) Nominate and provide contact information for the Band officials who will be authorized to request the activation of the RDCK EOC, and who will be authorized to request that a SOLE, Alert or Order be issued, and to request the rescinding of these documents when the incident ends.
  - (c) Activating the Band’s own EOC and administering their own claims to recover their costs associated with the response.
  - (d) Encouraging residents to sign up for the RDCK electronic messaging system.
  - (e) Arranging door-to-door delivery of paper copies of Evacuation Alerts and Evacuation Orders to residents.

## SCHEDULE B: CONTRACT PAYMENT TERMS

- 1 The annual charge for Basic Services will be \$1 (one dollar)
- 2 The annual charge may at the RDCK's sole discretion be increased annually on the anniversary date of the contract at an amount not exceeding twice the prior year's BC Consumer Price Index ("CPI"), as established by Statistics Canada. If the CPI is zero or less than zero, then a maximum of 1% may be applied, unless mutually agreed by both parties.
- 3 Charges for travel time, mileage and expenses are as follows:
  - Not applicable
- 4 Payment will be made by the Band to the RDCK within thirty (30) days of receipt of invoices by the Band.

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## SCHEDULE C – SUPPLEMENTAL TERMS AND CONDITIONS

- The Band shall ensure that they have arrangements in place to deliver Evacuation Alerts and Orders to their residents. This shall be done by door-to-door distribution of paper copies of the documents.
- The RDCK and the Band may collaborate to deliver Evacuation Alerts and Orders to LKB residents on Creston IR 1.
- The RDCK and the Band may also publicize the status of States of Local Emergency, Evacuation Alerts or Orders via electronic means, using social media, websites and the like.

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# Board Report

<b>Date of Report:</b>	September 27, 2023
<b>Date &amp; Type of Meeting:</b>	October 19, 2023, Open Board Meeting
<b>Author:</b>	Sangita Sudan, GM of Development & Community Sustainability
<b>Subject:</b>	Kootenay and Boundary Farm Advisor Program Contract Continuation
<b>File:</b>	010-5200-20-KBFA
<b>Electoral Area/Municipality:</b>	All RDCK

## SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to seek Board approval on allocating an amount of \$45,000 per year for the 2024-2028 Financial Plan budget to allow the continuation of the Kootenay and Boundary Farm Advisor Program.

In addition, staff are seeking approval to be the contract manager for the Kootenay and Boundary Farm Advisor Program currently being managed by the Regional District of East Kootenay.

## SECTION 2: BACKGROUND/ANALYSIS

### BACKGROUND

The RDCK Agriculture Area Plan (AAP) completed in 2011, identified a need for farmers to access agriculture extension services to support on farm practices and concerns. This recommendation was also identified in the two neighboring regional districts who completed their AAP around the same time leading to the creation of the Kootenay Boundary Farm Advisor (KBFA).

The Kootenay and Boundary Farm Advisor (KBFA) Program formed in May 2016 and is a project developed through partnership with the Regional District of East Kootenay (RDEK), Regional District of Kootenay Boundary, Columbia Basin Trust and the Regional District of Central Kootenay (RDCK). Two staff representing the RDCK Stuart Horn and Sangita Sudan along with one Board member were appointed to the KBFA steering committee. Currently Director Kelly Vandenberghe Area 'C' is the RDCK Board representative.

With funding contributions of \$60,000 per year by the regional districts and CBT, Keefer Ecological Services Ltd. was selected by the steering committee following a Request for Proposal process, and the contract was approved by all 3 Boards and the CBT. The contract with Keefer has since then been managed by the RDEK, while the service delivery has been informed through collaboration and consensus at the steering committee.

The RDEK is requesting that one of the Partners take over the contract management for the KBFA program. Staff is suggesting that Board consider the RDCK take on the contract management role for the KBFA program which includes coordinating steering committee meetings.

### ANALYSIS

Since the inception of KBFA, approximately 800 farms have connected with the program. This includes phone calls, emails and on farm visits. One on one support has been provided 2804 times to a producer and producers

have been linked with experts 621 times. In total the KBFA Advisors have made 551 farm visits. The Kootenay Farmer Newsletter published by the KBFA has over 1400 subscribers with the top three locations of subscribers being Nelson, Creston and Cranbrook.

Over the years it has been recognized that the initial work needed to establish this tri-regional service required more funding. Since then the contractors have been refining the program and have realized significant efficiencies in the delivery of the program, which has reduced the yearly \$60,000 contribution per partner to \$45,000.

As a resource to farmers KBFA has become a “go to” for information about farms in the region. As an example FarmFolk and Young Agrarians reached out to KBFA for recommendations about innovative and pro-active farms in the region who could deliver presentations for their respective winter programming. Since then the Kootenay farms selected were featured at various online events and farmer profile stories have been featured across the Province. Three farms were featured in Country Life in BC.

Some of the innovative and proactive work of KBFA includes soil health projects in collaboration with the University of BC and KBFA representatives have been invited to sit on a steering committee for the BC Climate Action Initiative – Irrigation Efficiency Project. KBFA representatives meet regularly with Ministry of Agriculture staff on numerous topics such as identifying extension activities in the region and provide feedback on Ministry of Agriculture projects. There is also an ongoing project with the Alberni-Clayoquot Regional District regarding a regional agricultural support system for farmers in that region.

Staff have been informed that the funding from CBT, RDEK and RDKB has been approved by their Board or Directors.

Finally, as noted the contract management for the KBFA has been the responsibility of the RDEK since 2016. They have asked the steering committee members to select another regional district to take over the contract management. The RDCK is positioned to take over this contract to continue supporting the KBFA program through the Development and Community Sustainability department.

### SUMMARY

The contract term for KBFA has now expired. The remaining budget will be used to wrap up the current season of planned events to December 29, 2023. If the request to continue with the program is approved along with funding, a Request for Proposal will be advertised prior to the New Year. As the RDEK has been the lead on the contract for this program and is requesting one of the other partners take on this role, Staff are suggesting that the RDCK is well positioned to provide this support if approved by the Board. The contract oversight will be the responsibility of the general manager and planning manager.

## SECTION 3: DETAILED ANALYSIS

### 3.1 Financial Considerations – Cost and Resource Allocations:

<b>Included in Financial Plan:</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<b>Financial Plan Amendment:</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<b>Debt Bylaw Required:</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<b>Public/Gov’t Approvals Required:</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

The funding required to operate the KBFA has been reduced from \$60,000 per year to \$45,000 per year. In the first few years the service had significant expenses to ensure all supports and communications were in place for the work of providing farm advisory.

The current proposed budget request for KBFA is \$45,000 per partner per year for a total KBFA budget of \$180,000.

### **3.2 Legislative Considerations (Applicable Policies and/or Bylaws):**

Recommendation from Agriculture Area Plan -

[https://www.rdck.ca/assets/Services/Sustainability~and~Environmental~Initiatives/Documents/2011-06-15-RDCK\\_AgPlan.pdf](https://www.rdck.ca/assets/Services/Sustainability~and~Environmental~Initiatives/Documents/2011-06-15-RDCK_AgPlan.pdf)

#### **VIABILITY RECOMMENDATION #1**

It is recommended that the RDCK explore a partnership with the Columbia Basin Trust to establish a pilot project to provide an agricultural development service to farmers and other food producers in the RDCK.

### **3.3 Environmental Considerations**

None at this time.

### **3.4 Social Considerations:**

By supporting the local agriculture sector with KBFA services in the region ensures the social well-being of farmers and consumers.

### **3.5 Economic Considerations:**

The KBFA supports the agriculture sector of the region which is part of the economic landscape of the region.

### **3.6 Communication Considerations:**

None at this time.

### **3.7 Staffing/Departmental Workplan Considerations:**

Currently the general manager of development and community sustainability services and the chief administrative officer are the representatives on the steering committee.

If the Board should approve the recommendation by staff to take on the responsibility of being the contract manager for this service on behalf of the three regional districts and Columbia Basin Trust, the general manager will continue to have oversight over the contract but may designate the coordination of the steering committee and contract management to the planning manager.

### **3.8 Board Strategic Plan/Priorities Considerations:**

Goal 5.3 To strengthen our relationships with our community partners

Strategy-Seek opportunities for partnerships with local communities.

## **SECTION 4: OPTIONS & PROS / CONS**

### **Option 1:**

That the RDCK Board approve an amount not exceeding \$45,000 per year to be included in the draft 2024-2028 Financial Plan for Service S100 General Administration to continue delivering the Kootenay Boundary Farm Advisor Program co-funded by RDCK, RDEK, RDKB and CBT, AND FURTHER; the Board approve accepting the responsibility of managing the contract for KBFA through the RDCK development and community sustainability department.



Pro:

The KBFA is a successful program for extension services in the province of BC and Canada. The program has supported the agriculture sector in the region with tangible results. Continued support of this program through funding and staff time is important for our producers and the residents of the three regional districts.

Con:

By not supporting this funding request and time to manage the contract the KBFA partnership with the other regional districts will likely lead to farmers in the Central Kootenay not receiving this service.

Option 2:

That the Board not approve funding and contract management for the KBFA program in partnership with CBT, RDEK and RDKB.

Pro:

Staff time to support KBFA can be utilized for other initiatives.

Con:

- Local farmers will no longer receive this service
- Relationship on the development, delivery and collaboration for this program with the other two regional districts and CBT will no longer exist.

## SECTION 5: RECOMMENDATIONS

That the RDCK Board approve an amount not exceeding \$45,000 per year to be included in the draft 2024-2028 Financial Plan for Service S100 General Administration to continue delivering the Kootenay Boundary Farm Advisor (KBFA) Program co-funded by RDCK, Regional District of East Kootenay, Regional District of Kootenay Boundary and Columbia Basin Trust, AND FURTHER; the Board approve accepting the responsibility of managing the contract for KBFA through the RDCK development and community sustainability department.

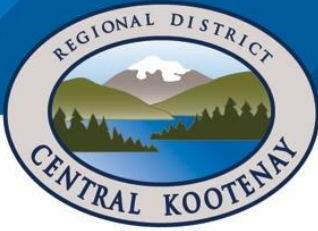
Respectfully submitted,

Sangita Sudan, General Manager of Development and Community Sustainability Services

## CONCURRENCE

Chief Administrative Officer – Stuart Horn

Approved



# Board Report

**Date of Report:** August 22, 2023  
**Date & Type of Meeting:** September 14, 2023 Open Regular Board Meeting  
**Author:** Paris Marshall Smith, Sustainability Planner  
**Subject:** REGIONAL INVASIVE SPECIES WORKING GROUP  
**File:** 10-5200-20-CKISS  
**Electoral Area/Municipality:** All

## SECTION 1: EXECUTIVE SUMMARY

In spring of 2023, the RDCK Board directed staff to work with Central Kootenay Invasive Species Society (CKISS) to begin implementing the Regional Invasive Species Strategy.

The first goal of the strategy - Improve Regional Organizational Capacity will be addressed by the creation of a Regional Invasive Species Working Group. Led by CKISS, this Working Group intends to enhance the regional organizational structure and capacity required for effective, long-term invasive species management in the RDCK.

CKISS requests that the Board appoint two Directors to Regional Invasive Species Working Group.

**RECOMMENDATION:** That the Board appoint two (2) Directors to the Regional Invasive Species Working Group for a term to end September 2024.

## SECTION 2: BACKGROUND/ANALYSIS

This report recommends the Board consider appointing two Directors as members to the Regional Invasive Species Working Group.

### BACKGROUND

In 2020, the Board requested a Regional Invasive Species Strategy from the Central Kootenay Invasive Species Society (CKISS) that addresses the following objectives:

1. Invasive species management that is efficient, region-wide and continues over the long-term
2. Prevention and Early Detection and Rapid Response: Control invasive species in the most cost- efficient manner through education, management and outreach.
3. Multi-jurisdictional coordinated planning and treatment

In response, the strategy outlined four goals for both RDCK and the region at large:

1. **Improve regional organizational capacity**
2. Implement prevention and management
3. Develop a legal and policy framework
4. Improve awareness and community engagement

In the spring of this year, the Board directed staff to work with CKISS to begin implementing the Regional Invasive Species Strategy, which includes the establishment of a Regional Invasive Species Working Group.

### **REGIONAL INVASIVE SPECIES WORKING GROUP**

A Regional Invasive Species Working Group provides the basis for a regional discussion on invasive species management, a support network for staff and directors and identifying the needs, opportunities and priorities of local governments. The working group aims to ensure a consistent approach to (i) preventing and managing invasive species while finding solutions to common problems, and (ii) fostering ongoing cooperation and coordination of regional efforts.

Anticipated outcomes include:

1. **Identifying gaps** (such as management and any organizational barriers) in management of invasive species. For example, sharing best practices in plant management tools, which can vary from goats to steam machines.
2. Consistent **data collection** and sharing.
3. **Sharing resources and educational opportunities**. For example, invasive plants entering the yard waste collection stream is a concern at both the regional and municipal level and Castlegar is developing a new yard waste pick-up service. What resources are available to educate residents about proper invasive plant disposal?
4. **Collaborating** on joint programs.
5. **Advocacy space** for sector groups such as farmers and producers
6. Fostering **coordination of regional efforts** and implementation of the strategy, such as the development of Invasive Species Management Plans for all public lands in the region.
7. **Ensuring consistent regulation and enforcement** through model by-laws. Regulations related to invasive plants and vegetation vary considerably across the region. For example, the City of Castlegar requires property owners to clear the property of noxious weeds (as defined by the Weed Control Act), while many municipalities do have or enforce related regulations.
8. **Ensuring consistent messaging** to the public and all levels of government such as the Union of BC Municipalities. For example, the Southern Interior Local Government Association voted to take a resolution to UBCM to ask the province to enact legislation against the sale of invasive plants. The RDCK might be interested in joining this ask.
9. **Coordinating with and learning from neighbouring Regional Districts**, primarily the Regional District of Kootenay Boundary.

### **COORDINATED REGIONAL LEADERSHIP**

Addressing the need for information sharing and coordination can be met through establishing a formal organizational structure, such as a Regional Invasive Species Working Group. The Regional District of Metro Vancouver has identified the establishment of a regional working group, led by the regional district, as key to the implementation and success of their strategic plan.

A proposed structure of the RISWG is outlined in the attached Terms of Reference - **Attachment A – BRD-RISWG ATTACH01**

### SECTION 3: DETAILED ANALYSIS

#### 3.1 Financial Considerations – Cost and Resource Allocations:

**Included in Financial Plan:**  Yes  **No Financial Plan Amendment:**  Yes  **No**  
**Debt Bylaw Required:**  Yes  **No Public/Gov’t Approvals Required:**  Yes  **No**  
None at this time

#### 3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

Weed Control Act - In accordance with the regulations, land holders such as the RDCK must control noxious weeds growing or located on land and premises, and on any other property located on land and premises, occupied by that person.

The Community Charter Act empowers local governments to regulate invasive plants.

#### 3.3 Environmental Considerations

Invasive species also have a significant impact on ecosystem health, and the International Union for the Conservation of Nature (IUCN) considers them one of the greatest threats to biodiversity globally. Invasive species can erode natural habitats and out compete native species. This is exacerbated by the affects of the changing climate as invasive species tend to be more effective at adapting than native species.

#### 3.4 Social Considerations:

None at this time

#### 3.5 Economic Considerations:

Invasive species can affect the economic and environmental potential of RDCK’s communities. Tourism, recreation, agriculture, energy infrastructure and property values are all vulnerable to the impacts of invasive species. For example, zebra and quagga mussels have created great monetary and functional losses for hydroelectric facilities in eastern Canada. A new report (May 2023) highlights the impact on hydro, water supply, irrigation, boats/marinas, tourism revenue, property values and tax revenues:

[https://www2.gov.bc.ca/assets/gov/environment/plants-animals-and-ecosystems/invasive-species/invasive-mussels/zqm\\_economic\\_report\\_2023\\_05\\_26\\_final.pdf](https://www2.gov.bc.ca/assets/gov/environment/plants-animals-and-ecosystems/invasive-species/invasive-mussels/zqm_economic_report_2023_05_26_final.pdf)

Knotweed has the potential to damage infrastructure and lower property values. Crop losses due to invasive plants, like knapweed, cost BC farmers and ranchers over \$50 million annually.

#### 3.6 Communication Considerations:

This report has been developed in collaboration with CKISS staff. If the Board supports the appointments of RDCK directors and staff to the Working Group, Sustainability staff will continue to coordinate communication as needed.

#### 3.7 Staffing/Departmental Workplace Considerations:

Most of the work will be managed by CKISS staff, with Sustainability staff attending meetings acting as liaison with individual areas leads as needed. This time commitment should be minimal (8-10 hours over the course of a year) and seasonally related (spring & fall).

### 3.8 Board Strategic Plan/Priorities Considerations:

The work supports the Board's priority of coordinated service delivery and is being completed in response to the Board's direction:

172/23 That the Board direct staff to enter into a Contribution Agreement with Central Kootenay Invasive Species Society for the implementation of PROGRAM Option 1 of the Regional Invasive Species Strategy for a total not to exceed \$15,000 + GST.

## SECTION 4: OPTIONS & PROS / CONS

That the Board appoint the two (2) Directors to the Regional Invasive Species Working Group for a term to end September 2024.

### Option 1 – APPROVE

Pro: RDCK will take action on its commitment to support the implementation of the Regional Invasive Species Strategy and build regional capacity.

Con: Elected official and staff time could be used elsewhere.

### Option 2 – NO FURTHER ACTION AT THIS TIME

Pro: Elected official and staff time could be used elsewhere.

Con: RDCK will defer responsibility of participating in the implementation of the Regional Invasive Species Strategy and building regional capacity.

## SECTION 5: RECOMMENDATIONS

That the Board appoint the following two (2) Directors to the Regional Invasive Species Working Group for a term to end September 2024:

Director \_\_\_\_\_

Director \_\_\_\_\_

Respectfully submitted,  
Paris Marshall Smith, Sustainability Planner

## CONCURRENCE

Chief Administrative Officer – Stuart Horn

Approved

General Manager of Development and Community Sustainability Services – Sangita Sudan

Approved

Manager of Community Sustainability Services – Daniel Seguin

Approved

Attachment A – BRD-RISWG-ATTACH01



# Regional Invasive Species Working Group

## DRAFT - Terms of Reference

October 4, 2023

### 1.0 Application

These terms of reference apply to the Regional Invasive Species Working Group (RISWG) established as per the direction of the Regional District of Central Kootenay (RDCK) Invasive Species Strategy 2021, to consider items related to regional invasive species prevention and provide recommendations on projects and initiatives to municipalities and Areas within the RDCK.

### 2.0 Role/Purpose of the RISWG

The role of the RISWG is to foster collaboration within the Regional District of Central Kootenay (RDCK) on coordination, resources, programs, and development and management services related to the social, environmental and economic development of the region as it relates to the prevention of invasive species incursions and spread. As well the RISWG will support the further development and implementation of the Invasive Species Strategy.

The RISWG will act in a capacity building role only and municipalities and Areas Boards retain the authority to make final decisions.

### 3.0 Membership

The RISWG members shall be comprised of local government appointees representing Regional District Areas and municipalities within the Central Kootenay Invasive Species Society Invasive Plant Management Areas of Nelson-Salmo, Lower Arrow (Castlegar), Creston, Kaslo North, Nakusp and Slocan Valley (Silverton, New Denver and Slocan).<sup>1</sup> Each RDCK municipality and the RDCK Board will be invited to appoint a representatives to the working group as follows: the RDCK will appoint two (2) members and each municipality is invited to appoint one (1) for a possible total of 11 (RDCK: 2 + Municipalities: 9 = 11). One staff person from the RDCK will also attend working group meetings.

- Officials: Chair and Secretary as decided by the committee.
- Term: Representatives will be appointed for a term of 1 year.

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<sup>1</sup> [https://ckiss.ca/wp-content/uploads/2023/03/CKISS\\_Operational-Framework\\_2023\\_FINAL.pdf](https://ckiss.ca/wp-content/uploads/2023/03/CKISS_Operational-Framework_2023_FINAL.pdf)

## 4.0 Principles and Objectives of the RISWG

The objectives of the RISWG are as follows:

- Develop strategies to address projects and initiatives that are related to invasive species such as: food security and agriculture, climate change initiatives, region wide economic development initiatives, infrastructure development, transportation, resource recovery, land and resource management and other initiatives of sustainable community importance in the RDCK.
- Collaborate on resource development such as education and outreach material, by-laws and policies.
- Coordinate consistent messaging, opportunities and regulations throughout the region.
- Collaborate and coordinate on invasive species related projects and initiatives.
- Develop recommendations to the RDCK and participating municipalities.
- Support the implementation and further development of the RDCK Invasive Species Strategy.

**Tasks of the RISWG members are as follows:**

- Undertake related readings and review of information provided;
- Attend meetings as required; and,
- Provide input, feedback and recommendations, including identifying potential opportunities and strategies for consideration

## 5.0 Representation to the RISWG

**5.1. Technical Representation to the RISWG may include:**

- Consultants and experts
- Staff from RDCK, member municipalities or other regional districts

**5.2 Community Representation to the RISWG may include:**

The RISWG may invite local stakeholder groups or community members, as needed, to provide input on specific topics and initiatives.

## 6.0 Voting

Voting is limited to all members of the RISWG.

## 7.0 Meetings of the RISWG

**7.1 Scheduling**

The committee will endeavour to hold meetings at least 4 times per year, with additional meetings to be called as required. The Central Kootenay Invasive Species Society (CKISS), in consultation with the RDCK staff, will call meetings.

CKISS will advertise meeting dates directly to members. These advertisements will explicitly invite attendance from stakeholders who are not members of the RGISWG when required.



## **7.2 Protocol and Procedures**

- A simple majority of the members of the RISWG constitutes a quorum.
- RISWG members will respect the contributions of other members and make all efforts to understand alternative viewpoints.
- RISWG members will endeavour to work collaboratively, and to engage in open, honest dialogue. RISWG meetings will not generally be open to the public. Non-members will be granted speaking privileges at the discretion of the Chair.
- CKISS staff will, as long as resources allow, attend meetings to act as a resource to the RISWG by providing expertise, background information and administrative support for facilitation, meeting logistics, minute taking, and agenda preparation.
- Any recommendations to the RDCK or participating municipalities must have majority vote (51%) from RISWG.

## **7.3 Communication**

- Minutes of RISWG meetings will be provided as an information item to the RDCK Board of Directors and participating municipal Councils.
- Specific actionable recommendations arising out of the minutes, and approved by the RDCK Board or by responsible municipalities, will be routed through staff to the appropriate organization or individual.

## **7.4 Funding**

Funding is being provided by the RDCK on a one-year pilot basis for CKISS staff time to develop and lead the RISWG in 2023-24. Following the pilot year, the program will be evaluated and ongoing funding may be requested in order to continue the RISWG.



# Board Report

**Date of Report:** September 28, 2023  
**Date & Type of Meeting:** October , Rural Affairs Committee  
**Author:** Zachari Giacomazzo, Planner  
**Subject:** TEMPORARY USE PERMIT - FRANCOEUR  
**File:** T2301B  
**Electoral Area/Municipality** B

## SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the Regional Board to consider approving a Temporary Use Permit (TUP) in Electoral Area 'B'. This TUP would allow for the construction of an accessory building prior to a principal residential use being established on the subject property. Staff recommend that the Board approve the TUP.

## SECTION 2: BACKGROUND/ANALYSIS

### GENERAL INFORMATION

**Property Owner:** Oliver Phillip Francoeur

**Property Location:** 5601 Kitchener Road, Electoral Area 'B'

**Legal Description:** LOT 2 DISTRICT LOT 4592 KOOTENAY DISTRICT PLAN 2354 EXCEPT PART INCLUDED IN PLAN 9577 (PID: 015-332-799)

**Property Size:** 1.78 hectares (4.4 acres)

**Current Zoning:** Rural Resource (R4)

**Current Official Community Plan Designation:** Rural Residential (RR)

### SURROUNDING LAND USES

**North:** Rural Residential (RR)

**East:** Suburban Residential (RS)

**South:** Railway (RW)

**West:** Rural Residential (RR)

### Background Information and Subject Property

This report was reviewed by the Rural Affairs Committee on September 13, 2023. On September 14, 2023 the Regional Board resolved to issue a Notice of Permit pursuant to Section 494 of Local Government Act. The Notice of Permit has been issued by running an advertisement in two consecutive editions of the Creston Valley Advance and sending letters to neighbouring property owners within 100 metres of the subject property.

The subject property is located in Electoral Area 'B' in the community Kitchener. The property is adjacent to the Rural Resource (R4) zone to the north, east and west. To the south is as rail corridor which is zoned Railway (RW). The property will be serviced by a drilled well and an on-site wastewater (septic) system.

The property owner has commenced construction of the accessory building prior to the issuance of a building permit. On August 29, 2023 the Building Department issued a Stop Work Order. See “Figure 6” for a photo of the building that has been partially constructed.

The accessory structure will have a Gross Floor Area (GFA) of 234 m<sup>2</sup> and will be approximately 7.8 metres tall at the highest point. Based on the information provided, the size and height of the proposed accessory building comply with the requirements of the zoning bylaw. This proposed TUP application would allow the applicant to enjoy the “accessory buildings and structures” use by allowing the construction of an accessory storage building prior to constructing a dwelling on the subject property.

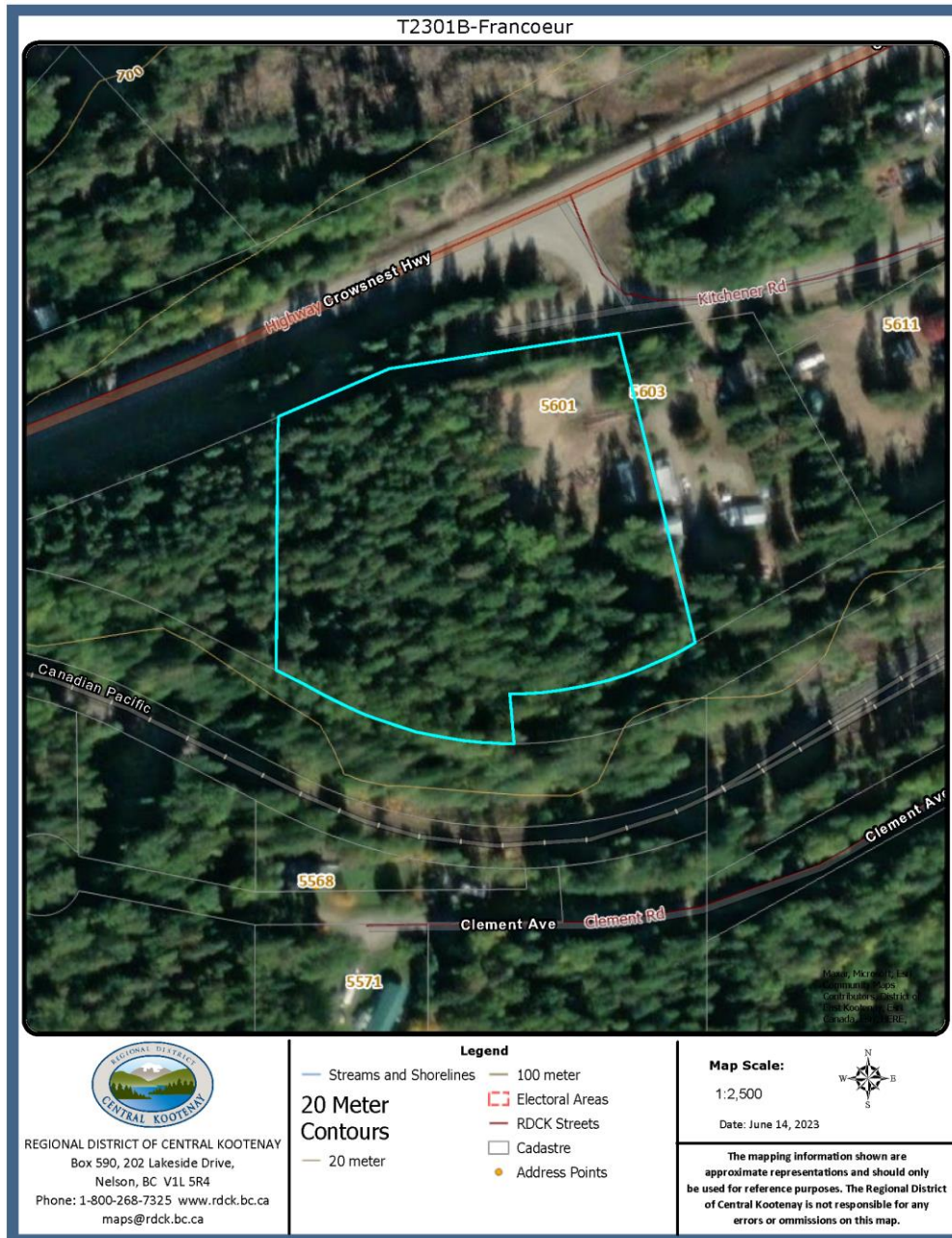


Figure 1 - Location Map

T2301B - Zoning Map



REGIONAL DISTRICT OF CENTRAL KOOTENAY  
 Box 590, 202 Lakeside Drive,  
 Nelson, BC V1L 5R4  
 Phone: 1-800-268-7325 www.rdck.bc.ca  
 maps@rdck.bc.ca

Zoning Class

- Commercial
- Railway
- Residential 1
- Residential 4

Legend

- Resource Area
- Electoral Areas
- RDCK Streets
- Cadastre
- Address Points

Map Scale:

1:5,000

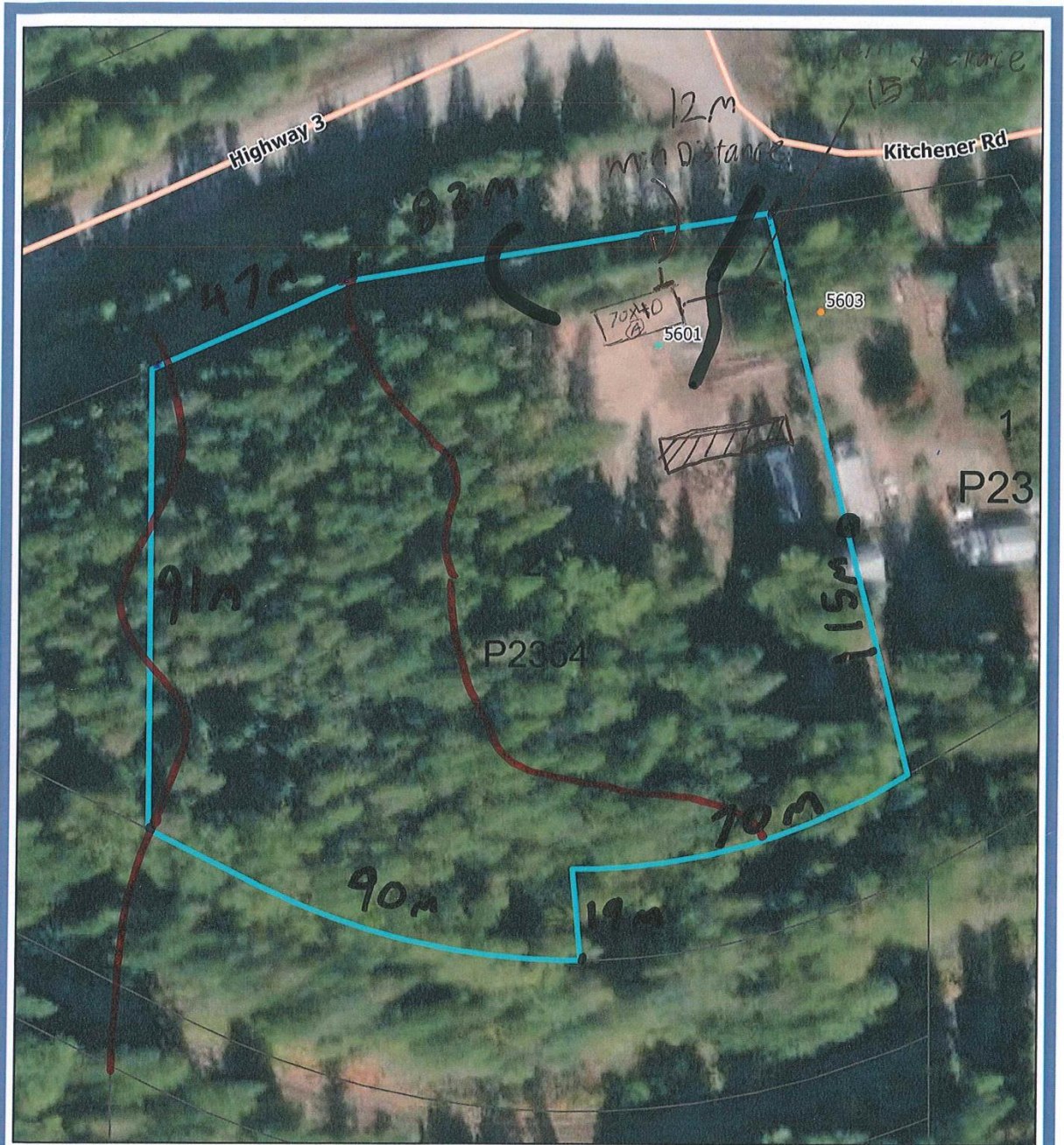
Date: August 30, 2023



The mapping information shown are approximate representations and should only be used for reference purposes. The Regional District of Central Kootenay is not responsible for any errors or omissions on this map.

Figure 2 - Zoning Map





REGIONAL DISTRICT OF CENTRAL KOOTENAY  
 Box 590, 202 Lakeside Drive,  
 Nelson, BC V1L 5R4  
 Phone: 1-800-268-7325 www.rdck.bc.ca  
 maps@rdck.bc.ca

LT2/PL NeP 2354/DL4592  
 5601 Kitchener Road

- Cadastre - Legal Parcels
- Address Points
- Streets
- Drive ways
- Proposed storage building
- well
- Proposed septic

Map Scale:

1:1,000

N



Date: Tuesday, April 11, 2023

The mapping information shown are approximate representations and should only be used for reference purposes. The Regional District of Central Kootenay is not responsible for any errors or omissions on this map.

PID 015-332-799

Figure 3 - Site Plan

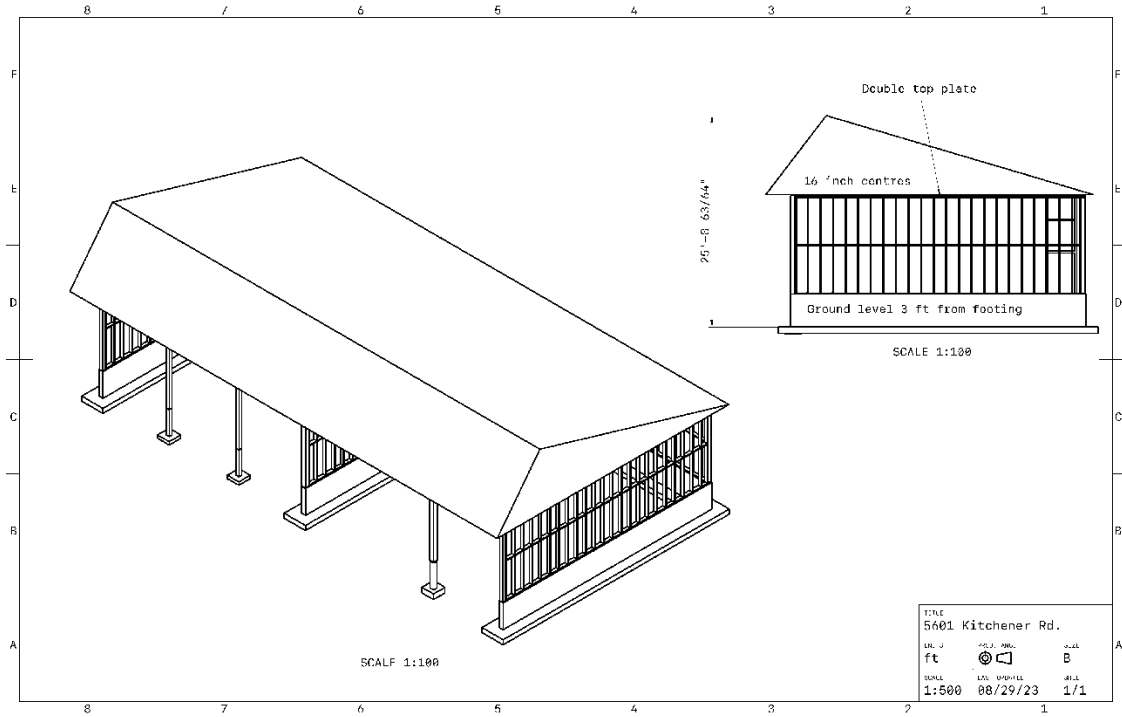


Figure 4 - Building Rendering and Elevation Plan

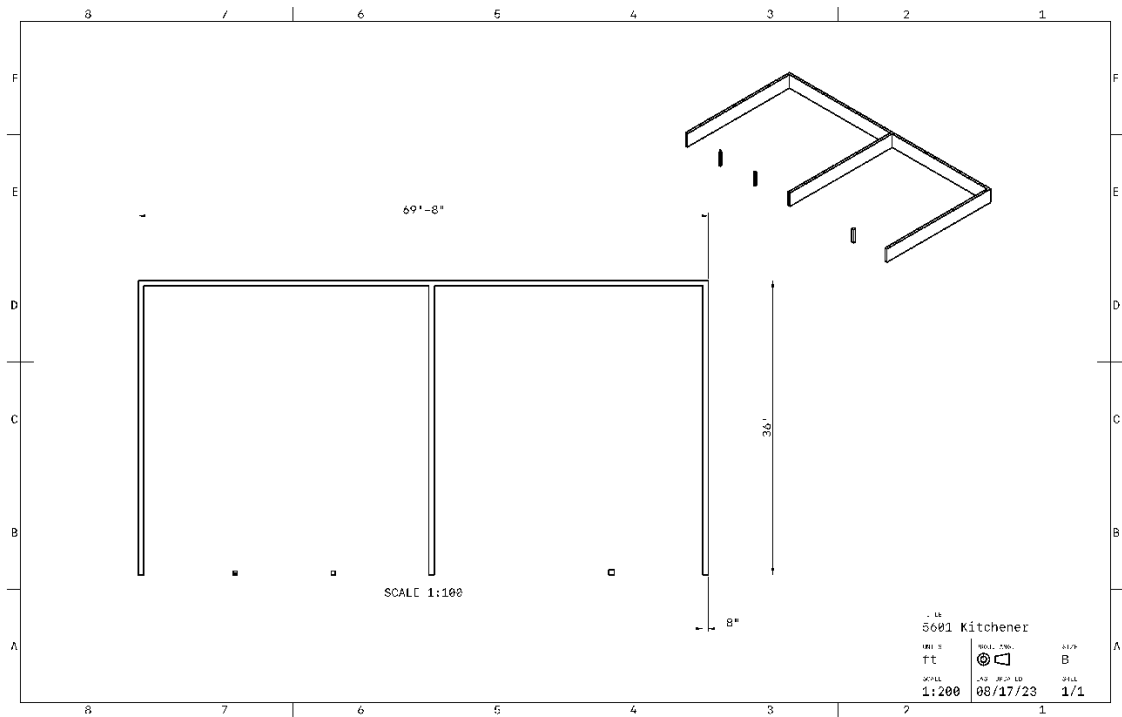


Figure 5 - Building foundation plan showing the proposed building area of 234 m<sup>2</sup>





Figure 6 - Partially constructed storage building that has been constructed prior to issuance of building permit.

### SECTION 3: DETAILED ANALYSIS

#### 3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan:  Yes  No      Financial Plan Amendment:  Yes  No

Debt Bylaw Required:  Yes  No      Public/Gov't Approvals Required:  Yes  No

The application fee has been paid in full pursuant to the Planning Fees and Procedures Bylaw No. 2457, 2015.

#### 3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

Under Section 493 of the Local Government Act (LGA), the Board has the authority to issue a TUP by resolution to designated land within Official Community Plans (OCP's) where temporary uses are allowed.

Section 40.0 of Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013 directs that the Regional Board will consider issuing temporary use permits throughout the plan area subject to the following:

- a. demonstration that the use is temporary or seasonal in nature;
- b. potential conflict with nearby land uses;



- c. potential impacts on environmentally sensitive areas;
- d. provision of adequate servicing that meets health requirements; and
- e. relevant policies within other sections of this plan.

Under Section 494 of the LGA, if a local government proposes to pass a resolution under section 493 (1)(a) it must give notice and the notice must state:

- (a) *in general terms, the purpose of the proposed permit,*
- (b) *the land or lands that are the subject of the proposed permit,*
- (c) *the place where and the times and dates when copies of the proposed permit may be inspected,*
- (d) *the time and date when and, if applicable, the place where the resolution will be considered, and*
- (e) *if the meeting at which the resolution will be considered is conducted by means of electronic or other communication facilities, the way in which the meeting is to be conducted by those means.*

### **3.3 Environmental Considerations**

None anticipated.

### **3.4 Social Considerations:**

No social considerations are anticipated from this TUP application.

### **3.5 Economic Considerations:**

None anticipated.

### **3.6 Communication Considerations:**

Following the September 14, 2023 Regional Board Meeting, Notice of Permit has been issued by running an advertisement in two consecutive editions of the Creston Valley Advance and sending out letters to neighbouring property owners within 100 metres of the subject property. To date, the Planning Department has received no community correspondence or inquires related to this TUP application.

Planning staff referred the application to all relevant government agencies, internal RDCK departments and the Director APHC for Electoral Area 'B' for review. The following comments were received:

Ministry of Transportation and Infrastructure (MoTI) – Development Officer

*The ministry has no concerns with the construction of an accessory building prior to the main house being constructed. The property does front both Highway 3 and Kitchner Road, no access to Highway 3 will be permitted pursuant to section 49 of the Transportation Act*

Interior Health Authority (IHA) – Team Leader, Healthy Community Development

*Thank you for the opportunity to provide comments. Interior Health interests are not affected.*

RDCK Fire Services – Fire Chief

*No comments provided.*

### BC Hydro – Property Coordinator, Property Rights Services

*Thank you for your email. BC Hydro has no objection in principle to the Temporary Use Permit application as BC Hydro's work do not physically cross the property nor is there a Right of Way Agreement registered on Title.*

- 1. For new construction, BC Hydro wishes to ensure that building permits do not get issued that allow for encroachment of buildings into the safety clearance zones required around existing bare utility conductors, including those utility works installed within road allowance adjacent to the property.*
- 2. It is the responsibility of the Architect and Electrical Engineer of Record (EEOR) to ensure compliance with the Canadian Electrical Code (CEC), Canadian Safety Association (CSA) and WorkSafe BC (WSBC). The CEC, CSA and WSBC stipulate minimum clearances of powerlines and equipment from buildings for safety and safe working clearances (Limits of Approach).*
- 3. If the Developer or Property Owner requires any additional electrical connections, or wishes to relocate any existing powerlines or equipment, please call BC Hydro's Electric Service Coordination Centre at 1-877-520-1355 and ask to speak to a Distribution Designer.*

### FortisBC – Property Services

#### Land Rights Comments

- There are no immediate concerns or requests for additional land rights, however there may be additional land rights requested stemming from changes to the existing FortisBC Electric ("FBC(E)") services, if required.*

#### Operational & Design Comments

- There are FortisBC Electric ("FBC(E)") primary distribution facilities along Kitchener Road.*
- All costs and land right requirements associated with changes to the existing servicing are the responsibility of the applicant.*
- The applicant and/or property owner are responsible for maintaining safe limits of approach around all existing electrical facilities within and outside the property boundaries.*
- For any changes to the existing service, the applicant must contact an FBC(E) designer as noted below for more details regarding design, servicing solutions, and land right requirements.*

***In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847).*** Please have the following information available in order for FBC(E) to set up the file when you call.

- Electrician's Name and Phone number*
- [FortisBC Total Connected Load Form](#)*
- Other technical information relative to electrical servicing*

*For more information, please refer to FBC(E)'s overhead and underground design requirements:*

*FortisBC Overhead Design Requirements*

*<http://fortisbc.com/ServiceMeterGuide>*

FortisBC Underground Design Specification  
<http://www.fortisbc.com/InstallGuide>

#### Land Rights Comments

- There are no immediate concerns or requests for additional land rights, however there may be additional land rights requested stemming from changes to the existing FortisBC Electric (“FBC(E)”) services, if required.

#### Operational & Design Comments

- There are FortisBC Electric (“FBC(E)”) primary distribution facilities along Evans Road.
- All costs and land right requirements associated with changes to the existing servicing are the responsibility of the applicant.
- The applicant and/or property owner are responsible for maintaining safe limits of approach around all existing electrical facilities within and outside the property boundaries.
- For any changes to the existing service, the applicant must contact an FBC(E) designer as noted below for more details regarding design, servicing solutions, and land right requirements.

**In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847).** Please have the following information available in order for FBC(E) to set up the file when you call.

- Electrician’s Name and Phone number
- [FortisBC Total Connected Load Form](#)
- Other technical information relative to electrical servicing

For more information, please refer to FBC(E)’s overhead and underground design requirements:

FortisBC Overhead Design Requirements  
<http://fortisbc.com/ServiceMeterGuide>

FortisBC Underground Design Specification  
<http://www.fortisbc.com/InstallGuide>

#### RDCK Building Department

The applicant has applied for a building permit (BP027756) for the proposed storage building that is being considered through this TUP application. The applicant started construction (pouring concrete footings/ foundation) prior to the building permit being issued. A Stop Work Order was issued on August 29, 2023. Approval of this TUP application is required prior to the issuance of a building permit.

#### Electoral Area ‘B’ APHC

**From DRAFT Minutes of meeting held on August 30<sup>th</sup>, 2023:**

The following was discussed:

- Oliver F. provided an overview of the application.

- Question regarding what is the consequence if not built within the time period allowed. Response from staff that the legislation permits an applicant to apply to extend the TUP and the local government can grant that for a period of up to an additional three years.

**Moved and seconded,**  
AND Resolved:

That the Area B Advisory Planning Commission **SUPPORT** the application for a Temporary Use Permit to allow the construction of a 195 m<sup>2</sup> accessory building prior to the construction of a Dwelling on the subject property.

### 3.7 Staffing/Departmental Workplace Considerations:

Should the Regional Board resolve to approve the Temporary Use Permit, staff will register the Permit on the property title and inform the Building Department that a Building Permit may be issued.

### 3.8 Board Strategic Plan/Priorities Considerations:

Not applicable.

## SECTION 4: OPTIONS

### Planning Discussion

This proposed TUP would allow the construction of an accessory building prior to establishing a dwelling on the property. Based on the information provided by the applicant, the proposed accessory building will comply with the maximum gross floor area and maximum height regulations in the R4 zone, therefore the size, height and overall scale of the proposed accessory building are not being considered by this application. The applicant has indicated that the accessory building is required in order to store equipment and materials that are needed for the construction of the future dwelling. Construction of the primary residence would begin in the spring of 2024.

### Response from the Public

Public notice of the application was completed with a Notice of Proposal sign posted on the property adjacent to Kitchener Road, written notice provided to 11 adjacent landowners, and the referral package being posted to the RDCK's active applications web page.

Given that there have been no questions, concerns or submissions received in relation to this application, staff recommend that the board approve the TUP. In accordance with the Local Government Act..

Staff supports the requested TUP application, since:

- The ability to issue temporary use permits can allow for flexibility in the zoning regulations on a temporary basis and with conditions aimed at addressing any potential negative impacts on the community, the neighbourhood, or the environment.
- Staff do not anticipate any negative social, environmental or neighbourhood impacts related to the issuance of this TUP.
- The accessory structure would be sited in accordance with the Zoning Bylaw's setbacks, height and maximum gross floor area regulations.

Should the property owner not construct a residence on the subject property within three years, an application to renew the permit prior to the expiry date could be submitted for the Board’s consideration. Under Section 497 (2) under the LGA, a TUP may only be renewed once. Upon consideration of such a “renewal,” the RDCK may impose additional conditions, including conditions that were not imposed in the original term, including receipt of a security deposit to demolish and remove a building or structure and restore land to a condition specified in the permit by a particular date. If the property owner does not build the principal dwelling within the specified timeframe or apply to renew the Temporary Use Permit the RDCK has the authority to impose fines related to contravention of the Zoning Bylaw.

**Option 1**

That the Board APPROVE the issuance of Temporary Use Permit T2301B to Oliver Phillip Francoeur for the property located at 5601 Kitchener Road and legally described as LOT 2 DISTRICT LOT 4592 KOOTENAY DISTRICT PLAN 2354 EXCEPT PART INCLUDED IN PLAN 9577 (PID: 015-332-799) for a period of three (3) years.

**Option 2**

That the Board NOT APPROVE the issuance of Temporary Use Permit T2301B to Oliver Phillip Francoeur for the property located at 5601 Kitchener Road and legally described as LOT 2 DISTRICT LOT 4592 KOOTENAY DISTRICT PLAN 2354 EXCEPT PART INCLUDED IN PLAN 9577 (PID: 015-332-799) for a period of three (3) years.

**SECTION 5: RECOMMENDATIONS**

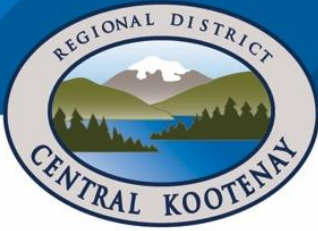
That the Board APPROVE the issuance of Temporary Use Permit T2301B to Oliver Phillip Francoeur for the property located at 5601 Kitchener Road and legally described as LOT 2 DISTRICT LOT 4592 KOOTENAY DISTRICT PLAN 2354 EXCEPT PART INCLUDED IN PLAN 9577 (PID: 015-332-799) for a period of three (3) years.

Respectfully submitted,  
*“Submitted electronically”*  
Zachari Giacomazzo, Planner

**CONCURRENCE**

Planning Manager – Nelson Wight	Approved
General Manager Development & Sustainability – Sangita Sudan	Approved
Chief Administrative Officer – Stuart Horn	Approved

**ATTACHMENTS:**  
**Attachment A – Draft Temporary Use Permit**



# Temporary Use Permit

T2301B (Francoeur)

Date: September 25, 2023

Issued pursuant to Section 492 of the *Local Government Act*

TO: Oliver Phillip Francoeur

## ADMINISTRATION

1. This Temporary Use Permit (TUP) is issued subject to compliance with all of the bylaws of the Regional District of Central Kootenay (RDCK) applicable thereto, except as specifically authorized by this Permit.
2. The land described shall be developed strictly in accordance with the terms and conditions and provisions of this Temporary Use Permit (TUP), and any plans and specifications attached to this Permit that shall form a part thereof.
3. This Temporary Use Permit (TUP) is not a Building Permit.

## APPLICABILITY

4. This TUP is issued for the following purpose: To permit the use of an unauthorized partially constructed accessory storage building to be constructed prior to a principal residential use being established.
5. This TUP applies to and only to those lands within the RDCK described below, and any and all buildings, structures and other development thereon, substantially in accordance with Schedules '1', '2' and '3':

Address: 5601 Kitchener Road, Electoral Area 'B'

Legal: LOT 2 DISTRICT LOT 4592 KOOTENAY DISTRICT PLAN 2354 EXCEPT PART INCLUDED IN PLAN 9577

PID: 015-332-799

## CONDITIONS

6. This TUP authorizes the following use of the above mentioned lands for a period not to exceed three (3) years from the date of issuance or at the date of expiry;
7. This TUP is issued subject to the following conditions:

- a. The temporary use shall be limited to one accessory structure on the subject parcel, prior to the construction and establishment of the principal residential use and building on the subject property.
- b. The accessory structure shall not contain a dwelling unit.
- c. The accessory structure shall not be used for commercial or industrial purposes.
- d. It is understood and agreed that the Regional District of Central Kootenay has made no representations, covenants, warranties, guarantees, promises, or agreements (verbal or otherwise) with the Permittee other than those contained in this Permit.
- e. Notice shall be filed in the Land Title Office that the land described herein is subject to this Permit.
- f. It is understood and agreed that this Permit does not imply approval for future rezoning of the subject property for the specified use.
- g. This Permit shall expire three (3) years from the date of issuance.

Authorized resolution *[enter resolution number]* passed by the RDCK Board on the 19<sup>th</sup> day of October, 2023.

The Corporate Seal of  
THE REGIONAL DISTRICT OF CENTRAL KOOTENAY  
was hereunto affixed in the presence of:

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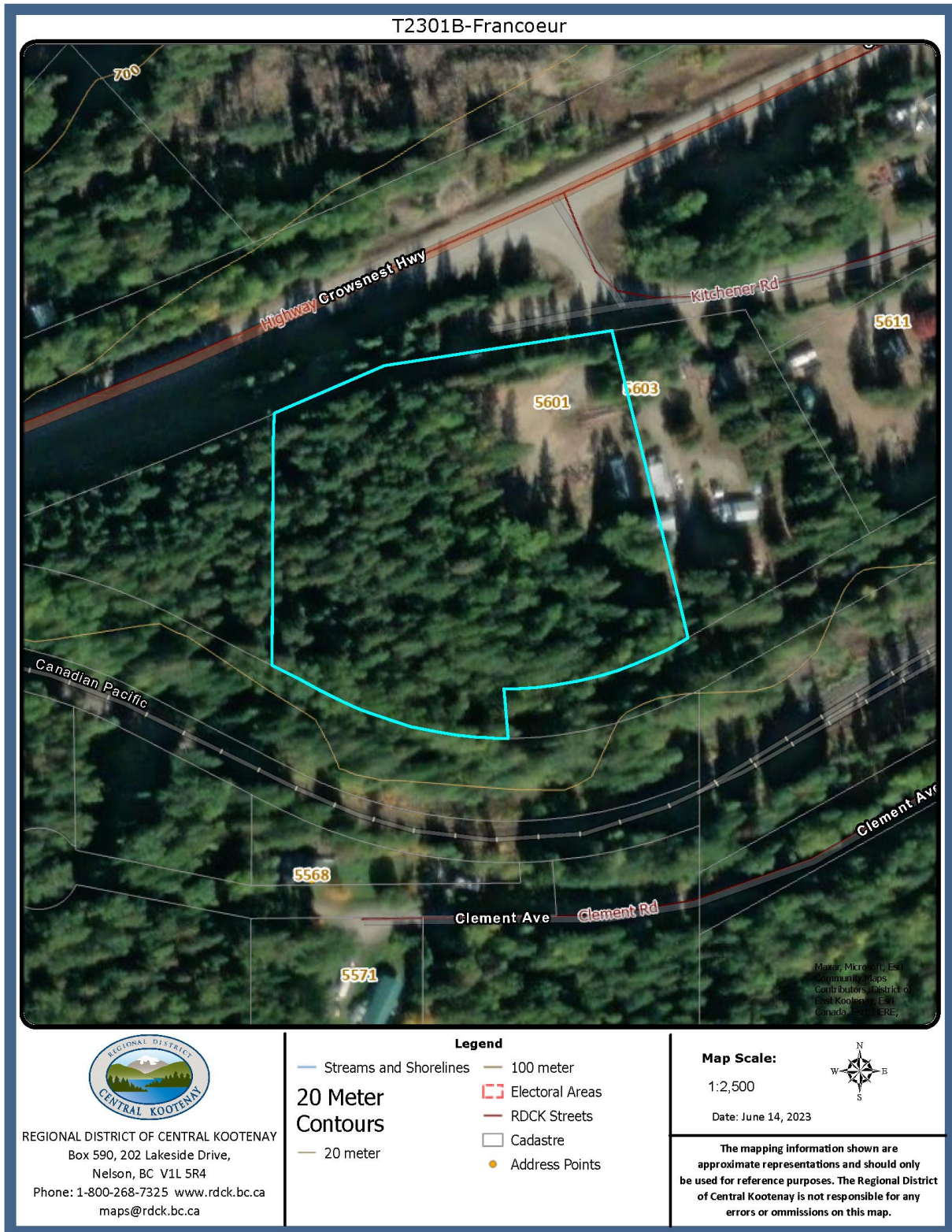
Aimee Watson, Board Chair

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Mike Morrison, Corporate Officer



Schedule 1: Subject Property

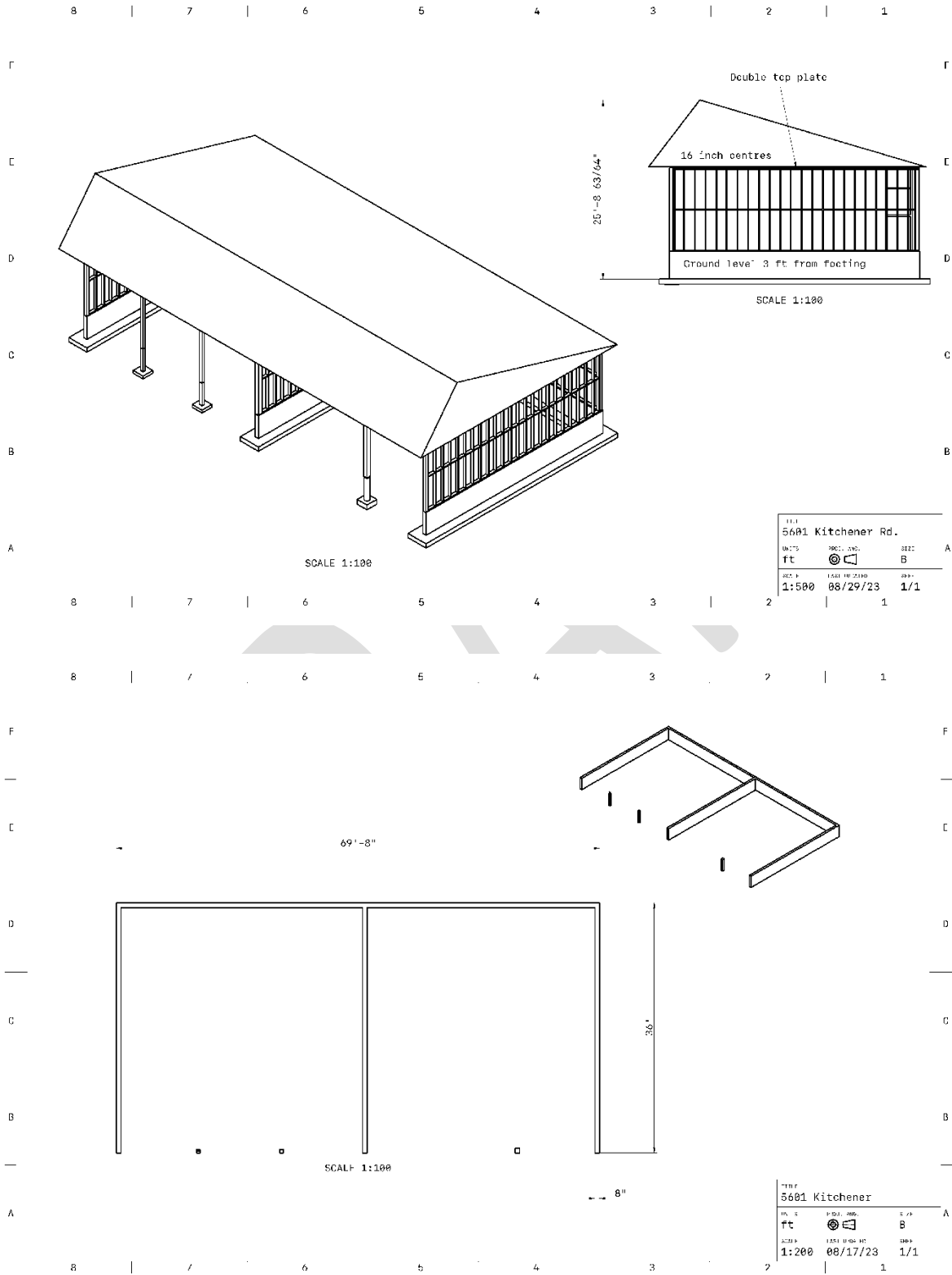




Schedule 2: Site Plan



Schedule 3: Building Plans





# Board Report

<b>Date of Report:</b>	September 27, 2023
<b>Date &amp; Type of Meeting:</b>	October 19, 2023 Open Regular Board Meeting
<b>Author:</b>	Dana Hawkins, Planner
<b>Subject:</b>	UBCM Complete Communities Program
<b>File:</b>	10-5200-20-CCP Complete Communities Program
<b>Electoral Area/Municipality:</b>	All Electoral Areas / Municipalities

## SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to recommend that the Board support a funding application to the UBCM Complete Communities program for regional growth management planning. The proposed project will build on previous work such as the Regional Housing Needs Assessment and Housing Action Plan (HAP) and facilitate one of the recommended actions of the HAP – growth management planning. Staff are recommending a regional application in partnership with interested member municipalities and First Nations.

## SECTION 2: BACKGROUND/ANALYSIS

### 2.1 Background

#### Housing Action Plan

Safe, affordable, and inclusive housing is vital to societal, economic, and individual health and well-being of Central Kootenay communities and residents. Unfortunately, safe, affordable, and inclusive housing is increasingly difficult to find. On May 18, 2023 the Board endorsed the Housing Action Plan (HAP). The HAP includes recommended actions for the RDCK to provide support and reduce barriers for affordable housing development across the region.

One tool recommended by the HAP with high impact is growth management planning covering the entire region to ensure efficient expansion of servicing and infrastructure in line with long-term community development goals. The RDCK can identify key areas for targeted residential growth in rural areas considering:

- Co- location of housing with social and physical infrastructure;
- A diversity of housing options in growth areas close to amenities, services, and transportation networks; and,
- Alignment of long-term water and servicing requirements with housing needs and long-term objectives.

### 2.2 Grant Application

#### Complete Communities Program

The intent of the Complete Communities program is to support local governments and modern Treaty First Nations to enhance their ability to make evidence-based land use planning decisions through assessments of their current community completeness. This consists of analysis and identification of strengths, opportunities, challenges and potential actions that align with identified community goals and support creating more complete communities as well as an implementation plan.

The Complete Communities program can contribute a maximum of 100% of the cost of eligible activities to a maximum of \$150,000.00. Funding requests for regional projects may be submitted as a single application for

eligible collaborative projects. In this case, the maximum funding available would be up to \$150,000 in base funding plus up to an additional \$50,000 for additional eligible applicants up to \$500,000. The application deadline is January 12, 2024.

Complete Communities

Complete communities are communities (or areas within a community) which provide a diversity of housing to meet identified community needs and accommodate people at all stages of life, and provide a wider range of employment opportunities, amenities, and services within a connected and compact area. Creating more complete communities can support a range of identified community goals and offer many interrelated benefits, including:

- More housing and transportation options;
- Increased walkability, accessibility, age-friendliness, and equity;
- Greater efficiency with servicing and infrastructure;
- Environmental sustainability, including reduced GHG emissions, largely from transportation; and,
- Preservation of the natural environment by reducing sprawl.

All communities have the potential to be more complete, regardless of their existing context and physical characteristics. In a small town, a town centre might form the main hub of daily needs, with most housing nearby. In a regional district, complete communities could be the hubs that are part of a connected regional network.

Proposed RDCK Application

Staff propose utilizing the Complete Communities program to implement the growth management planning recommended tool of the HAP. The complete communities analysis can identify areas to focus growth in the RDCK that are that are socially, economically and environmentally sustainable for generations to come. The resulting report can identify growth nodes and provide direction on supporting proposed growth such as asset management, servicing and transportation. Staff see an opportunity to work with our member municipalities and First Nations and undergo a growth management planning exercise region wide that has never been done before. Staff have contacted all member municipalities and the Yaqan Nukiy and determined there is interest in a regional project. Working regionally would fulfill another recommendation of the HAP.

**SECTION 3: DETAILED ANALYSIS**

**3.1 Financial Considerations – Cost and Resource Allocations:**

<b>Included in Financial Plan:</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<b>Financial Plan Amendment:</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<b>Debt Bylaw Required:</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<b>Public/Gov’t Approvals Required:</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

The Complete Communities program can contribute a maximum of 100% of the cost of eligible activities to a maximum of \$150,000.00.

**3.2 Legislative Considerations (Applicable Policies and/or Bylaws):**

None at this time.

**3.3 Environmental Considerations**

Creating more complete communities can benefit the environment by reduced GHG emissions (largely from transportation) and preservation of the natural environment by reducing sprawl.

**3.4 Social Considerations:**



Using complete communities as a lens to assess future growth aims to provide a diversity of housing to meet identified community needs and accommodate people at all stages of life, and provide a wider range of employment opportunities, amenities, and services within a connected compact area.

### **3.5 Economic Considerations:**

Allowing for a more diverse mix of land uses, including residential use, can increase the livability of a community through better access to services, jobs, and amenities. It encourages economic investment and promotes more efficient use of infrastructure.

### **3.6 Communication Considerations:**

Should the project proceed, an engagement plan would be made.

### **3.7 Staffing/Departmental Workplan Considerations:**

Staff propose the project be led by a consultant with the Planner 2 as project manager. The project will require GIS staff involvement.

### **3.8 Board Strategic Plan/Priorities Considerations:**

‘Partner with our member communities to leverage the skills in the Region to ensure valuable work is done by those who do it well.’

## **SECTION 4: OPTIONS & PROS / CONS**

### **4.1 Summary**

The RDCK Board passed a resolution endorsing the Housing Action Plan, which includes actions the RDCK can take to address housing needs. Staff recommend implementing one of the suggested high impact tools within the plan – growth management planning. Staff have identified a grant opportunity to fund 100% of the project with the opportunity to partner with interested member municipalities and First Nations.

Staff recommend that the Board support a regional funding application to UBCM Complete Communities program for region wide growth management planning.

### **4.2 Options**

#### **1. Support Grant Application**

That the Board direct staff to apply to the UBCM Complete Communities Program for growth management planning.

#### **2. No Further Action**

That the Board take no further action with respects to the UBCM Complete Communities Program.

## **SECTION 5: RECOMMENDATIONS**

That the Board direct staff to apply to the UBCM Complete Communities Program for growth management planning.

Respectfully submitted,  
Dana Hawkins, MCIP, RPP

## **CONCURRENCE**







# Board Report

**Date of Report:** September 12, 2023  
**Date & Type of Meeting:** October 19, 2023 Open Board Meeting  
**Author:** Paris Marshall Smith, Sustainability Planner  
**Subject:** YOUTH CLIMATE CORPS – FIRE TO FOOD PROJECT  
**File:** 20-CAS-CAP-FUNDING-REDIP  
**Electoral Area/Municipality:** All

## SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to request a letter of support from the Board for a new regional project proposed by the Youth Climate Corps: Fire to Food - a circular economy pilot to produce biochar from wood waste.

**Recommendation** - That the Board provide a letter of support to the Rural Economic Diversification & Infrastructure Program (REDIP) for the Fire to Food Youth Climate Corps-Wildsight project with in-kind support (\$58,000) for training in each of the departments and oversight of development and delivery of the program.

## SECTION 2: BACKGROUND/ANALYSIS

### BACKGROUND

In late 2022, RDCK collaborated with Wildsight and the City of Nelson to submit a funding proposal to the prior intake of [REDIP](#). That application was not funded but provincial staff provided useful and encouraging feedback and offered to support the development of a proposal to the next intake. Despite the lack of provincial funds, Wildsight, RDCK, and Nelson were also nonetheless able to deliver a smaller version of the proposed work this past summer through the Community Ambassadors partnership.

With a new REDIP application intake now open, Wildsight is again seeking a letter of support from the RDCK Board for an application that, if funded, would advance shared goals. The purpose of this document is to provide a project summary to contextualize the suggested draft letter of support also attached to this request.

Please note that the application is still under development; the following represents the current draft and will be subject to minor adjustments between now and the end of the month.

### YOUTH CLIMATE CORPS

In 2020, Wildsight launched B.C.'s first Youth Climate Corps (YCC) program around Nelson. Since then, they have grown the program to Kimberley/Cranbrook and Golden and worked with partners to expand YCC beyond the Kootenays region (launching in Vancouver, Vancouver Island, and Kamloops).

YCC exists to connect, inspire, and empower young adults (17-30) to take meaningful action on climate change. YCC will recruit, train, and employ youth to advance climate-related community priorities while gaining the experience, connections, and confidence they will need to succeed in prosperous careers.

**PROJECT SUMMARY**

Tentative title: *Fire to Food: Linking wildfire mitigation and agriculture into the growth of a localized circular economy*

With funding from REDIP, matching cash funding from other sources secured by Wildsight, and in-kind support from the RDCK (and potentially other local governments involved), Wildsight will:

1. Recruit, train, and employ annual cohorts of local youth (ages 17-30) over two years (2024 and 2025)
2. In late spring or early fall 2024 (TBD), implement a wildfire risk reduction treatment at the Salmo Ski Hill (support and most funding already confirmed from the Salmo Ski Hill Society, the B.C. Mountain Resorts Branch, and Columbia Basin Trust/BC Wildfire Service). Instead of simply burning flammable material pulled out of the forest for this project, convert this material into [biochar](#).
3. Working with local agricultural experts, deliver the biochar to regional food producers and train them on how to use it to enhance crop yields and other desirable economic, social, and environmental outcomes. In year 2 (2025), we might source biochar from other wildfire mitigation projects if the supply created from our project in Salmo is not sufficient to meet demand from agricultural producers. Throughout, we will endeavor to build connections between forestry and agricultural operators to sustain this circular economy linkage over the longer term.

As climate change increases the need for wildfire mitigation and local food production remains a key regional priority, this project will support growth and development of the agricultural sector while reducing waste and carbon pollution from the forestry sector. Additionally, by using local youth, the project will develop skilled labour available to both these industries while boosting rural youth retention. This work will also lend momentum to broader efforts to develop a regional circular economy that produces greater economic output while minimizing input requirements and waste and strengthening rural self-reliance. We will capture lessons learned and best practices to develop a replicable model that can be further developed within the RDCK and shared with other rural regions in BC. We will provide interested parties with custom coaching to help them adapt our model to their own needs.

A letter of support from the RDCK Board would aim to strengthen this application. The joint application RDCK, Wildsight, and the City of Nelson submitted to the last REDIP intake valued RDCK in-kind support at \$58,000, largely representing staff time. While the details of this application are still under development, we think this is a reasonable estimate for the value of productive and mutually beneficial engagement in the project by RDCK staff over the two-year timespan.

**SECTION 3: DETAILED ANALYSIS**

**3.1 Financial Considerations – Cost and Resource Allocations:**

<b>Included in Financial Plan:</b>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<b>Financial Plan Amendment:</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<b>Debt Bylaw Required:</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<b>Public/Gov’t Approvals Required:</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

As stated above, pending Board approval, RDCK will support the 2-year delivery of this program with in-kind support for training in each of the departments and oversight of development and delivery of the program. The

request on staff time is distributed over 6 departments and amounts to ~2 days for each department over 2 years. (6 departments x 16 hours x \$100 per hour x 2 years = \$58,000)

RDCK In-Kind funding	In-kind coverage of staff wages and Local/Regional Climate Programming Training costs	Pending Board approval	\$58,000
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**3.2 Legislative Considerations (Applicable Policies and/or Bylaws):**

None at this time

**3.3 Environmental Considerations**

The Regional District of Central Kootenay strives to be a leader in rural climate action and the growth of regional economies. We recognize the value of partnering with Wildsight and its Youth Climate Corps program to offer this unique and promising circular economy development project with a special focus on the forest and food sectors.

**3.4 Social Considerations:**

This project will create jobs directly through the hiring of diverse local youth (ages 17-30). Spending project funds on events, training courses, marketing and promotional outlets, equipment, travel (including vehicles, fuel, and accommodation), and other miscellaneous goods and services will also support jobs and economic growth in our region.

**3.5 Economic Considerations:**

This project would be the first opportunity to pilot mobile biochar technology in the regional context, providing a localized response and potentially supporting local operations to be more efficient and make better use of local supply chains.

**3.6 Communication Considerations:**

Communication tasks will be shared between RDCK staff and Wildsight staff. Most will be managed by Wildsight but the RDCK will oversee as needed.

**3.7 Staffing/Departmental Workplan Considerations:**

This proposal includes 2 staff time requests:

1. Sustainability Planner to oversee and coordinate development and delivery with Wildsight staff – anticipate this will require 1 day a month for 2 years.
2. Departmental staff time – will require 2 days over 2 years of time to provide training on programs specific to the services in their departments.

If approved, these will be added to staff workplans for the next two years.

**3.8 Board Strategic Plan/Priorities Considerations:**

1. Coordinated delivery - Increase public understanding of and participation in local government programs and how they support climate action.

2. Economic development - Create training-intensive employment for young adults that will increase retention and attraction of youth and increase locally available skilled labour (both immediately and by increasing subsequent enrollment in post-secondary education and/or trades training).
3. Economic development - Build a more inclusive region and address rural concerns with special focus on food and fiber sector.

## **SECTION 4: OPTIONS & PROS / CONS**

That the Board support the development and delivery of the 2-year Fire to Food program in partnership with Youth Climate Corps-Wildsight and provide letter of support to the Rural Economic Diversification & Infrastructure Program (REDIP).

### **Option 1 – APPROVE**

That the Board support the development and delivery of the Fire to Food program in partnership with Youth Climate Corps-Wildsight;

#### **Pro:**

- Supports a localized response to full fiber utilization
- create training-intensive employment for young adults that will increase retention and attraction of youth and increase locally available skilled labour
- address youth concerns by helping young people do work that both addresses climate change and prepares them for successful careers, with special attention to diversity

#### **Con:**

- will require staff time that could be used elsewhere

### **Option 2 – DO NOT APPROVE**

That the Board DOES NOT support the development and delivery of the Fire to Food program in partnership with Youth Climate Corps-Wildsight.

#### **Pro:**

- staff time can be allocated elsewhere

#### **Con:**

- the opportunity to coordinate service delivery and promotion, pilot circular in fiber and food sectors and contribute to youth employment

### **Option 3 – DEFER ACTION AT THIS TIME**

That the Board DEFER ACTION AT THIS TIME regarding the development and delivery of the Fire to Food program in partnership with Youth Climate Corps-Wildsight.

#### **Pro:**

- Board can take time to consider the recommendation

**Con:**

- Delaying at this time may affect the REDIP funding application.

**SECTION 5: RECOMMENDATIONS**

That the Board provide a letter of support to the Rural Economic Diversification & Infrastructure Program (REDIP) for the Fire to Food Youth Climate Corps-Wildsight project with in-kind support (\$58,000) for training in each of the departments and oversight of development and delivery of the program.

Respectfully submitted,  
Paris Marshall Smith, Sustainability Planner

**CONCURRENCE**

Chief Administrative Officer – Stuart Horn	Approved	
General Manager of Development and Community Sustainability Services – Sangita Sudan		Approved
Manager of Community Sustainability Services – Daniel Seguin	Approved	

**ATTACHMENTS:**

**Attachment A – BRD-YCC\_LOS-ATTACH01**



October 19, 2023

To Whom It May Concern:

**RE: RURAL ECONOMIC DIVERSIFICATION & INFRASTRUCTURE PROGRAM - OCTOBER 2023 INTAKE**

The Regional District of Central Kootenay is pleased to support Wildsight in applying to the Province's Rural Economic Diversification & Infrastructure Program as a project partner. Furthermore, the RDCK will provide in-kind support valued at \$58,000 to cover training from our relevant departments and guidance for the development and delivery of the project.

The Regional District of Central Kootenay strives to be a leader in rural climate action and the growth of regional economies. We recognize the value of partnering with Wildsight and its Youth Climate Corps program to offer this unique and promising circular economy development project with a special focus on the forest and food sectors.

The [Resource Recovery Plan](#) commits to investigating regional circular economy development. In 2020, the [RDCK investigated](#) the question of whether matching residual biomass (forest-based and manufacturing wood waste, logging, wildfire fuel mitigation residue and regional and municipal wood waste management programs) with the right-sized technology and an appropriate business model could support greater economic and social capacity in rural communities. The report identifies how highly localized micro responses can make better use of supply chains.

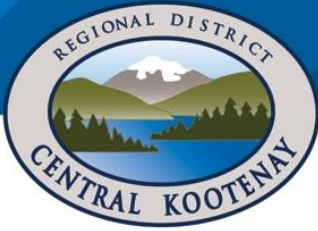
This proposed circular economy project will pilot an innovative mobile technology, provide a localized response and support local wildfire mitigation operations to be more efficient by making better use of forest materials while supporting increased soil health.

If we are to find a way forward, we must work with youth leadership to design and build actions together. We have seen the positive impacts of Youth Climate Corps in our communities since its inception in 2020.

Given all of the above, the Regional District of Central Kootenay is pleased to partner with Wildsight in applying to the Rural Economic Diversification & Infrastructure Program and hopes that the Province will invest in this extremely promising and much needed endeavor.

Sincerely,

Aimee Watson  
Chair - RDCK Board



# Board Report

<b>Date of Report:</b>	September 28, 2023
<b>Date &amp; Type of Meeting:</b>	October 19, 2023 Regular Board Meeting
<b>Author:</b>	Shari Imada, Senior Energy Specialist
<b>Subject:</b>	Regional Energy Efficiency Program (REEP) Bridge Funding Application
<b>File:</b>	10-5200-20_REEP
<b>Electoral Area/Municipality:</b>	All Electoral Areas / Municipalities

## SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to request approval for staff to apply for funding from FortisBC's Conservation and Energy Management program, to bridge a lapse of funding required to deliver the Regional Energy Efficiency Program (REEP) to regional district residents. If funding is approved, then a financial plan amendment would be required in order to receive and then distribute the funds.

## SECTION 2: BACKGROUND/ANALYSIS

REEP was started in 2019 as an expansion of a City of Nelson program EcoSave, with funding from FCM Municipalities for Climate Innovation Program. In July 2021 the Board made a resolution to provide a letter of support for the City of Nelson in an FCM Community Efficiency funding application for the continuation of REEP.

REEP provides homeowners with support to:

- a) understand their energy bills
- b) access EnerGuide energy assessments that recommend customized energy efficiency / low carbon measures
- c) navigate the sometimes complex rebate options offered by utilities, and the provincial and federal governments
- d) determine eligibility for income qualified programs, and providing referrals to those programs

REEP also works with multiple other agencies and stakeholders to make concrete steps to reduce greenhouse gas (GHG) emissions within the residential building sector, by:

- Coordinating between agencies on the delivery of events training opportunities, often subsidized or free, on topics on energy efficiency and high performance buildings for building contractors and homeowners. Upcoming events and training opportunities can be seen on the RDCK website, at [www.rdck.ca/training](http://www.rdck.ca/training)
- Working with CleanBC, FortisBC and Home Performance Stakeholder Council (HPSC) with the goals of:
  - Increasing RDCK residents' access to and usage of rebate opportunities and income qualified programs
  - Fortifying HPSC's contractor network within the regional district so that homeowners can more easily access rebate and loan opportunities



- Participating in province-wide steering committees and peer networks to aid in the development of provincial policy and programs, and to learn about innovative and best practices to transition to lower carbon systems in homes

Learn more about REEP: <https://www.rdck.ca/reep>

The FCM Community Efficiency funding application has taken some time to develop, due to a combination of factors. Currently, the City of Nelson with support from RDCK staff is submitting the pre-application for this funding stream. It is expected the full application will be submitted by end-October and reviewed for acceptance in the following 2-3 months. In the meantime, the City of Nelson has requested that the RDCK provide bridge funding in order to support the operation of REEP.

In response, RDCK staff has submitted an application to FortisBC’s Conservation and Energy Management Program for bridge funding, in the amount of \$25,000. Staff is also providing in-kind support through the Senior Energy Specialist, who works alongside City of Nelson staff in delivering REEP, and is developing the FCM funding application.

### SECTION 3: DETAILED ANALYSIS

#### 3.1 Financial Considerations – Cost and Resource Allocations:

<b>Included in Financial Plan:</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<b>Financial Plan Amendment:</b>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Debt Bylaw Required:</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<b>Public/Gov’t Approvals Required:</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Financial plan amendment required to receive potential revenue of \$25,000 and to distribute the full amount to the City of Nelson for their expenses in delivering REEP.

#### 3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

None at this time.

#### 3.3 Environmental Considerations

As indicated in the RDCK draft Climate Actions, 20% of the community emissions generated in the regional district come from building energy. This is an area of priority and opportunity to meet the RDCK 2030 emissions reduction goal of 50% and 2050 goal of 100% reduction.

REEP continues to yield significant greenhouse gas (GHG) reductions through supporting homeowners in retrofits, through insulation, doors, windows, and heating and ventilation equipment upgrades. The 100% Renewable Kootenays project identified that over 8,500 buildings need retrofitting to meet the 2030 targets. In 2022 alone, 373 residents participated in REEP, which demonstrates that the program is succeeding in keeping the RDCK on track to attain emission reduction goals in this area.

#### 3.4 Social Considerations:

Through the energy retrofits resulting from REEP, energy savings are achieved for existing homes. As well, retrofits increase building durability which lengthens lifespans and provide healthy environments. REEP also provides a pathway to registration in income qualified programs provided by CleanBC and FortisBC, which supports marginalized demographics within the regional district.

#### 3.5 Economic Considerations:

REEP is buoying economic development by supporting the delivery of training opportunities for a new generation of building contractors who are learning new technologies and acquiring expertise to be qualified to perform energy retrofits. Additionally, energy cost savings for retrofitted homes will be realized by owners and occupants, which may serve to lower operational / rental fees, and will then be redirected to spending in the local economy.

### **3.6 Communication Considerations:**

Community Sustainability department collaborates with the REEP service provider City of Nelson and other community partners to develop outreach opportunities to inform contractors and the public on REEP and topics within GHG emissions reduction, energy savings and retrofits.

### **3.7 Staffing/Departmental Workplan Considerations:**

Demand side management of community buildings GHG emissions and specifically REEP program management is within the workplan of the Senior Energy Specialist.

### **3.8 Board Strategic Plan/Priorities Considerations:**

To adapt to our changing climate and mitigate greenhouse gas emissions.  
To excel in governance and service delivery.

## **SECTION 4: OPTIONS & PROS / CONS**

Option 1: That the Board direct staff to apply to the FortisBC Conservation and Energy Management program for the Regional Energy Efficiency Program;  
AND FURTHER, that staff be authorized to enter into a funding agreement with FortisBC should the RDCK be awarded the grant;  
AND FURTHER, that the Board approve an amendment to the 2023 Financial Plan for Development Services A108, to increase account 43025 Grants Specified by \$25,000 and to increase Contracted Services 54030 by \$25,000.

#### **PROS**

- The receipt of this grant would allow for REEP to continue until permanent funding is attained, which will further increase energy literacy and support for residents in performing energy retrofits for their homes.

#### **CONS**

- None.

Option 2: That the Board direct staff to not apply to the FortisBC Conservation and Energy Management program for the Regional Energy Efficiency Program.

#### **PROS**

- None.

#### **CONS**

- REEP will be temporarily discontinued due to lack of funding.

## **SECTION 5: RECOMMENDATIONS**

That the Board direct staff to apply to the FortisBC Conservation and Energy Management program for the Regional Energy Efficiency Program;

AND FURTHER, that staff be authorized to enter into a funding agreement with FortisBC should the RDCK be awarded the grant;

AND FURTHER, that the Board approve an amendment to the 2023 Financial Plan for Development Services A108, to increase account 43025 Grants Specified by \$25,000 and to increase Contracted Services 54030 by \$25,000.

Respectfully submitted,  
Shari Imada – Senior Energy Specialist

**CONCURRENCE**

Community Sustainability Manager – Dan Seguin	Approved
GM, Development and Community Sustainability – Sangita Sudan	Approved
Chief Financial Officer – Yev Malloff	Approved
Chief Administrative Officer – Stuart Horn	Approved



# Board Report

**Date of Report:** October 4, 2023  
**Date & Type of Meeting:** October 19, 2023 Regional Board Meeting  
**Author:** Stephanie Johnson, Planner  
**Subject:** Greater Nelson Housing Entity Study – Phase Two Report  
**File:** 10\5200\20\Greater\_Nelson\_Housing\_Study  
**Electoral Area/Municipality:** E and F / Nelson

## SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to present the results of the Greater Nelson Housing Study Phase Two: Improving Access to Non-Market, Affordable Rental Housing including proposed recommendations and implementation framework for consideration by the Board.

The Nelson and Area Economic Development Partnership (NAEDP) is a partnership of RDCK Areas E and F, the City of Nelson, Community Futures Central Kootenay and the Nelson & District Chamber to provide sustainable community economic development to support business retention and expansion. The NAEDP's top priority for 2023 is to address workforce housing shortages. Informed by the research completed in Phase One and the engagement findings in Phase Two, the consulting team is presenting the immediate and long-term recommendations outlined below and in Attachment 'A' for project partners to consider.

Staff are bringing this report to the Board for information only at this time. However, in response to this information we request that the Board provide feedback to be incorporated into the third phase of this project: *"Establishing Housing Authority Vision, Strategic Goals, and Next Steps"*.

## SECTION 2: BACKGROUND/ANALYSIS

### 2.1 Background

In fall 2022, Community Futures Central Kootenay and its partners at the City of Nelson, the RDCK and the Nelson and District Chamber of Commerce engaged M'Akola Development Services to undertake the Greater Nelson Housing Entity Study on behalf of the NAEDP. The goal of the study was to assess the need for a local government supported housing entity and to explore other strategies and tools to facilitate the creation of non-market, affordable housing in the Greater Nelson area with a specific focus on housing options to meet the needs of moderate-income, working families and individuals (also known as workforce housing).

In Phase One, the project team conducted a review of best practices for local or regional government supported housing models. This included a review of prominent housing corporations, local government supported non-profit models, and other relevant housing organizations, including some regional models. Key commonalities, structures, partnerships, and funding mechanisms were identified, and a findings report that included a high-level benefit and relevance analysis was completed and shared with the Regional Board at the April 20, 2023 meeting.

The focus of Phase Two was to generate educated feedback and input from City of Nelson Council, the RDCK Board, the NAEDP, and other relevant housing organizations and committees. The consulting team, with support from project partners, hosted visioning and education sessions with City of Nelson Council and RDCK Area Directors and the NAEDP, as well as met with non-profit housing operators. Additionally, the consulting team spoke with current and former staff from housing organizations most relevant to the study, including the Tofino Housing Corporation, Cowichan Housing Association, and the Revelstoke Community Housing Society. Findings from the engagement sessions and interviews have informed steps for immediate action in the short term and a long-term vision recommendation, which can be found in Attachment 'A'.

## SECTION 3: DETAILED ANALYSIS

### 3.1 Financial Considerations – Cost and Resource Allocations:

**Included in Financial Plan:**  Yes  No      **Financial Plan Amendment:**  Yes  No  
**Debt Bylaw Required:**  Yes  No      **Public/Gov't Approvals Required:**  Yes  No

The funding for this project has been shared between the Community Futures Central Kootenay, City of Nelson, and the RDCK with the Regional District's Board Directors for Electoral Areas 'E' and 'F' each contributing \$7,500 in grant funding.

### 3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

The *Greater Nelson Housing Entity* project assists with implementing the RDCK's *Housing Action Plan* (May 2023), which informs future statutory updates of the *Regional Housing Needs Assessment*, which local governments are required to update every five years under the *Local Government Statutes (Housing Needs Reports) Amendment Act, 2018*.

### 3.3 Social Considerations:

Housing is a key determinant to community health and resilience. The recommendations in this study include strategies and actions to foster the development of safe, affordable and appropriate workforce housing choices in the study area.

### 3.4 Economic Considerations:

There is evidence that housing is a barrier to attracting a labour force. Employers are having a difficult time staffing positions due to a lack of affordable housing options for prospective employees. Implementation of the RDCK's HAP seeks to improve these barriers, and includes collaborating on projects such as this.

### 3.5 Environmental Considerations:

This project will not have direct impact to environmental considerations until actioned, but once implemented it is anticipated that growth management planning will assist with creating a diversity of housing options in areas close to amenities, services and transportation networks, which would assist with climate change mitigation.

### 3.6 Communication Considerations:

Engagement activities and their results area detailed in Appendix 'B' of the Phase Two report included in Attachment 'A'.

### 3.7 Staffing/Departmental Workplace Considerations:

The Greater Nelson Housing Entity Study was prepared by a consulting team with the Planner 2 as project manager along with a project management team including staff members from the Community Futures of Central Kootenay and City of Nelson.

### 3.8 Board Strategic Plan/Priorities Considerations:

As an RDCK Board Action under Resolution 406/21 on (May 20<sup>th</sup>, 2021) “... the Board direct[ed] staff to undertake the following Recommended Next Steps as described in the Housing Action Plan Options Report to Board date[d] May 6, 2021:

- i. **Zone and incentivize infill;**
- ii. **Support not for profit housing providers;**
- iii. **Facilitate non-market development on underutilized and vacant land;**
- iv. **Create a housing action plan; and,**
- v. **Investigate housing authorities”.**

## SECTION 4: SUMMARY

### 4.1 Discussion

This report is intended to support, supplement, and provide direction to the already important work being undertaken by the Regional Board, and staff of the RDCK to implement that Regional District’s Housing Action Plan (May, 2023).

Informed by the research completed in Phase One and the feedback in Phase Two, the project team will move on to Phase Three. This final Phase includes the development of a guide to help staff and partners secure funding to undertake implementation “next steps” to generate workforce housing the Greater Nelson area, ultimately, returning to the Regional Board and Nelson’s Council for consideration.

Should the Board have any feedback at this stage on what “next steps” to prioritize in the implementation work plan (see Appendix A of Attachment ‘A’) this would assist the project team in developing a more responsive guide for staff to action as part of Phase Three.

Respectfully submitted,

*“Submitted electronically”*

Stephanie Johnson, MCIP, RPP

## CONCURRENCE

Planning Manager – Nelson Wight

Approved

General Manager of Development Services and Community Sustainability – Sangita Sudan

Approved

Chief Administrative Officer – Stuart Horn

Approved

*Attachment ‘A’ - Greater Nelson Housing Study Phase Two: Improving Access to Non-Market, Affordable Rental Housing Report*

# Greater Nelson Housing Entity Study

*Improving Access to Non-Market, Affordable Rental Housing*

Phase Two Final Report

October 2023

Prepared For:



Jenna Hildebrand  
Project Planner  
jhildebrand@makoladev.com

Sandy Mackay  
Housing Research and Policy Lead  
smackay@makoladev.com





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## EXECUTIVE SUMMARY

In Fall 2022, Community Futures Central Kootenay and its partners at the City of Nelson, the Regional District of Central Kootenay (RDCK) and the Nelson and District Chamber of Commerce commissioned the Greater Nelson Housing Entity Study on behalf of the Nelson and Area Economic Development Partnership (NAEDP). The goal of the study was to assess the need for a local government supported housing entity and to explore other strategies and tools to facilitate the creation of non-market, affordable housing in the Greater Nelson area with a specific focus on housing options to meet the needs of moderate-income, working families and individuals (also known as workforce housing).

In Phase One, the project team conducted a review of best practices for local or regional government supported housing models. This included a review of prominent housing corporations, local government supported non-profit models, and other relevant housing organizations, including some regional models. Key commonalities, structures, partnerships, and funding mechanisms were identified, and a findings report that included a high-level benefit and relevance analysis was completed and shared. Also included in the findings report was a preliminary evaluation criteria matrix that informed Phase Two engagement.

The focus of Phase Two was to generate educated feedback and input from City of Nelson Council, the RDCK Regional Board, the NAEDP, and other relevant housing organizations and committees. The consulting team, with support from project partners, hosted visioning and education sessions with City of Nelson Council and RDCK Area Directors and the NAEDP, as well as met with non-profit housing operators. Additionally, the consulting team spoke with current and former staff from housing organizations most relevant to the study, including the Tofino Housing Corporation (THC), Cowichan Housing Association (CHA), and the Revelstoke Community Housing Society (RCHS). Findings from the engagement sessions and interviews have informed steps for immediate action in the short term and a long-term vision recommendation.

## RECOMMENDATIONS

Informed by the research completed in Phase One and the engagement findings in Phase Two, the consulting team is presenting the immediate and long-term recommendations outlined below for project partners to consider.

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### IMMEDIATE STEPS

Over the next one to two years, the consulting team recommends that the City and the RDCK work closely with existing non-profit housing organizations to partner with and respond to upcoming provincial and federal funding calls. With funding opportunities on the horizon, and non-profit housing expertise already in Greater Nelson, the consulting team recommends the City and the RDCK focus on the following in the immediate term:

- Identify municipal and/or regional land that is suitable for non-market, affordable housing and develop a land disposal process/strategy.

- Through a formalized process, identify and partner with non-profit operators in Greater Nelson to respond to provincial and federal government funding calls (e.g., BC Housing’s Community Housing Fund (CHF), Canadian Housing and Mortgage Corporation (CMHC) funding).
- Explore financial options to develop a Pre-Development Fund (PDF) to assist non-profit operators with the planning and pre-development costs of building new non-market, affordable housing.

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## LONG-TERM VISION

Over the next three to five years, the consulting team recommends that the City of Nelson establish a municipal housing development corporation to facilitate the development of non-market, affordable housing units. The housing development corporation would act as a land steward and/or housing facilitator and partner with existing non-profits to operate the units.

A more detailed summary and review of the primary advantages and potential risks/challenges for each recommendation is included in the full report.

## NEXT STEPS

Following receipt and publication of this report, and with the approval of the project steering committee, the consulting team, with support from project partners, will present the key engagement findings and recommendations to City of Nelson Council, the Regional District Board and the NAEDP Coordinating and Advisory Committee. Following these presentations and subsequent feedback from elected officials, the project team will discuss how best to use the funds allocated for Phase Three. Some key activities may include:

- Supporting staff and partners to secure potential funding opportunities (e.g., Rural Economic Diversification and Infrastructure Program).
- Support for municipal staff to action the proposed Immediate Steps Implementation Workplan (see Appendix A).
- Developing a next steps guide that includes further details about the municipal housing development corporation and a high-level action plan. This guide could include a draft vision, staff requirements, proposed budget, board composition, required internal policies, regional considerations, and other relevant pieces.

## REPORT OVERVIEW

This document is the final deliverable for Phase Two: Best Practice Research and Analysis of the Greater Nelson Housing Entity Study. The focus of Phase Two was to generate educated feedback and input from the City of Nelson, the RDCK, and other relevant housing organizations and committees to validate and confirm Phase One findings and preliminary recommendations from the consulting team. Findings from the engagement sessions and interviews have informed steps for immediate action in the short term, and a longer-term vision recommendation to form a municipal housing development corporation. This report provides a high-level overview of the Phase Two process, engagement findings and recommendations.

## GEOGRAPHY

For the purposes of this report, “Greater Nelson” refers to the combined geographic areas of the City of Nelson and Electoral Areas ‘E’ and ‘F’ of the Regional District of Central Kootenay (RDCK). Electoral Area ‘E’ includes the unincorporated communities of Blewett, Balfour, Queens Bay, Longbeach, Harrop/Procter, Sunshine Bay, Bealby/Horlicks, Taghum Beach and Nelson to Cottonwood Lake. Electoral Area ‘F’ includes the unincorporated communities of Beasley, Taghum, Willow Point, Nasookin, Grohman, Crescent Beach, Sproule Creek, Six Mile and Bonnington.

Although this report is for Greater Nelson, there is the opportunity for the findings and options presented in this report to serve and apply to a broader geographic area in the future, including other municipalities and electoral areas within the RDCK.

## PHASE TWO PROCESS SUMMARY

The focus of Phase Two was to generate educated feedback and input from City of Nelson Council, the RDCK Regional Board, the NAEDP, and other relevant housing organizations and committees. The consulting team, with support from project partners, hosted visioning and education sessions with City of Nelson Council and RDCK Area Directors and the NAEDP, as well as met with non-profit housing operators. Additionally, the consulting spoke with current and former staff from housing organization models most relevant to the study, including the Tofino Housing Corporation (THC), Cowichan Housing Association (CHA), and the Revelstoke Community Housing Society (RCHS). Findings from the engagement sessions and interviews informed the immediate steps and long-term vision recommendations. A high-level overview of the engagement findings is provided in the engagement overview section below.

## ENGAGEMENT OVERVIEW

### EDUCATION AND VISIONING SESSION WITH CITY OF NELSON COUNCIL AND RDCK REGIONAL DIRECTORS

In June 2023, the project team held an education and visioning session with City of Nelson Council and the RDCK Area Directors. This session was an opportunity for the project team to share information about the project, provide an overview of housing need in Greater Nelson, explain the importance and necessity for non-market, affordable housing, and share tools that local governments use to encourage the development of non-market, affordable housing.

As part of this session, the consulting team presented three of the most relevant housing option models – the Society Model (e.g., Revelstoke Community Housing Society), the Regional Model (e.g., Cowichan Housing Association), and the Corporation Model (e.g., Tofino Housing Corporation) – in the context of Greater Nelson. Using the online engagement software Menti, the consulting team gathered information from participants about their preferred housing option model(s) by asking a series of scaled and multiple-choice questions related to organizational scope, key assets, governance and organizational structure, and relevant legal and financial implications. Key findings from the engagement session are presented below.

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#### KEY FINDINGS:

- **Elected officials are most in favour of a Society model that incorporates and values community expertise and is operated at an arm’s length.** This aligns with the preliminary findings in Phase One, that any new housing entity will need to account for the strong existing non-profit housing ecosystem and existing community expertise.
- **Participants expressed a preference for a non-market housing entity to be undertaken through a municipal approach, not a regional approach.**
- **The proposed entity should function as a land steward/and or housing facilitator, not an operator.** Participants expressed that the municipality and/or RDCK should not be involved with the day-to-day operations of any proposed non-market housing entity.
- **Elected officials are most comfortable with the municipality/and or RDCK indirectly supporting a non-market housing entity through resources such as staff time, waivers, property tax exemptions, and the provision of land assets, rather than increasing taxes.** Participants were moderately comfortable with the municipality and/or RDCK providing direct grants (e.g., Pre-Development Funding (PDF), capital contributions) and least comfortable with the provision of direct operations support (e.g., tenanting, maintenance, etc.). Overwhelmingly, participants were not in favour of the non-market housing entity being funded through an increase in taxes, such as the implementation of a Housing Service Bylaw.

- **Elected officials felt strongly that neither the municipality nor RDCK should be legally responsible for a non-market housing entity.** This speaks to the preference for a housing model that functions at an arms-length from the municipality and/or RDCK.

The full list of Menti questions and corresponding results can be found in Appendix A.

## EDUCATION AND VISIONING SESSION WITH THE NAEDP

In June 2023, the project team held a similar education and visioning session with the Nelson and Area Economic Development Partnership (NAEDP). Given this committee has been largely informed and involved throughout Phase One of the project, this session focused on reiterating the need and demand for non-market, affordable housing in Greater Nelson and discussing key non-market actors and partnerships that are necessary to support the development of non-market, affordable housing.

Similar to the session with elected officials, the consulting team presented three of the most relevant housing option models in the context of the Greater Nelson Area (the Society Model (e.g., Revelstoke Community Housing Society), the Regional Model (e.g., Cowichan Housing Association), and the Corporation Model (e.g., Tofino Housing Corporation)). Using the online engagement software Menti, the consulting team gathered information from participants about their preferred model(s), the role of the organization, the geographic scope of the organization, key organizational assets, governance models, and funding structures. Key findings from the engagement session are presented below.

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### KEY FINDINGS:

- **Participants are most in favour of the Society model as it values community expertise and governance.** This aligns with the findings in Phase One, that any new housing entity will need to account for the strong existing non-profit housing ecosystem and expertise that already exists in the community.
- **Participants expressed a strong preference for the proposed organization to be a partner and/or facilitator in the development of non-market, affordable housing.** There was minimal preference for the organization to act as a funder or developer, and no participant expressed interest in the organization taking on the role of an operator.
- **The preference is for the non-market housing entity to be undertaken through a regional approach.** This preference differs from that of elected officials, who expressed their support for a municipal approach.
- **Participants felt the most appropriate municipal or regional contribution would be through supports such as staff time, waivers, and property tax exemptions, and through the provision of land assets.** Participants were moderately comfortable with the municipality and/or RDCK providing direct grants (e.g., Pre-Development Funding (PDF), capital contributions) and least comfortable with the provision of direct operations support. Overwhelmingly, participants were not in favour of the proposed entity being funded through an increase in taxes, such as a Housing Service Bylaw.

The full list of Menti questions and corresponding results can be found in Appendix A.

## INTERVIEWS WITH ESTABLISHED HOUSING ENTITIES

As part of Phase Two engagement, the consulting team spoke with current and former staff from housing organization models most relevant to the study, including the Tofino Housing Corporation (THC), Cowichan Housing Association (CHA), and the Revelstoke Community Housing Society (RCHS). Through these interviews, the consulting team gathered information about the structure of the organization, the funding model, the function (i.e., developer, operator, or both) and future development and expansion plans. Key findings from these interviews are presented below.

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### KEY FINDINGS:

- **The creation of a new, non-market housing entity requires significant financial and human resources.** These resources are not only required to start up the organization but are necessary to sustain yearly operations. It was suggested that an annual investment of \$150,000 to \$200,000 per year is needed from either a municipality or a regional district until the housing entity can generate revenue from built units.
- **There is increased interest in the housing/development corporation model to drive the development of non-market, affordable housing.** The Cowichan Housing Association, for example, is currently working with a consultant to explore options to restructure to a housing and/or development corporation model following a community consultation process on workforce housing challenges.
- **Political support, interest, and involvement from a municipality and/or a regional district are crucial to the successful development of non-market, affordable housing units.** One interviewee noted that it is very difficult to get development projects off the ground if local governments do not see themselves or the value of their involvement in the projects.
- **The implementation of a non-market housing entity should be viewed as a generational solution.** All interviewees expressed that creating a new non-market housing entity comes with many challenges – it is expensive, politically charged, and complex to establish. It is not a panacea solution. Despite these challenges, all spoke to the importance and timeliness of investing now, to ensure future generations have access to affordable, safe, and secure housing.

## INTERVIEWS WITH NON-PROFIT SOCIETIES

Throughout Phase One and Phase Two of the project, the consulting team met with non-profit housing societies that currently operate non-market, affordable and supportive housing to understand their potential interest in developing new units. Through these discussions, it was evident there is interest and excitement from existing societies to develop and expand their housing portfolios to include non-market, affordable, workforce housing options. Non-profits highlighted the importance of working collaboratively and transparently with the City and/or the RDCK to reduce competition and foster positive working



relationships and partnerships amongst the sector. They also shared they are comfortable entering into an operating partnership with the City and/or the RDCK where the land owner maintains assets and land and the Society operates the building(s).

Non-profits expressed that one of the biggest barriers to developing new units is the lack of available pre-development funding to assist with the planning and pre-development costs of building new affordable housing, including site surveys, planning fees, preliminary/schematic architectural designs, environmental site assessments, geotechnical reports, engineering studies, and development consultant fees. Non-profits are eager to see the City and RDCK play a more active role in the development of non-market, affordable units, through funding for pre-development costs and land contributions (e.g., below-market sale or long-term lease agreement).

## PHASE TWO RECOMMENDATIONS

### IMMEDIATE STEPS (1-2 YRS):

Over the next one to two years, the consulting team recommends that the City and the RDCK work closely with existing non-profit housing organizations to partner with and respond to upcoming BC Housing funding calls. The Province, through the Building BC Community Housing Fund, has issued a third notice of funding (announced August 28, 2023). This funding is an opportunity for the City and the RDCK to support and partner with existing non-profits that are interested and have the capacity to develop and expand their non-market, affordable housing portfolios. This recommendation is informed by the preference of elected officials and the NAEDP for a Society housing model that incorporates community expertise and governance. It does not require forming a new Society given there are existing resources within the community.

With funding opportunities on the horizon, and non-profit housing expertise already in Greater Nelson, the consulting team recommends the City and the RDCK focus on the following in the immediate term:

- Identify municipal and/or regional land that is suitable for non-market, affordable housing and develop a land disposal process/strategy.
- Through a formalized process, identify and partner with non-profit operators in Greater Nelson to respond to provincial and federal government funding calls (e.g., BC Housing's Community Housing Fund (CHF), Canadian Housing and Mortgage Corporation (CMHC) funding).
- Explore financial options to develop a Pre-Development Fund (PDF) to assist non-profit operators with the planning and pre-development costs of building new affordable housing, including site surveys, planning fees, preliminary/schematic architectural designs, environmental site assessments, geotechnical reports, engineering studies, and development consultant fees.

An Immediate Steps Implementation Work Plan for City of Nelson and/or RDCK staff is included in Appendix B.

## PRIMARY ADVANTAGES

- **Standardized Practice:** It is common practice for local governments to dispose of land for the purpose of non-market, affordable housing development. Municipalities that share similar affordable housing challenges with Nelson, such as Revelstoke, are beginning to play a larger role in non-market, housing development, by providing grants to assist with planning and pre-development costs.<sup>1</sup>
- **Efficient and Expedited Implementation:** This recommendation can be completed internally by staff at the City and RDCK, likely with City staff playing a lead role. New units will be developed quicker as existing non-profits already have the capacity and willingness to partner with the City.
- **Existing Community Expertise:** Non-profits have experience developing non-market, affordable housing in partnership with BC Housing and have the necessary expertise to partner with the City and to develop more units.
- **Investment in Local Sector Capacity:** This recommendation builds capacity and capability in the local sector by leveraging and building upon existing community expertise and resources.
- **Supports Multiple Partners:** This recommendation will support the ability of existing non-profits to build and operate new affordable rental units. It also encourages potential partnerships with senior levels of government.

## POTENTIAL RISKS/CHALLENGES

- **Multiple Non-Profit Partner Options:** Multiple non-profit partners expressed interest in partnering with the City and RDCK to operate new non-market, affordable units. This could lead to competition and perceived favoritism if processes and decisions are not transparent and equitable.
- **Political Implications and Sustainability:** Internal departments are easily impacted by political changes. This is an immediate-term recommendation with the goal of bringing affordable units to Greater Nelson quickly. If political priorities change, a similar process may not be feasible in the future.
- **Cost implications:** This recommendation requires funding from the City of Nelson and/or RDCK and would likely need to be reallocated from other service areas/departments.
- **Limited Control:** The City and RDCK have less control over the unit type and final form of developments as they are not leading the development process, simply providing land and start-up funding.
- **Land Disposal:** This recommendation requires the City or RDCK to sell or lease land to the non-profit.

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<sup>1</sup> "[City of Revelstoke gives \\$100,000 to Community Housing Society.](#)" In 2023, the City of Revelstoke provided a \$100,000 grant to the Revelstoke Community Housing Society (RCHS) in support of future projects and development costs. These funds became available through a \$500,000 grant from the Rural Economic Diversification and Infrastructure Program (REDIP) for funding non-profit housing organizations.

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## LONG TERM VISION (3-5 YEARS):

In the long term (three to five years), the consulting team recommends that the City of Nelson establish a municipal housing development corporation to facilitate the development of non-market, affordable housing units<sup>2</sup>. The housing development corporation would act as a land steward and/or housing facilitator and partner with existing non-profits to operate the units. This model enables the City to lead the housing development process, maintain ownership of the land, and control the final built asset. A corporate structure also allows for more creative funding and borrowing options; a corporation can borrow money from senior funders without impacting municipal borrowing limits. The goal of the development corporation would be to develop and service the land, build non-market, affordable housing with support from senior funders, and partner with existing community operators. When forming this corporation, the consulting team, recommends that the City work closely with existing non-profit housing societies to ensure a spirit of collaboration, not competition, for limited housing resources.

## PRIMARY ADVANTAGES

- **Greater Degree of Control:** Land and assets developed by the corporation are retained by the City.
- **Arms-length Independence:** Rather than voting to fund individual sites or projects, funding the corporation is a regular, annual expenditure. A standardized funding mechanism can help enable sustainable operations. The corporation model also externalizes day-to-day decision-making, removing operations from council or board control or staff work plans.
- **Borrowing Capabilities:** A municipal corporation has more flexible borrowing capabilities, unlike a municipality that is subject to the Municipal Liabilities Regulation.
- **Flexibility:** The corporation can enter into a wide range of partnerships and agreements, including creative land swaps, private sector partnerships, and land acquisition opportunities.
- **Expertise:** The corporation can leverage community expertise through partnerships but can structure its board to include individuals with specialized knowledge and experience, including non-market and market developers, real estate specialists, tenants' rights advocates, operators, builders, and representatives from local First Nations.
- **Regionality:** A corporation is not bound by municipal borders. It can develop and invest outside of the City of Nelson – for example, in Electoral Area E and F – provided those activities are within the corporate mandate and approved by the board.

## POTENTIAL RISKS

- **Slow Implementation:** Setting up a development corporation will take significant financial and human resources and will likely not lead to the permitting of new non-market, affordable units for at least five years.
- **Cost implications:** The creation of a development corporation will require initial and longer-term investment (e.g., ongoing operations costs) from the municipality and would likely be an expense from general tax funds and therefore directly supported by the taxpayer.

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<sup>2</sup> A municipal development corporation, owned by the City of Nelson, does not preclude the corporation from developing projects on Electoral Areas 'E' and 'F' land. See "Regional Considerations" and "Regional Opportunities" sections for more information.

- **Competition:** Any new entity may be seen as competition and garner negative perception from existing non-profit housing societies in the area who are already engaged in affordable and non-market housing initiatives.
- **Regional Equity:** It would be very challenging to have one corporate entity, owned by multiple municipal partners. Strategic decisions made by the corporation may not be perceived as benefiting communities equitably, despite similar levels of investment. There is precedent for a Regional District-owned housing corporation, but Phase Two engagement revealed little to no interest in proceeding with a Regional Housing Service Bylaw, necessary for funding a Regional Corporation.

A Long-Term Vision Implementation Work Plan for City of Nelson and/or RDCK staff is included in Appendix C.

#### RDCK ELECTORAL AREAS 'E' AND 'F' CONSIDERATIONS

Although the consulting team recommends establishing a municipal housing development corporation, there are opportunities for the corporation to collaborate regionally with Electoral Areas 'E' and 'F' of the RDCK. Additionally, a municipal development corporation does not preclude the corporation from developing projects on Electoral Areas 'E' and 'F' land. Opportunities for future collaboration could include:

- The RDCK identifying Regional-District owned sites in Electoral Areas 'E' and 'F' which are appropriate for non-market, affordable housing and selling or leasing the land to the corporation at a reduced cost or nominal fee for the purposes of development.
- The corporation supporting and collaborating with the RDCK to facilitate site specific feasibility and planning work.
- The creation of a shared service model that allows for the RDCK to pay for or cost share land upgrades and servicing on Electoral Area sites.
- Representatives from Electoral Area 'E' and 'F' of the RDCK sitting on the corporation's Board to provide regional governance oversight.

#### REGIONAL OPPORTUNITIES

Other municipalities within the RDCK have expressed interest in exploring the creation of a non-market housing entity to increase the stock of non-market, affordable housing units in their community. Given this interest, there is an opportunity to explore a regional approach in greater detail. However, further discussion with elected officials is required as Phase Two engagement revealed little to no interest in implementing a Regional Housing Service Bylaw, necessary for funding a Regional Corporation. Across the Province, multiple Regional Districts have added housing to their suite of services, increasing taxation to provide housing support and capital – for example, the Cowichan Housing Association (CHA) in Cowichan Valley Regional District (CVRD) and the Capital Regional Housing District (CRHD) in the Capital Regional

District. Highlighted below are some of the primary advantages and potential risks of proceeding with a regional housing entity.

#### PRIMARY ADVANTAGES

- **Arms-length Independence:** Funding the regional entity becomes a regular, annual expenditure. A Regional Housing Service Bylaw would be the standardized funding mechanism to sustain operations. The regional model also externalizes day-to-day decision-making, removing operations from council or board control or staff work plans.
- **Borrowing Capabilities:** An external housing agency or entity has more flexible borrowing capabilities.
- **Flexibility:** The regional housing entity can enter into a wide range of partnerships and agreements.
- **Expertise:** The regional entity can leverage community expertise through partnerships but can structure its board (depending on the organization structure) to include individuals with specialized knowledge and experience, including non-market and market developers, real estate specialists, tenants' rights advocates, operators, builders, and representatives from local First Nations.
- **Regionality:** A regional entity is not bound by municipal borders. It can develop and invest in multiple municipalities and Electoral Areas that are within the entity's mandate and approved by the board.
- **Flexibility to Opt-in or Opt-out:** Municipalities have the option to financially opt in or opt of the regional entity.

#### POTENTIAL RISKS

- **Land Disposal:** For the regional entity to acquire land and develop, municipalities will have to sell or lease land to the entity, giving up control of their land and assets.
- **Slow Implementation:** Setting up a regional entity will take significant financial and human resources and will likely not lead to the permitting of new non-market, affordable units for at least five years.
- **Cost implications:** The creation of a regional housing entity will require initial and longer-term investment (e.g., ongoing operations costs) and would be funded through a Regional Housing Service Bylaw, therefore directly supported by the taxpayer.
- **Competition:** Any new entity may be seen as competition and garner negative perceptions from existing non-profit housing societies in the region who are already engaged in affordable and non-market housing initiatives.
- **Regional Equity:** Strategic decisions made by the corporation may not be perceived as benefiting communities equitably, despite similar levels of investment.

## NEXT STEPS

Following receipt and publication of this report and with the approval of the project steering committee, the consulting team, with support from project partners, will present the key engagement findings and recommendations to City of Nelson Council, the Regional District Board and the NAEDP Coordinating and Advisory Committee. Following these presentations and subsequent feedback from elected officials, the project team will discuss how best to use the funds allocated for Phase Three. Some key activities may include:

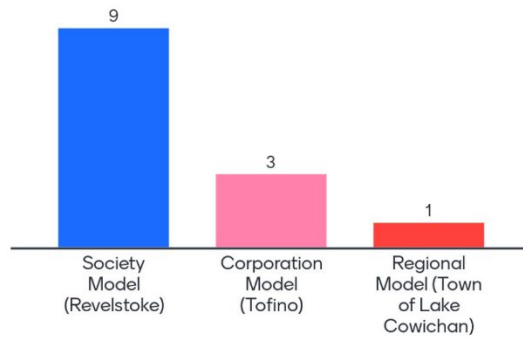
- Supporting staff and partners to secure potential funding opportunities (e.g., Rural Economic Diversification and Infrastructure Program).
- Support for municipal staff to action the proposed Immediate Steps Implementation Workplan (see Appendix A).
- Developing a next steps guide that includes further details about the municipal housing development corporation and a high-level action plan. This guide could include a draft vision, staff requirements, proposed budget, board composition, required internal policies, regional considerations, and other relevant pieces.

APPENDIX A – MENTI ENGAGEMENT RESULTS

MEETING WITH ELECTED OFFICIALS

QUESTION 1: WHICH OF THESE MODELS MOST RESONATES WITH YOU?

# Which of these models most resonates with you?



QUESTION 2: ORGANIZATIONAL SCOPE - ASSETS

# Organizational Scope - Assets





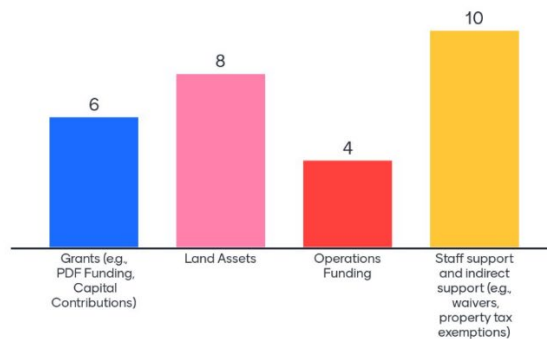
QUESTION 3: ORGANIZATIONAL SCOPE – REGIONAL OR MUNICIPAL ENTITY?

## Organizational Scope - Regional or Municipal Entity?

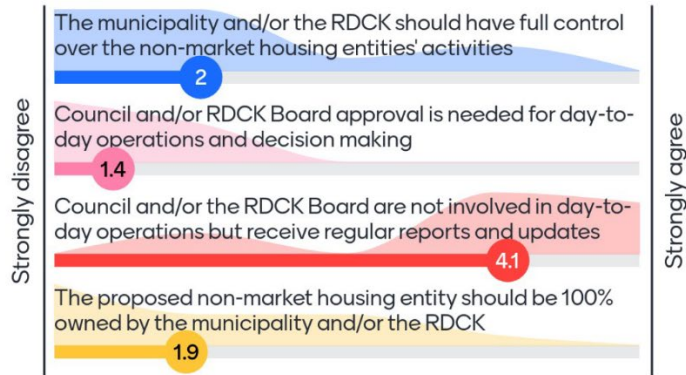


QUESTION 4: KEY ASSETS

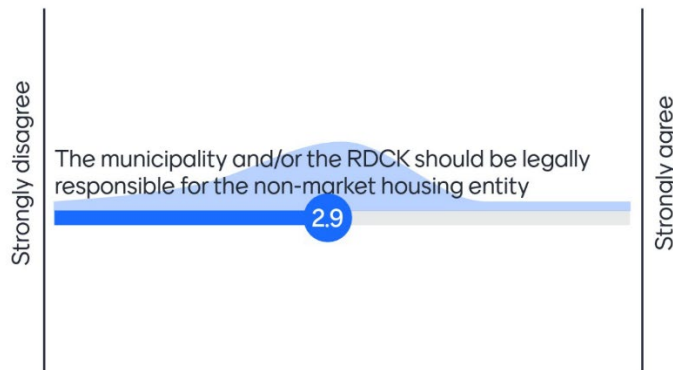
## What are the key assets the municipality and/or the RDCK are willing to contribute to a proposed non-market housing entity?



## Governance & Organizational Structure - Control & Ownership

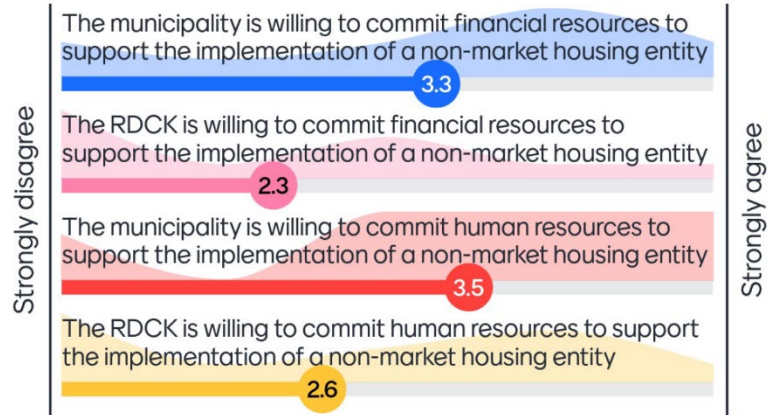


## Legal Implications



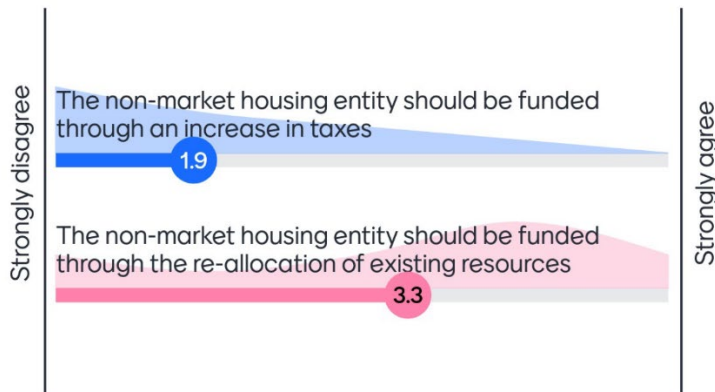
QUESTION 7: FUNDING STRUCTURE

# Funding Structure



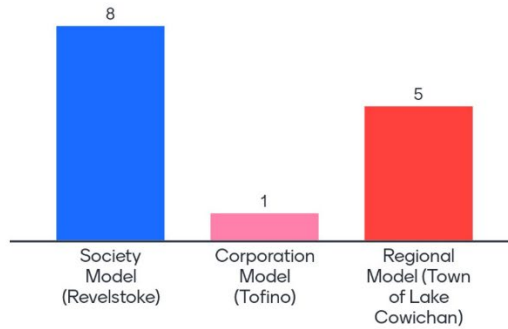
QUESTION 8: FUNDING STRUCTURE CONT'D

# Funding Structure



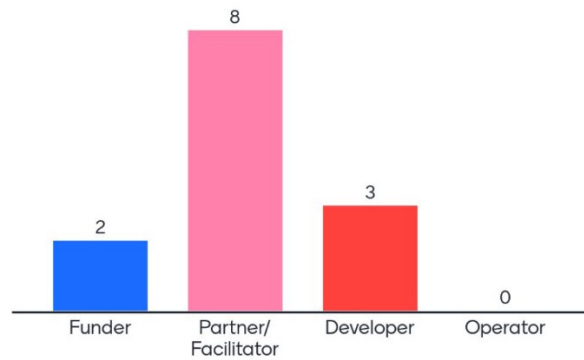
QUESTION 1: WHICH OF THESE MODELS MOST RESONATES WITH YOU?

## Which of these models most resonates with you?



QUESTION 2: WHAT IS THE MOST IMPORTANT ROLE OF THE ORGANIZATION?

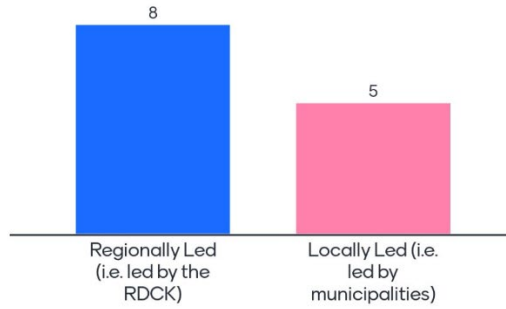
## What is the most important role of the organization?



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QUESTION 3: WHAT IS THE GEOGRAPHIC SCOPE OF THE ORGANIZATION?

## What is the geographic scope of the organization?



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QUESTION 4: WHAT LOCAL GOVERNMENT ASSETS WOULD BE THE MOST APPROPRIATE CONTRIBUTION?

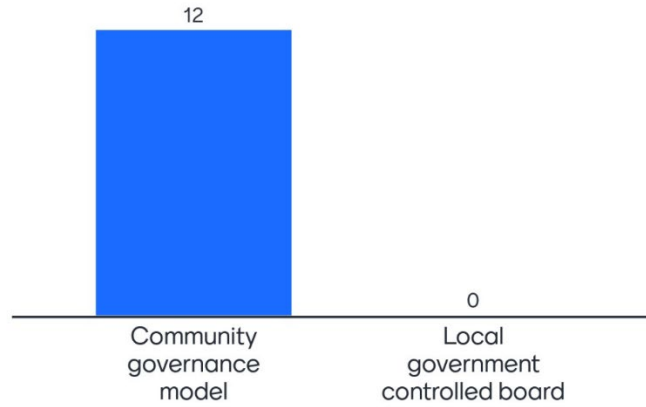
## What local government assets would be the most appropriate contribution?



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QUESTION 5: WHAT GOVERNANCE MODEL IS PREFERRED?

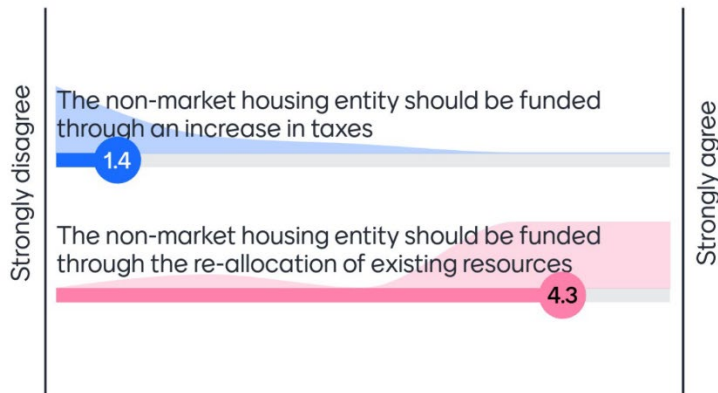
## What governance model is preferred?



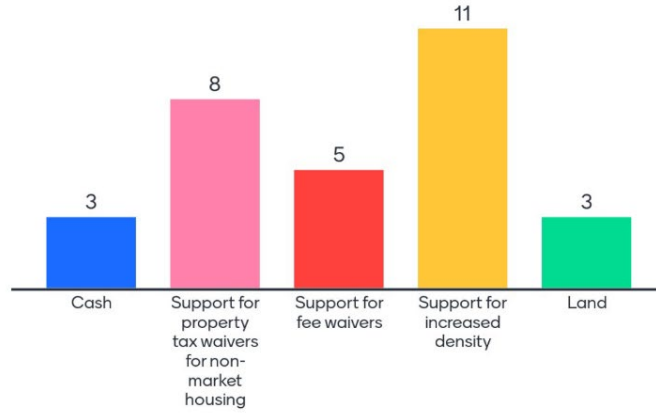
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QUESTION 6: FUNDING STRUCTURE

## Funding Structure



## What would you be willing to contribute?





**APPENDIX B – IMMEDIATE STEPS IMPLEMENTATION WORKPLAN**

Immediate Steps:	Associated Tasks/Considerations:	Lead:	Progress (Completed, In-Progress, Not-Started):	Timeline:	Notes:
<p><b>Develop a land disposal policy, process, and/or strategy</b></p>	<ul style="list-style-type: none"> <li>• Develop the criteria for municipal and regional land disposal for the purpose of developing non-market, affordable, workforce housing.</li> <li>• Develop site selection criteria.</li> <li>• Collaborate with housing non-profits to develop specific criteria that non-profit societies must meet to respond to RFPs.</li> <li>• Identify tenancy focus/restrictions.</li> <li>• Ensure all criteria align with available funding programs (e.g., BC Housing CHF, CMHC Co-Investment Funding, Columbia Basin Trust, etc.)</li> </ul>	<p>City of Nelson, RDCK</p>			
<p><b>Identify municipal and regional land that is suitable for non-market, affordable housing</b></p>	<ul style="list-style-type: none"> <li>• Create an inventory/document to identify and prioritize municipal and/or regional land development opportunities for non-market, affordable housing in Greater Nelson.</li> <li>• Complete high-level feasible studies/analysis on top ranked sites.</li> </ul>	<p>City of Nelson, RDCK</p>			

	<ul style="list-style-type: none"> <li>• Complete necessary municipal approvals for site readiness.</li> </ul>				
<b>Develop and publish Request for Proposals (RFP)</b>	<ul style="list-style-type: none"> <li>• Develop the RFP package and share with interested housing non-profits.</li> </ul>	City of Nelson			
<b>Allocate Pre-Development Funding (PDF) and administer grant</b>	<ul style="list-style-type: none"> <li>• Develop critical criteria and reporting requirements.</li> <li>• Obtain Council approval of granting program elements.</li> <li>• Obtain council approval for grant disposal.</li> <li>• Review RFPs and administer grants.</li> </ul>	City of Nelson			
<b>In partnership with the selected non-profit operator, develop and submit BC Housing Community Housing Fund (CHF) application</b>	<ul style="list-style-type: none"> <li>• Complete site due diligence work (e.g., environmental assessments, site surveys, etc.).</li> <li>• Select a development consultant to support the funding application submission.</li> <li>• Procure architectural support and other critical consultants.</li> <li>• Develop and submit proposal to BCH.</li> </ul>	City of Nelson, selected non-profit housing operators			

**APPENDIX C – LONG-TERM VISION IMPLEMENTATION WORKPLAN**

Steps:	Associated Tasks/Considerations:	Lead:	Progress (Completed, In-Progress, Not-Started):	Timeline:	Notes:
<b>Explore sustainable funding mechanisms</b>	<ul style="list-style-type: none"> <li>Review potential of Regional Housing Service Bylaw and Municipal and Regional District Tax Program (MRDT) to support ongoing housing intervention in Greater Nelson and RDCK.</li> <li>Develop funding scenarios based on potential contributions from MRDT and/or common Regional Housing Service Bylaw taxation schemes, focusing on minimizing impact to taxpayers.</li> <li>Present findings and recommendations to key project partners and help Regional District and Municipal Staff present recommendation.</li> </ul>	City of Nelson, RDCK			
<b>Establish a Municipal Housing Corporation Working Group</b>	<ul style="list-style-type: none"> <li>Select key participants from the City, RDCK, non-profit housing organizations, business community, etc. to create a formal working group.</li> <li>Determine meeting frequency.</li> </ul>	City of Nelson			
<b>Create a draft business plan</b>	<ul style="list-style-type: none"> <li>Develop a business plan with the Working Group, and vet with key stakeholders. Plan will be used for grant funding applications and</li> </ul>	City of Nelson			

	board recruitment purposes, and later may be used as a working document for board and executive discussion.				
<b>Confirm and secure start up capital</b>	<ul style="list-style-type: none"> <li>Secure start up capital from municipal and/or regional revenue streams.</li> <li>Research requirements and process to implement a Housing Service By-Law.</li> </ul>	City of Nelson, RDCK			
<b>Create and enact Board of Directors Recruitment Strategy</b>	<ul style="list-style-type: none"> <li>If required, enlist the support of a recruitment specialist.</li> <li>Using best practices of purpose-driven board development, develop a board recruitment strategy.</li> <li>Recruit and on-board an incorporating Board of Directors.</li> </ul>	City of Nelson			
<b>Develop Constituting Documents</b>	<ul style="list-style-type: none"> <li>If required, hire a consultant to support the drafting of constituting documents.</li> <li>Enlist legal support for drafting and registering documents.</li> </ul>	City of Nelson			
<b>Develop a strategic plan and annual budget</b>	<ul style="list-style-type: none"> <li>Develop vision and mission statements.</li> <li>Identify key actions and organization focus.</li> <li>Identify priority projects.</li> <li>Create an implementation work plan.</li> <li>Build out annual budget for council approval.</li> </ul>	Board of Directors, City of Nelson			

## REGIONAL DISTRICT OF CENTRAL KOOTENAY

# Bylaw No. 2858

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A Bylaw to establish Drainage, Water and Wastewater System Community Advisory Committees for the purpose of providing community input regarding the operations and management of RDCK-owned utility systems.

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WHEREAS existing and applicable water system Commissions of Management have been repealed following the establishment of the Water Services Committee in 2022;

AND WHEREAS Community Advisory Committees provide valuable community feedback and facilitate effective communication between the RDCK and community;

AND WHEREAS the RDCK Board, by its corporate powers, may seek advice from external stakeholder groups through a Community Advisory Committee;

NOW THEREFORE the Board of the Regional District of Central Kootenay (RDCK), in open meeting assembled, HEREBY ENACTS as follows:

### COMMITTEES ESTABLISHMENT

- 1 Drainage, Water and Wastewater System Community Advisory Committees are hereby established for the utility systems listed in Schedule A to this bylaw.

### DELEGATION OF AUTHORITY

- 2 The Drainage, Water and Wastewater System Community Advisory Committees are external advisory bodies only with no specific powers delegated to them by the RDCK Board.

### APPLICATION

- 3 Within each service area a Community Advisory Committee (CAC) may be created for a drainage, water or wastewater system upon recommendation by the applicable electoral area director. A CAC is not required for the RDCK to operate the drainage, water or wastewater system. One CAC may serve multiple utilities, such as a combined water and drainage CAC.
- 4 The Drainage, Water and Wastewater System Community Advisory Committee shall provide constructive and objective input regarding matters related directly to their specific RDCK-owned system and to help facilitate effective communication with the community.
- 5 Each CAC shall work towards the overall benefit of their system(s) and support the goal of achieving full compliance with the regulations and guidelines that govern the management of water or wastewater systems.

## **MEMBERSHIP**

- 6 (1) Members are appointed by resolution of the RDCK Board. Each CAC will include a minimum of three (3) and a maximum of six (6) community members, all of whom must reside within the utility service area or be the registered owner of property within the service area.
- (2) The RDCK electoral area Director for the respective water system is not a member of the CAC. Director participation in CAC meetings is however encouraged.
- (3) In the event of two or more small systems combining to form a single system, the Water Services Committee will revisit the membership of the CAC and may make recommendation to the Board to combine CACs if suitable and necessary.
- (4) The term of a CAC member shall be three (3) years.

## **REMUNERATION**

- 7 There shall be no remuneration to any CAC member for their service.

## **DUTIES OF THE COMMITTEE**

- 8 Each CAC is assigned the following roles and responsibilities by the RDCK Board:
  - (a) Liaise with water users on their particular systems and provide that input to the RDCK.
  - (b) Advise the RDCK on issues including, but not limited to: operations and maintenance policies; water conservation measures; capital works projects; cost recovery approaches; annual budgets; and bylaw and policy development.
  - (c) Members shall not interfere with the operations of the water or wastewater system, or perform any work on the water or wastewater system without the prior written consent of the Manager.
  - (d) The RDCK Board retains all decision-making authority relating to the planning, financing, operation, and maintenance of the water or wastewater system.
  - (e) For certainty the CAC will not consider any of the following matters unless CAC input is requested by the Manager:
    - award of contracts;
    - matters related to the employment of RDCK staff;
    - legal matters related to the utility systems;
    - media releases and public statements to the media;
    - emerging or ongoing issues related to specific individual water system users.

## **MEETINGS**

- 9 (1) Each CAC will meet at the call of the RDCK General Manager of Environmental Services or designate, in consultation with the electoral area Director, with a minimum of one meeting scheduled annually for each CAC.
- (2) All meetings will be open to the public, be held in a publicly accessible meeting place, and provide a remote attendance option.
- (3) Meetings shall be held in accordance with the agenda and format provided by the RDCK General Manager of Environmental Services or designate. Meeting procedures are generally

in accordance with the informal nature of CAC meetings, and are at the discretion of the Manager. The RDCK Procedure Bylaw does not apply to Community Advisory Committees.

- (4) RDCK staff will create a written record of CAC meetings in the form of meeting notes. Meeting notes will accurately summarize the totality of input from CAC members, particularly where a consensus community opinion is not achieved on a given matter. Meeting notes will be recorded on a standardized RDCK template.
- (5) Meeting notes of each CAC meeting will be placed on the agenda for discussion at the next scheduled Water Services Committee meeting. The applicable electoral area Director will be invited to provide a verbal summary of the meeting and highlight any community concerns. Meeting notes will also be placed under 'Committees and Commissions-For Information' on the next Board agenda.
- (6) The RDCK General Manager of Environmental Services or designate is charged with scheduling and organizing all CAC meetings, and will provide a minimum of seven days notice to each CAC member. A discussion outline for each meeting will be distributed to members prior to the meeting.
- (7) No quorum is required at Community Advisory Committee meetings.
- (8) The General Manager of Environmental Services or designate shall convene the CAC meeting, facilitate the discussion, and create meeting notes. Alternately an electoral area Director may serve in the facilitator role, subject to staff availability to prepare the meeting notes.

**SEVERABILITY**

- 10 If any section, clause, sub-clause or phrase of this bylaw is for any reason held to be invalid by the decision of the court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this bylaw.

**CITATION**

- 11 This Bylaw may be cited as **Regional District of Central Kootenay Drainage, Water and Wastewater System Community Advisory Committee Bylaw No. 2858, 2023.**


READ A FIRST TIME this 16<sup>th</sup> day of February, 2023.

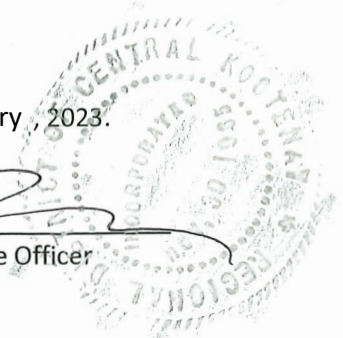
READ A SECOND TIME this 16<sup>th</sup> day of February, 2023.

READ A THIRD TIME this 16<sup>th</sup> day of February, 2023.

ADOPTED by an affirmative vote of at least 2/3 of the votes cast this 16<sup>th</sup> day of February, 2023.

  
Aimee Watson, Board Chair

  
Mike Morrison, Corporate Officer





**Regional District of Central Kootenay**  
**Schedule A - Drainage, Water and Wastewater System**  
**Community Advisory Committees**  
**To**  
**Bylaw No. 2858**

1. Balfour Water
2. Burton Water
3. Duhamel Water
4. Edgewood Water
5. Erickson Water
6. Fauquier Water
7. Grandview Properties Water
8. Lister Water
9. Lucas Road Water
10. McDonald Creek Water
11. Riondel Drainage & Water
12. Rosebery Highlands Water
13. Sanca Park Water
14. South Slocan Water
15. West Robson Water
16. Woodbury Village Water
17. Woodland Heights Water



**CHAPTER: ENVIRONMENTAL SERVICES**

**SECTION: WATER AND WASTEWATER**

**SUBJECT: WATER & WASTEWATER SYSTEM COMMUNITY ADVISORY COMMITTEE**

**BOARD RESOLUTION: 139/12**

**EFFECTIVE DATE: 16 FEBRUARY 2012**

**REVISION DATE:**

**POLICY**

The RDCK Board of Directors may appoint one community advisory committee (CAC) for each water or wastewater system upon recommendation by the relevant electoral area director.

The role of each CAC is to provide constructive and objective input regarding matters related directly to their specific RDCK-owned system and to help facilitate effective communication with the community.

Each CAC member shall work towards the overall benefit of the system and support the goal of achieving full compliance with the regulations and guidelines that govern the management of water or wastewater systems.

CAC members shall liaise with water users on their particular system and provide that input to the RDCK.

Each CAC may be consulted for advice on issues including, but not limited to:

- operations and maintenance policies;
- capital works projects;
- cost recovery approaches; and,
- bylaw and policy development.

Each CAC representative agrees to abide by the Conflict of Interest provisions stipulated under the *Local Government Act – Community Charter* (section 787.1).

The RDCK’s Manager of Utility Services (herein the ‘Manager’) and the Water Services Liaison will serve as the primary contacts for each of the CACs.

Members shall not interfere with the operations of the water or wastewater system, or perform any work on the water or wastewater system without the prior written consent of the Manager.

Each CAC representative must, at all times, treat personal information on water users supplied to or obtained by the CAC representative as a result of his/her membership on the CAC as confidential.

The RDCK shall retain the right to consult directly with water users.

The RDCK shall have final authority on all decisions relating to the planning, financing, operation, and maintenance of the water or wastewater system.

All aspects of personnel management (hiring, direction, supervision, etc) as well as the operation of the water or wastewater system are the sole responsibility of the RDCK.

There will be a maximum of one CAC per system and a CAC is not required for the RDCK to operate the system.

Each CAC will include a minimum of three and a maximum of six community representatives, all of whom must own property or reside within the service area on a permanent basis (where possible).

The RDCK Board of Directors will be responsible for appointing representatives to the CAC. Interested community members may ask their Electoral Area Director to be considered for appointment.

In the event of two or more small systems combining to form a single system, the RDCK Board of Directors will revisit the membership of the CAC and will combine CACs if necessary.

The term of a CAC representative shall be 3 years.

The RDCK Board of Directors, upon a vacancy arising from any cause other than the expiration of a member's term of office, shall forthwith appoint a new member who shall serve for the unexpired portion of the term vacated.

Every person appointed to the community advisory committee shall continue to hold office until his or her successor has been appointed, if the appointment of a successor has not been made before the expiration of the term of such member.

There shall be no remuneration to any CAC representative for his or her service.

The RDCK Board of Directors may review the membership of each community advisory committee from time to time and, should it see fit, remove any member at any time.

The RDCK Manager is charged with scheduling and organizing all CAC meetings, and will provide at least two days notice to each CAC member. Members may request that a CAC and/or public meeting be scheduled as the need arises.

At minimum, the CAC will meet biannually, in the spring to discuss operations and in the fall to review the system's budget.

All meetings shall be held during business hours at the head office of the RDCK.

No quorum is required at community advisory committee meetings.

Minutes shall be taken by RDCK staff and submitted to CAC members and the Board for review.

On questions put before the committee by the Manager, each member is allowed one vote.

### ***Statement of Understanding***

I, \_\_\_\_\_, as an appointee to a community advisory committee, acknowledge and agree to the following statements.

1. I understand that the role of the community advisory committee is strictly advisory, and that final decisions on system management will be made by RDCK Management and the RDCK Board of Directors.
2. I understand that my role is to assist the RDCK in ensuring that the system is meeting the requirements under the acts, regulations, and guidelines while facilitating community involvement to ensure that the system meets the financial, social and environmental objectives of the community.

3. I will attend scheduled meetings to the best of my ability and conduct myself in accordance with this water and wastewater community advisory committee policy.
4. I understand that by accepting this position on the community advisory committee, I in no way have been granted the authority to do work on any RDCK water or wastewater system.
5. I will notify the RDCK of any problems with the water or wastewater system and its use, including if I become aware of a person or persons contravening water or wastewater bylaws.
6. I commit to treating all personal information and materials gained as a result of my membership in the CAC as confidential and will not permit the publication, release or disclosure of the same without the prior written consent of the RDCK.
7. I have the option to decline assignment to the community advisory committee or resign my current position on the CAC.
8. When I vacate the position I am responsible to see that any pertinent information that I have is transferred to the RDCK and new members in a timely fashion.

I fully understand and agree to the above statements and my signature below indicates my acceptance of the terms and conditions of this policy.

MEMBER:

WITNESS:

\_\_\_\_\_  
Signature

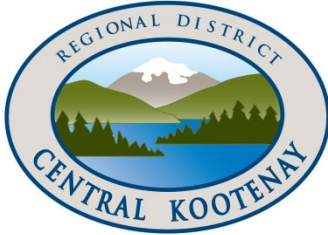
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Date

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Date



## REGIONAL DISTRICT OF CENTRAL KOOTENAY

# Board Report

**Date of Report:** November 5, 2020  
**Date & Type of Meeting:** November 12, 2020 In-Camera Board Meeting  
**Author:** **Mike Morrison, Manager of Corporate Administration**  
**Subject:** COMMISSION GOVERNANCE REVIEW  
**File:** 0520-70

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### SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to outline options for establishing a Water Supply Board as the preferred governance option for RDCK water systems. This matter was considered at the December 2019 Board meeting, where the following resolution was adopted:

*925/19 That the Board direct staff to bring forward a report to the Board which outlines the necessary regulatory, operational, financial and communications steps and proposed schedule for establishing a RDCK Water Supply Board as recommended in the Water Service Options Report (2017) prepared by J. Huggett and Lidstone and Company.*

In addressing resolution 925/19, staff considered that a broader Commission governance review was directed within the recently adopted RDCK 2019 -2023 Strategic Plan. The two projects are necessarily linked, and this report is the initial step in addressing both.

This report should be considered as a 'big picture' overview of governance options. By necessity this includes many generalizations and assumptions about the functionality of current governance structures which may not accurately reflect specific local circumstances. The Board is requested to give direction to staff for a preferred future governance scenario, based on one or a combination of the following three options:

Option 1- Develop Sub-Regional Services Committee structure

Option 2- Establish Water Services Committee and retain current structure for non –water Commissions

Option 3 – Retain current Commission governance model with prioritized improvements

### SECTION 2: BACKGROUND / ANALYSIS

#### Director Review and Comments

A draft of this report was received at the September 2020 In Camera Board meeting with the request that Directors provide comments back to staff regarding the accuracy and completeness of the information provided. Written comments were received from three Directors and these mostly pertained to governance issues in general and not to the accuracy or completeness of the report. The comments most relevant to Board selection of a governance option as well as the key points from the September In Camera Board discussion are summarized as follows:

- Several Directors indicated a preference for addressing water system governance as a priority before considering governance changes to the overall Commission model.
- There was no indication of Director support at this time to expand the Sub-Regional Services Committee structure beyond those areas where it is currently in place.
- An effective water governance model should provide an opportunity for the Board to establish overall objectives related to water services.
- An effective water governance model should support the ongoing application of standards and procedures across RDCK water systems.
- A new water governance model should ensure that opportunities are created for participation by community-based governance structures (Commissions, Community Advisory Committees, and possibly non-RDCK entities). Better two-way communication between the different parts of the governance structure was cited as a desired improvement.
- When contemplating governance changes the Board should consider that some water Commissions are functioning well and meeting the needs of local communities.
- Water governance should incorporate systems for prioritization based on risks to the RDCK and include reasonable measures to mitigate the RDCK's exposure to risk created by a Commission's reluctance to meet requirements.
- Some interest was indicated for considering matters not specifically related to RDCK water systems within the mandate of an improved water governance model. Examples given were support for organized non-RDCK water systems such as Improvement Districts, and matters related to protection of community watersheds

### **Scope and Objectives of the Governance Review**

The first step in evaluating governance improvements for RDCK water systems is to consider the desired improvements within the context of the overall RDCK governance structure and the role of Commissions within that structure. The RDCK has 24 Commissions overseeing water utility, recreation, parks and economic development services, with varying degrees of authority delegated by the Board to oversee RDCK services. These Commissions are the subject of this review. Advisory Planning Commissions are required under the Local Government Act and are not considered within the scope of this report. Sub-Regional Service Committees are discussed within this report, however the RDCK's existing standing Committees (e.g. RAC, CSLAC, RRC's etc...) would likely be unaffected by changes to the Commission governance structure and are outside the scope of this review.

The objectives of this review are :

- To fulfill the Board's request to staff to review Commission governance and evaluate the establishment of a Water Board
- To re-introduce to the Board to legal advice given to the RDCK in 2013 regarding RDCK Commissions
- To outline the governance objectives for new governance structures
- To identify trends and major factors that should affect the consideration of governance models
- To outline governance options for Board consideration

This report follows from a previous report titled Water System Governance Options received at the December 2019 Board meeting. That report is appended for Directors reference.

### **Legal and Professional Guidance**

Commission governance, particularly as it relates to water services, is still a pressing topic for the Board, but was a focus area in 2010-2015. Two reports were commissioned by the Board during this period:

- *Water Service Options*, J Huggett and Lidstone & Co., 2013 (updated 2017)
- *Structure and Functions of Commissions*, Lidstone & Co., 2013

The Huggett/ Lidstone report addresses water governance specifically and discusses option for governance of RDCK water systems. The companion report from Lidstone alone addressed issues which were generally common across the Commission governance model. Both documents are appended to this report. The two reports were prepared in tandem and are consistent in their recommendations to the RDCK Board. These are summarized very generally below:

- Recommendation that the Regional Board take control of the services governed by Commissions
- Recommendation that the role of existing Commissions be limited to advisory functions only
- The governance function of Commissions could be replaced with area specific boards (sub-regional governance structures) to consider matters related to local services.

The sub-regional governance model proposed by the consultants is discussed further in the Options section of this report. This model has distinct advantages, and has been endorsed by external consultants, staff, and a previous RDCK Board. However it has not been determined that a fully enabled sub –regional governance structure is practical or reflects the goals of the current Board. In determining this, the Board needs to consider the recent historical, expected future context for the Commission governance model.

### **Assumptions used in this Governance Review**

Based on a review of the consultant’s reports, recent history, staff discussion and formal direction from the Board to review governance options staff have made the following assumptions in preparation of options for Board consideration :

- That the Board wishes to make significant progress towards determining a preferred governance option for RDCK water systems prior to lifting the moratorium on new water system acquisition
- The Board generally supports Community Advisory Committees as the preferred model for receiving community input on water system operations..
- The Board wishes to retain RDCK water systems as directly managed local government water utilities as recommended in the Huggett/ Lidstone report, with final decision making authority retained by the Board.
- The Board does not wish to consolidate multiple services for the purpose of establishing new governance structures. Existing and proposed RDCK services should remain as stand-alone entities for regulatory, administrative, and financial purposes.
- That the Board is concerned about ongoing risks associated with the current Commission governance model overall and may desire an alternative governance option that retains decision making authority with elected officials



- It is desirable to the Board to continue delegating consideration of some matters to a subordinate governance body rather than have local matters considered by the entire Board,

### **Recent Trends in Commission Governance and Operations**

The RDCK governance framework evolved as a complicated patchwork of Committees and Commissions with many ad-hoc and local adaptations involved in service governance. Despite significant changes within RDCK communities over the past several decades, very few structural changes to governance have occurred. While there has not been a formal program to improve governance following from the work done in 2013—2014, notable trends have emerged that should inform decisions regarding future governance models. These are summarized as follows :

- Several Community Advisory Committees are established and function as an effective and publicly acceptable means of receiving public input into RDCK services
- The prevalence of Commissions is diminishing over time (e.g. Lucas Road Water and Duhamel Water Commissions have been dissolved)
- Overall declining public interest in participating in Commissions, as indicated by difficulties in attracting members to some Commissions and difficulty in achieving meeting quorum
- Continued development of staff and contractor capacity in water, parks, and economic development to remove operational responsibilities from Commission members
- Overall decline in incidents involving unelected public Commission members acting outside of the scope of their governance role, or engaging in conflict with RDCK staff
- Consistent administrative procedures, standards and training are actively being applied to Commissions, with mostly positive results.
- RDCK risk management programming and standards continue to evolve, highlighting historic concerns with risks that are created or amplified by maintaining the Commission governance model
- Notable examples of Commission dysfunction, particularly related to parks and recreation, create reputational risks for the RDCK and diminish organizational effectiveness.
- Emergence of formal work planning and reporting systems increase the Board's awareness of demands on staff time created by Commission –driven projects
- Continued emergence of digital tools (social media, web base service delivery platforms, remote meeting access etc..) reduce reliance on Commissions serving as the information conduit to the public in local service areas

Many of these trends reflect broader societal shifts, and will continue to impact governance and service delivery regardless of the governance decisions made by the Board. In aggregate, they indicate the following :

- The Commissions of Management model becomes less relevant over time and less reflective of the needs and desires of the local communities they serve.
- As the Commission model becomes less functional and fades piece by piece over time, a gap in governance is created. It is the responsibility of the Board to address this gap
- The 'professionalization' of operational and administrative systems to address risk and liability, and implement standard procedures can address many critical issues without changes to the governance model

- Without structural governance changes there are limits to the reduction of risk or gains in efficiency and effectiveness that can be achieved

The historic issues, inefficiencies and risks arising from the current governance model are well documented by staff and in the Huggett/Lidstone work and are still of concern to staff today. From staff’s perspective, improvements to the current governance model are both desirable and necessary. The outstanding issues with the Commission governance model that have not improved and likely will not be addressed without governance changes are as follows:

- Administrative burden, staff time and cost required to support so many independent Commissions
- Inefficiency in maintaining multiple decision making bodies when these could be streamlined into fewer Committees
- Authority delegated to Commissions from the Board in decades –old Commission bylaws that don’t align with current best practice
- Lack of standardization for how Commissions involve staff in supporting decision making, and how Commission decisions are considered by the Board
- Lack of standard processes for appointing Commission members, and best practices for Director involvement in these selections
- A disconnect between voting strength at some Commissions and weighted voting at Board
- The prevalence of political issues, perceptions of unfairness, and conflict amongst members at some Commissions do not typically strengthen sub-regional cooperation

### SECTION 3: DETAILED ANALYSIS

#### a. Financial Considerations – Cost and Resource Allocations:

<b>Included in Financial Plan:</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<b>Financial Plan Amendment:</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<b>Debt Bylaw Required:</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<b>Public/Gov’t Approvals req’d:</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

None of the governance options proposed by staff carry significant financial implications for RDCK services. Under the current system of allocating overhead costs, expenses related to Commission governance are typically a small portion of any system budget. The Board has requested that staff evaluate alternative systems for costs allocation which better correlate overhead expenses with staff time demand placed by Commissions. Implementing such a system may have negative financial consequences for some water systems governed by Commissions and this should be considered in selection of a future governance model

#### b. Legislative Considerations (Applicable Policies and/or Bylaws):

Any planned changes to governance structures would require legislative and policy changes to accompany. The specific changes would depend on the option selected by the Board, but could include the following:

- Terms of reference for establishing a Water Services Committee
- Board resolutions to establish water system Community Advisory Committees
- Repeal of or amendment to Commission bylaws
- Amendments to the RDCK Water System Acquisition Policy

Any changes would occur in accordance with Local Government Act requirements.
<b>c. Environmental Considerations</b>
The RDCK should consider selecting a water governance system that enables the most effective response to environmental challenges and which achieves a reduction in greenhouse gas emissions.
<b>d. Social Considerations:</b>
Imposing professional management and governance frameworks on RDCK local services may not align with the desire of local communities to retain the control over their services that continuance of the Commission model allows. Recent history has indicated that the Community Advisory Committee model can provide an effective means of providing local input, but it may not be perceived that way in some communities. Ultimately a governance structure should be selected that provides both good governance and local input in a way that effectively manages risk on behalf of the public.
<b>e. Economic Considerations:</b>
Economic growth is enabled by robust and well managed local services. Streamlined and effective governance structures are critical to ensuring that services remain well managed.
<b>f. Communication Considerations:</b>
If changes to the current governance structure are directed by the Board staff will develop a strategy for consulting with existing commissions and advisory groups prior to a final decision by the RDCK Board.
<b>g. Staffing/Departmental Workplan Considerations:</b>
This governance review is included in the 2020 work plan for Administration and Environmental Services Staff
<b>h. Board Strategic Plan/Priorities Considerations:</b>
This governance review was identified within the 2019-2024 RDCK Strategic Plan under the “ <i>To Excel in Governance and Service Delivery</i> ” priority as per the following action :  “ <i>Conduct a governance review of all commissions, with a focus on water service governance.</i> ”

**SECTION 4: OPTIONS & PROS / CONS**

**Governance Objectives**  
While governance objectives for this review have not been formally established by the Board, staff have identified a number of operational, procedural, governance and community objectives by which to evaluate governance options:

- Use staff time efficiently to support Committee/ Commission meetings
- Ensure governance bodies adhere to RDCK’s administrative standards
- Limit the operational involvement of Commission members
- Reduce information ‘silos’ and share best practices amongst similarly grouped RDCK operations
- Ensure governance bodies act within the scope of their authority
- Strengthen adherence to legal requirements and RDCK policy

- Achieve a consistent and streamlined governance structure across the RDCK that is easy for participants and the public to understand
- Strengthen sub-regional cooperation and identity
- Ensure that governance bodies attain quorum and meet regularly
- Clarify authority delegated by RDCK Board and confirm the Board as the decision-making authority
- Improve RDCK Board understanding of decisions made by delegated bodies
- Strengthen asset management objectives and access to grant funding
- Facilitate lifting the current moratorium on the acquisition of new water systems
- Attract community members to participate in local decision making
- Reduce administrative burden on volunteers
- Strengthen roles for non-profit societies and stewardship groups in service delivery

### **Definitions**

For the purpose of this section and the attached Tables the different governance structures discussed as options are defined as follows:

**Elected Officials Commission** – means the Commissions comprised solely of elected officials. This includes Castlegar and Nelson Recreation, the Nelson, Salmo E,F, and G Parks, and Arrow Creek Water. Generally these Commissions receive technical and administrative staff support and experience different governance and operational issues than the Commissions of Management

**Commission of Management** – these Commissions are delegated the authority to operate one or more RDCK services and are comprised of a minimum of one elected official plus community members. Most water and parks Commissions meet this definition, as do all of the economic development commissions.

**Water Services Committee** – refers to a temporary or permanent standing Committee of the Board proposed by staff to provide a governance function for RDCK water systems to replace Commission governance where governance through a Sub-Regional Services Committee is neither desirable or feasible

**Sub-Regional Services Committee** – means a Standing Committee of the Board established by RDCK Bylaw 2242. The Creston Valley Services Committee and the North Kootenay Lake Services Committee are the only two functioning Committees, however seven Committees were established to cover the full geographic extent of the RDCK

**Community Advisory Committee (CAC)** – means an advisory Committee established to receive Community input into water system operations where there is no Commission. Balfour, Woodbury and Grandview are examples of functioning CAC's

### **Option 1- Develop Sub-Regional Services Committee structure**

*“That staff be directed to prepare a report for Board consideration which outlines the requirements and work plan necessary to implement the Sub-Regional Services Committees as described within RDCK Bylaw No. 2242”*

While the Huggett/Lidstone work recommended the establishment of a Water Board, this was described within their report not as a singular entity governing all water systems, but rather as multiple sub-regional governance entities that would oversee the operational aspects of a number of local services, water utilities included. The Board took steps to implement these recommendations with the adoption of *Bylaw 2242, 2014 – A bylaw establishing sub-regional Services Committees* (Attached to this report for reference). The scope of the seven Committees established in this bylaw includes “all those Regional District services in which some or all of the Committee members participate”. While the bylaw pre-dates current staff’s involvement, the timing and content of the bylaw suggest the following:

- With the adoption of Bylaw 2242 the Board intended to enable address the Commission issues identified in the Huggett/ Lidstone work and create a new governance structure which would replace Commissions over time.
- That the Board intended to develop a more efficient governance structure that would negate the need for multiple local Commissions and allow most local matters to be considered within a single forum
- That the adoption of Bylaw 2242 indicates a commitment to strengthen sub –regional cooperation and governance
- That these sub regional Services Committees would fulfill the duties of the Water Board as described by Huggett/ Lidstone.

The sub-regional Services Committee structure has only been partially implemented in the RDCK. The Creston Valley Services Committee is the most functional example, but it should be noted that the Committee does not routinely consider water matters and local water Commissions continue to function in their historic role. The Kaslo and Area D Services Committee also meets regularly, and may consider some limited-scope matters related to the local McDonald Creek RDCK water system. The other sub-regional Services Committees are not meeting at this point.

Many factors likely contributed to the partial implementation of the sub-regional Services Committee model. A new Board was elected in late 2014 which may have shifted priorities. It appears also that a comprehensive ‘road map’ detailing the complex legislative, administrative and operational steps necessary over time to achieve the desired governance improvements was never developed.

Implementation of this option would occur over time, and might involve the following elements :

- Revise/ update Bylaw 2242 to ensure scope of Committees is correct
- Prioritize implementation of Sub-Regional Committees based on functional groupings of services, local Commission status, political willingness etc..
- Repeal the local existing RDCK Commission bylaws as the local Committees become functional

#### Pro

- Aligns the RDCK with previous direction of the RDCK Board
- Streamlines decision making and reduces the administrative burden of governance activities
- Outlines a long-term governance vision for the RDCK which reflects best practices
- Presents an opportunity to strengthen sub-regional cooperation and service delivery
- Provides a single forum for detailed consideration of all local/ sub-regional matters

Con

- Some sub –regions have limited shared services and therefore the Services Committee may have limited scope
- Some service area boundaries may not fit neatly into jurisdictional boundaries imposed by the sub-regional model
- It may prove challenging for Elected Officials Commissions to accept new limits to delegated authority or changes to historic voting weights in Commission bylaws
- Does not create a single forum for delegated consideration of all water matters ,
- Does not facilitate the development and consistent application of standard practices and decision making across all RDCK water systems
- Administration, including agenda preparation and minute taking, will continue to be a challenge as it is now, as currently many commissions and committees have volunteers filling these roles. Under a sub regional committee model, this will now likely fall to RDCK staff.

**Option 2- Establish Water Services Committee and retain current structure for non –Water Commissions**

***That staff be directed to prepare a report for Board consideration which outlines the draft Terms of Reference for a Water Services Committee and the requirements and work plan necessary for implementation, including the repeal of all water Commission bylaws***

***And Further...***

***That staff be directed to prepare a report for Board consideration which outlines a prioritized work plan for updating bylaws, policies and procedures to improve governance of all non – water RDCK Commissions***

The Huggett/ Lidstone reports envisioned that Water Board functions be fulfilled through the sub-regional governance structures, with some autonomy for making operational and financial decisions delegated by the Board of Directors. While there are some inconsistencies in the model described by Huggett/Lidstone, the ‘Water Board’ terminology does imply a level of independence from the RDCK Board. If created with the delegated authorities described by the authors, the Water Board would be unique entity and layered within an already complicated RDCK governance system.

Upon consideration of the recommendations, the RDCK Board approved a sub –regional governance structure comprised of Committees of the Board within Bylaw 2242. This may have reflected a desire of the Board at the time to limit the delegation of operational authority, and to confirm the Board as the ultimate decision making authority. Considering the Water Board would likely function as an RDCK Committee, for simplicity and accuracy this report refers to a Water Services Committee rather than a Water Board.

The first step in pursuing this option would be Board consideration of a Terms of Reference for the Water Services Committee, with emphasis on the following :

- Composition of the Committee

- Determination of how to govern water systems where sub –regional Services Committees may provide a governance option. This applies primarily to the Creston area water systems.
- Delegated authority

If this option is selected staff proposes that the Water Services Committee would oversee only the current RDCK water systems and any future acquisitions. Matters related to municipal water systems, private water systems or community watersheds could be added to the Committee’s scope in the future

Repeal of water Commission bylaws would follow from the establishment of the Water Services Committee.

#### Pros

- Effectively addresses some of the higher risk circumstances which specifically relate to water Commissions
- Would standardize decision making process across RDCK water systems
- Would provide a forum for consideration of all water related matters

#### Cons

- Does not provide a comprehensive governance solution as only water Commissions are addressed
- Does not strengthen sub –Regional cooperation

### **Option 3 Retain current Commission governance model**

*“That staff be directed to take no further steps to establish a Water Services Committee and to bring forward a report for Board consideration which outlines a prioritized work plan for updating bylaws, policies and procedures to improve governance of all RDCK Commissions”*

The Board may determine that structural changes to the governance model is not desirable at this time, but that improvements are still required. As indicated previously, some problematic aspects of the Commission model are resolving over time through improved administrative systems, use of technology, one-off governance improvements such Commission bylaw updates, and the folding of Commissions due to lack of public interest. These trends are likely to continue, and could be furthered by developing a structured work plan to address the highest priority items.

#### Pro

- Does not require significant staff effort in 2020
- Commission governance could be achieved through updating commission bylaws to better reflect best practices

#### Con

- Does not align with professional recommendations or best practices



- Does not address fundamental issues stemming from the commission governance model
- Highest risk option

### **Options Analysis**

Regardless of the option selected, implementing governance changes will be a long term project. As indicated by the stalled implementation of the Sub –Regional Services Committee model governance improvements must be carefully planned and preferably occur when the affected communities are willing to accept the changes. Changes will occur across a multi-year horizon, and consider the continuing pace of societal change.

It is within the context of an extended time horizon that Directors should evaluate the governance options proposed for consideration. These options proposed are **not** mutually exclusive- the Board could select a combination of these options to be implemented over time. The Board is asked to consider selecting the option that best reflects the ideal governance vision, understanding that implementation is likely a three to five year project and could involve several interim or provisional steps with flexible scheduling to reflect individual community needs or emergent issues. For example:

- Sub Regional Service Committees could be selected as a desired end state, but only enabled when and where conditions reflect political willingness and the perceived best interest of the local community.
- A Water Services Committee could be established as a permanent water governance structure or as a transitional body while the RDCK works toward implementation of the Sub-Regional Services Committee model.
- Under either the Sub Regional Services Committee or Water Services Committee options some Commissions could continue to exist if they are functional and meet both RDCK needs and local community desires.

In requesting the selection of a preferred governance model staff are requesting that an overall direction for governance be established. Within each proposed option there are multiple sub –options that require greater analysis and further decisions of the Board. The more fragmented the governance structure is, the greater the risk continues to exist with the commission structure currently in place.

Under any option selected, staff recommends developing a prioritized list of governance improvements as the first step. Improvements to some current governance structures are both necessary and timely. Staff would prepare an evaluation matrix for Board consideration with the following criteria :

- Assigning a high priority to governance changes where there are identified governance issues, higher risks and political willingness to make changes
- Assign a low priority to implementing governance changes where there are functional governance structures , low risks , and less political willingness to make changes

Two information tables accompany the report to assist Directors' understanding of each option:

**Table 1 – Possible Effects on Governance Structures Under Each Governance Option** highlights the impacts on each of component of the governance structure resulting from the selection of a specific option.

**Table 2- Expected Impact of Each Governance Option on Achieving Governance Objectives** indicates the general alignment of the three options with each stated governance objective

## **SECTION 5: RECOMMENDATION(S)**

Staff request that the Board direct the next steps by passing one of the of the following proposed resolutions:

### **Option 1- Develop Sub-Regional Services Committee structure**

*“That staff be directed to prepare a report for Board consideration which outlines the requirements and work plan necessary to implement the Sub-Regional Services Committees as described within RDCK Bylaw No. 2242”*

### **Option 2- Establish Water Services Committee and retain current structure for non –Water Commissions**

*“That staff be directed to prepare a report for Board consideration which outlines the draft Terms of Reference for a Water Services Committee and the requirements and work plan necessary for implementation, including the repeal of all water Commission bylaws*

*And Further...*

*That staff be directed to prepare a report for Board consideration which outlines a prioritized work plan for updating bylaws, policies and procedures to improve governance of all non – water RDCK Commissions”*

### **Option 3 :Retain current Commission governance model**

*“That staff be directed to take no further steps to establish a Water Services Committee and to bring forward a report for Board consideration which outlines a prioritized work plan for updating bylaws, policies and procedures to improve governance of all RDCK Commissions”*

Staff recommend also that the resolution selecting an option and this report be released publicly by way of the following resolutions:

- 1. That the foregoing resolution be moved to the Open meeting*
- 2. That the Commission Governance Review In Camera Board Report dated Nov. 5, 2020 be received in the Open Meeting*

Respectfully submitted,

Signature: Original Signed by Mike Morrison

Name: Mike Morrison Manager of Corporate Administration

**CONCURRENCE**

**Initials:**

General Manager of Environmental Services  
Chief Administrative Officer

Original approved by Stuart Horn

**TABLES :**

**Table 1 – Possible Effects on Governance Structures Under Each Governance Option**

**Table 2 - Expected Impact of Each Governance Option on Achieving Governance Objectives**

**ATTACHMENTS:**

**Attachment A-** Water Systems Governance Options, Board Report dated December 2019

**Attachment B -** Water Service Options, J Huggett and Lidstone & Co., 2013 (updated 2017)

**Attachment C-** Structure and Functions of Commissions, Lidstone & Co., 2013

**Attachment D –**Bylaw 2242, 2014 – A bylaw establishing sub-regional Services Committees

**Table 1 . Possible Effects on Governance Structures Under Each Governance Option**

	<u>Elected Officials Commissions</u>	<u>Commissions of Management</u>	<u>Community Advisory Committees</u>	<u>Water Services Committee</u>	<u>Sub-Regional Service Committees</u>
<b>Option 1. Develop Sub-Regional Service Committee structure</b>	<ul style="list-style-type: none"> <li>* Complete service review process for Nelson Recreation Commission</li> <li>* Identify issues and workplan for replacing Nelson and Castlegar area Commissions with sub-regional service committees</li> <li>*Objective would be to have Nelson / Castlegar Commissions abolished and functional sub -regional Committees by end of 2023</li> </ul>	<ul style="list-style-type: none"> <li>*Abolishing Commissions on a prioritized basis by end of 2023 with Commission matters then considered by functional sub - regional Services Committees</li> </ul>	<ul style="list-style-type: none"> <li>* Establish CAC's where opportunities present with dissolution of local commissions</li> <li>* Develop scope of CAC's to consider and advise on all matters within the scope of the local sub-regional governance committee</li> </ul>	<ul style="list-style-type: none"> <li>* Water Services Committee could be established on a transitional basis to consider water system matters where there is no functioning sub-regional services committee</li> <li>* Local water system matters transferred to sub-regional services committees as these become functional</li> <li>* Water Services Committee could be retained as a forum to consider water matters of regional interest</li> </ul>	<ul style="list-style-type: none"> <li>* Update Bylaw 2240 to clarify Committee roles and responsibilities</li> <li>* Following from the Creston Valley Services Committee model enable these Committees on a prioritized basis</li> </ul>
<b>Option 2. Establish Water Services Committee and retain current structure for non –Water Commissions</b>	<ul style="list-style-type: none"> <li>* Update and standardize Commission bylaws and continue to implement administrative improvements</li> <li>* Creston area water commissions may be transitioned to governance through the CVSC if desired</li> </ul>	<ul style="list-style-type: none"> <li>* Riondel and South Slokan Commission bylaws should be prioritized for review</li> <li>* Local parks, recreation and economic development Commissions continue as normal</li> <li>* Water- only commissions are disbanded with governance duties transferred to the Water Supply Committee</li> </ul>	<ul style="list-style-type: none"> <li>* Existing CAC's continue 'as is'</li> <li>* New CAC's are added where a water Commission has disbanded, subject to local community interest</li> </ul>	<ul style="list-style-type: none"> <li>*Water Services Committee established to consider matters related to RDCK water systems</li> <li>* As the Committee becomes functional the Committee scope could be expanded to include other water matters</li> </ul>	<ul style="list-style-type: none"> <li>* Creston Valley and North Kootenay Lake Services Committees remain operational</li> <li>* New services Committees may be added where desired and water system matters may be transferred to these as appropriate</li> </ul>
<b>Option 3. Retain current Commission governance model</b>	<ul style="list-style-type: none"> <li>* Update and standardize Commission bylaws and continue to implement administrative improvements</li> <li>* Creston area water commissions may be transitioned to governance through the CVSC if desired</li> </ul>	<ul style="list-style-type: none"> <li>* Riondel and South Slokan Commission bylaws should be prioritized for review</li> <li>* Other Commissions of Management continue as normal , with updated bylaws</li> </ul>	<ul style="list-style-type: none"> <li>* Maintain existing CAC's and establish new ones where desired when / if an existing Commission dissolves</li> </ul>	<ul style="list-style-type: none"> <li>* Not applicable</li> </ul>	<ul style="list-style-type: none"> <li>* Maintain existing Sub- regional committees</li> </ul>

**Table 2. Expected Impact of Each Governance Option on Achieving Governance Objectives**

GOVERNANCE OBJECTIVE	Option 1. Develop Sub-Regional Services Committee structure	Option 2. Establish Water Services Committee and retain current structure for non –Water Commissions	Option 3. Retain current Commission governance model	NOTES
Use staff time efficiently to support Committee/ Commission meetings	Moderate or some improvement expected	Moderate or some improvement expected	Minimal or no improvement expected	Sub-regional Committees may require as much or more staff support as Commissions, but will be fewer in number
Ensure governance bodies adhere to RDCK’s administrative standards	Significant improvement expected	Moderate or some improvement expected	Moderate or some improvement expected	Adherence to the RDCK Procedures Bylaw and administrative standards is an ongoing challenge for Commissions
Limit the operational involvement by Commission members	Significant improvement expected	Moderate or some improvement expected	Moderate or some improvement expected	Increased staff control over operational decisions is an ongoing trend
Reduce information ‘silos’ and shares best practices amongst similarly grouped RDCK operations	Moderate or some improvement expected	Significant improvement expected	Minimal or no improvement expected	Water systems in particular currently exists in ‘silos’ with a large variety of unique governance and operational practices in place
Ensure governance bodies act within the scope of their authority	Significant improvement expected	Moderate or some improvement expected	Moderate or some improvement expected	This objective should be considered a critical priority under any governance option
Strengthen adherence to legal requirements and RDCK policy	Moderate or some improvement expected	Moderate or some improvement expected	Minimal or no improvement expected	Regardless of option selected this is an ongoing trend over time.
Achieve a consistent and streamlined governance structure across the RDCK that is easy for participants and the public to understand	Significant improvement expected	Minimal or no improvement expected	Minimal or no improvement expected	Current governance structure is complicated, has many local variants, and is poorly understood
Strengthen sub-regional cooperation and identity	Significant improvement expected	Minimal or no improvement expected	Minimal or no improvement expected	
Ensure that governance bodies attain quorum and meet regularly	Significant improvement expected	Moderate or some improvement expected	Minimal or no improvement expected	Difficulty in achieving quorum is a worsening trend
Clarify authority delegated by RDCK Board and confirm the Board as the decision-making authority	Moderate or some improvement expected	Moderate or some improvement expected	Moderate or some improvement expected	Under any option the governing bylaws and Terms of Reference will be updated to reinforce the primacy of Board authority
Improve RDCK Board understanding of decisions made by delegated bodies	Significant improvement expected	Moderate or some improvement expected	Minimal or no improvement expected	The Commission governance model inherently limits a full understanding by the Board of Commission recommendations coming forward for Board approval
Strengthen asset management objectives and access to grant funding	Moderate or some improvement expected	Moderate or some improvement expected	Minimal or no improvement expected	Budgeting processes should primarily be directed by elected officials
Facilitate acquisition of new water systems	Significant improvement expected	Significant improvement expected	Moderate or some improvement expected	Moratorium can be lifted without governance changes. As per RDCK policy no new water Commissions will be created
Attract community members to participate in local decision making	Moderate or some improvement expected	Moderate or some improvement expected	Minimal or no improvement expected	Current Commission structure may be barrier to Commission participation. Assumed improvement in options 1&2 are due to expanded CAC model
Reduce administrative burden on volunteers	Significant improvement expected	Moderate or some improvement expected	Minimal or no improvement expected	Assumed improvements in Options 1 & 2 result from CAC’s having substantially fewer administrative and procedural requirements than Commissions
Strengthen roles for non-profit societies and stewardship groups in service delivery	Moderate or some improvement expected	Minimal or no improvement expected	Minimal or no improvement expected	Assumes greater role for societies where parks and economic development Commissions are replaced by sub-regional Committees





## REGIONAL DISTRICT OF CENTRAL KOOTENAY Board Report

**Date of Report:** November 29, 2019  
**Date & Type of Meeting:** December 12, 2019 Open Regular Board Meeting  
**Author:** Mike Morrison, Manager of Corporate Administration  
**Subject:** WATER SYSTEM GOVERNANCE OPTIONS  
**File:** 5270-70

### SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to re-introduce the Board to the *Regional District of Central Kootenay Water Service Options* report first prepared by William Huggett, P.Eng and Lidstone and Company in 2013, and updated in 2017. The Water Service Options report evaluates different governance options for RDCK water systems and recommends that the RDCK establish a Water Supply Board to replace the current Commission governance model to oversee the RDCK's water systems.

This staff report identifies the risks and issues with maintaining the current status quo governance structures and discusses trends and changes relevant to water system governance that have occurred since the Water Service Options report was first considered by the Board.

Resolving the outstanding questions surrounding governance of the RDCK water systems could facilitate lifting the water system acquisition moratorium, and enable qualified applicant water systems to join the RDCK water services. A new governance model would align the RDCK with best practices and professional recommendations, better manage risk in delivering water services, and allow for more efficient use of staff time. Staff request that the Board direct staff to pursue one of the following options:

#### **Option 1- Preferred Option**

That staff be directed to bring forward a report to the Board which outlines the necessary regulatory, operational, financial and communications steps and proposed schedule for establishing a RDCK Water Supply Board as recommended in the Water Service Options Report (2017) prepared by J. Huggett and Lidstone and Company.

#### **Option 2 – Second Preferred Option**

That staff be directed to prepare a report for Board consideration which evaluates in detail the governance, risk, financial and operational implications of other options detailed in the Water Service Options Report (2017) prepared by J. Huggett and Lidstone and Company. Board direction is requested to identify which, if any, other options should be evaluated.

#### **Option 3 – Least Preferred Option**

That staff be directed to take no further action on evaluating alternative governance options for RDCK water systems.

**SECTION 2: BACKGROUND / ANALYSIS**

The RDCK operates twenty water systems, eight of which are governed by Commissions. Six of the Commissions deal with water services only, while the Riondel and South Slokan Commissions govern several distinct services. Many of these Commissions were established more than 30 years ago and have seen few changes in governance despite significant changes having occurred within water service operations. The current water systems acquisition policy allows community advisory committees to be established for local input, but not Commissions. The following table indicates the governance status of existing water Commissions:

<b>RDCK Water System</b>	<b>Structure for public input</b>
Balfour	Community Advisory Committee
Duhamel	No formal public input body
Grandview Heights	Community Advisory Committee
Woodbury Village	Community Advisory Committee
McDonald Creek	No formal public input body
Riondel	Commission of Management
Ymir	Commission, Water Only
Sanca Park	Commission, Water Only
Lucas Road	No formal public input body
Lister	Commission, Water Only
Erickson	Commission, Water Only
Denver Siding	No formal public input body
Arrow Creek	Commission, Water Only
Rosebery Highlands	No formal public input body
South Slokan	Commission of Management
Woodland Heights	Community Advisory Committee
Edgewood	No formal public input body
Fauquier	No formal public input body
Burton	No formal public input body
West Robson	No formal public input body

For those water systems without a formal public input body all governance responsibilities fall to the RDCK Board. Where a Commission is in place, some governance responsibilities are delegated, but ultimately the Board is accountable for decisions made by a Commission. This is important to note when considering new governance models that could streamline the sharing of information used in decision making and risk management. The Commission governance model creates the potential for the Board to ratify Commission decisions without key information being passed along.

In 2012 the Board enacted a moratorium on the acquisition of new water systems in order to address staff capacity, funding, and governance issues within the environmental services department before additional water systems were brought onboard. The Water Service Options report was received in 2013 however progress on the governance review was halted in 2014. When the moratorium was reaffirmed



by the Board in February 2019, staff indicated the governance review would be brought back for Board discussion by the end of 2019. The Water Service Options report is attached for Board consideration. This comprehensive review considers administrative, legal and financial issues related to water system governance. The key issues considered in the report are :

- RDCK exposure to substantial risks by continued delegation of water governance responsibilities to *“unelected, unaccountable and unqualified”* Commission members;
- Timely and relevant considerations that continue to increase risk exposure for water purveyors such as climate change, recent case law, regulatory changes, and asset management and financial sustainability requirements;
- The role of local community input into decision making for small water systems;
- The potential for administrative inefficiencies and operational dysfunction with the Commission governance model and the opportunity under a new governance model to allow limited staff resources to be focused on technical and operational matters.

The report presents several options for ownership, operation and governance of water systems and highlights the advantages and disadvantages of the following models:

- Wholly owned subsidiary corporation (government business enterprise)
- Regional water utility
- Sub regional water utility
- Status quo with or without Commissions
- Water Supply Board

Directors are requested to review the various options and determine if any options are to be considered in detail, or should be eliminated entirely from further consideration. Staff concur with the report authors that some options are either not feasible or not a good fit for the RDCK.

The authors recommend the RDCK Board restructure water system governance around a newly established Water Supply Board, with control of operational and administrative aspects provided by RDCK employees. A Board Report authored by Brian Carruthers, CAO, in 2014 introducing a bylaw to establish the Water Supply Board is included for reference as Attachment B.

The RDCK water system governance landscape has changed somewhat since the Water Service Options report was originally prepared in 2013. The following trends indicate the continued decline in suitability of the Commission governance model for water systems provide justification for Board consideration of alternative governance:

- Expansion and success of the Community Advisory Committee model to provide community input into community water systems. CAC's have been established for several water systems and have proven to be an effective channel for community input.
- Access to infrastructure grants is decreasing for water systems that do not establish and follow asset management plans. This is relevant to the governance discussion as some Commissions have historically prioritized low rates over infrastructure renewal and have deferred or eliminated capital projects to achieve this.
- In some areas there is decreasing public interest in participating in RDCK public bodies. Some Commissions could not achieve meeting quorum for extended periods (Lister and Erickson), and



others have dissolved altogether (Lucas Road, Duhamel). Several water systems function without any formal mechanism for community input (Burton, Edgewood, and Rosebery).

- Commissions are increasingly required to adhere to higher administrative, procedural and legislated standards. Over time this has disrupted the status quo of ‘informal’ operation of some Commissions. The changes are necessary to adequately address risk, but they do make the Commission governance model far less efficient for all involved.
- Increasing regulatory requirements and awareness of the risks and liability inherent in public provision of potable water support an emerging consensus that water operations be managed by qualified staff with oversight by an elected and accountable Board.
- The RDCK utility services continue to grow and more applicant systems are waitlisted pending the lifting of the moratorium on acquiring new systems. Demand for RDCK assistance will continue to grow as the local climate changes. With growth comes administrative burden, which should further drive consideration of efficient governance systems.
- Demands on staff time for supporting Commission processes is significant and results in inefficiencies. The major demands are for budget review (up to 3 meetings per Commission), preparing reports, travelling to meetings, and fulfilling Commission member’s requests for information. Any alternative system, including Community Advisory Committees, would require less staff time than Commissions.

**SECTION 3: DETAILED ANALYSIS**

**a. Financial Considerations – Cost and Resource Allocations:**

<b>Included in Financial Plan:</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<b>Financial Plan Amendment:</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<b>Debt Bylaw Required:</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<b>Public/Gov’t Approvals req’d:</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

None of the options under consideration carry significant financial implications for the RDCK water services. Expenses related to Commission governance are typically a very small portion of any system budget. If a Water Supply Board is established the costs for operating this service would likely equate to corresponding reductions in current service budgets.

The Environmental Services Fee is currently being reviewed and recommended changes will come forward in early 2020. While currently the fee model does not place additional costs on Commissions that make extraordinary demands on staff time, this will be considered in the review. Requiring water services with Commission to fund staff time in proportion to their consumption of time may drive consideration of alternate governance systems.

This fee review is not expected to have any impact on the governance review, but the two processes will be aligned once clear direction is received from the Board.

**b. Legislative Considerations (Applicable Policies and/or Bylaws):**

Subsequent to Board direction, legislative and /or policy changes would be required to accompany any planned changes to the water system governance structure. The specific changes would depend on the option selected by the Board, but could include the following:

- Service establishment bylaw for an RDCK Water Supply Board
- Repeal or amendment to existing RDCK Commission bylaws



- Board resolutions to establish water system Community Advisory Committees
- Amendments to the RDCK Water System Acquisition Policy

The proposed Water Supply Board would govern only the current RDCK water systems and any future acquisitions. The Water Supply Board, in its proposed form, would not apply to municipal water systems, private water systems or community watersheds. Understanding that in the future the RDCK Board may wish to be involved in these areas, it may be possible to include these within the mandate of the Water Supply Board, subject to legal and legislative confirmation. In effect it is possible that the Water Supply Board could function as the governance mechanism through all water related issues be considered, should that be desirable for the Board.

**c. Environmental Considerations**

The RDCK should consider selecting a water governance system that enables the most effective response to environmental challenges and which achieves a reduction in greenhouse gas emissions.

**d. Social Considerations:**

The need to impose a professional management and governance framework on RDCK water systems may not align with the desire of local communities to provide meaningful input into and a semblance of control over their water systems. Ultimately a governance structure should be selected that achieves both requirements in a way that effectively manages risk on behalf of the public.

**e. Economic Considerations:**

Economic growth is enabled by access to secure and well-managed sources of potable water. Streamlined governance structures are critical to ensuring that systems remain well managed.

**f. Communication Considerations:**

If changes to the current governance structure are directed by the Board staff will develop a strategy for consulting with existing Commissions and advisory groups prior to a final decision by the RDCK Board.

**g. Staffing/Departmental Workplan Considerations:**

Updating the water system governance structure is considered a priority project for Environmental Services and Administration staff. Any actions directed by the Board would involve collaboration between these two groups and could be incorporated in 2020 work plans.

**h. Board Strategic Plan/Priorities Considerations:**

This issue aligns to the Coordinated Service Delivery and Water Protection and Advocacy strategic priorities.

**SECTION 4: OPTIONS & PROS / CONS**

**Option 1- Preferred Option**

*That staff be directed to bring forward a report to the Board which outlines the necessary regulatory, operational, financial and communications steps and proposed schedule for establishing a RDCK Water Supply Board as recommended in the Water Service Options Report (2017) prepared by J. Huggett and Lidstone and Company.*

Pro

- Aligns the RDCK with professional recommendations and best practices and reduces risks
- Streamlines decision making and reduces the administrative burden of governance activities
- Allows for appropriate community input on water issues
- Enables the expansion of water operations and more effective responses to future challenges

Con

- Would require a substantial but temporary staff effort to implement
- Would result in some reduction in local control over water systems

**Option 2 – Second Preferred Option**

*That staff be directed to prepare a report for Board consideration which evaluates in detail the governance, risk, financial and operational implications of the following option(s) contained in the Water Service Options Report (2017) prepared by J. Huggett and Lidstone and Company:*

Pro

- Depending on the options directed some governance improvement could be achieved that may align with the pros noted for Option 1

Con

- Does not align with professional recommendations

**Option 3 – Least Preferred Option**

That staff be directed to take no further action on evaluating alternative governance options for RDCK water systems.

Pro

- Does not require significant staff effort in 2020
- Some improvement to commission governance could be achieved through updating Commission bylaws to better reflect best practices

Con

- Does not align with professional recommendations or best practices
- Does not address fundamental issues stemming from the Commission governance model
- Highest risk option

**SECTION 5: RECOMMENDATION(S)**

*That staff be directed to bring forward a report to the Board which outlines the necessary regulatory, operational, financial and communications steps and proposed schedule for establishing a RDCK Water Supply Board as recommended in the Water Service Options Report (2017) prepared by J. Huggett and Lidstone and Company.*

Respectfully submitted,

Signature:



Name:

Mike Morrison Manager of Corporate Administration

**CONCURRENCE**

**Initials:**

General Manager of Environmental Services  
Chief Administrative Officer



**ATTACHMENTS:**

**Attachment A** – *Regional District of Central Kootenay Water Service Options* report prepared by William Huggett, P.Eng and Lidstone and Company, 2017.

**Attachment B** – *Water Supply Board Establishment Bylaw No. 2376* report from Brian Carruthers, CAO, dated January 23, 2014.

**Regional District of Central Kootenay  
Water Service Options**

**July 24, 2013**

**Updated April 26, 2017**

**Jonathan R. Huggett, P. Eng.**

**and**

**Lidstone & Company**

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## 1. Introduction

The Regional Board of the Regional District of Central Kootenay (“RDCK”) is reviewing the structure and function of its rural area water service, taking into account governance, servicing, administrative, legal and financial issues.

The regional district is entering a period of challenges with respect to water services. Regulation of water quality by outside authorities is based on “one size fits all” policies that will be expensive or prohibitive for smaller systems. Yet the regional district has numerous small systems that differ from each other in terms of consumer base, nature of infrastructure, water source, geography, local preferences and legal establishment. Being a purveyor of potable water has never been so risky, given the recent case law on water quality liability and the increased fines for breach of regulations (up to \$200,000.00 and up to 12 months’ imprisonment for elected and appointed officials). Additional challenges and uncertainties include climate change, the increased incidence and scale of wildfires, drawdowns by third parties, absence of redundancy or looping in many of the systems, aging infrastructure, absence of policies for wholesale consumers, implications of environmental sustainability measures on water demand, the legal limits on water rates that can be charged and the potential establishment of undesirable invasive species.

These challenges cannot be left to be addressed by unelected, unaccountable and unqualified overseers of small water systems spread out throughout the regional district. The challenges and consequences referred to in the previous paragraph may be addressed most efficiently by a single authority run by highly qualified professionals with final accountability. The current reality is that of small systems that differ from each other in terms of consumer base, nature of infrastructure, water source, geography, local preferences and legal establishment, and that in many cases are subject to the problems of the local commissions that are described in the companion report entitled “Structure and Function of Commissions”.

When considering whether or not to restructure water supply services, different options (including the status quo, or an improved status quo) should be compared. Accordingly, the Board has requisitioned this report to assist with analysis of the options including the status quo with water commissions of management, a directly managed local government water utility without commissions, a separate water board, a sub-regional water utility (similar to sub-regional resource recovery), a regional water utility or a government business enterprise.

## 2. Executive Summary

- (1) For the reasons set out in this report, the authors recommend that the *regional board* take control of the *governance* of the water service, and the *regional district* as a whole take control of the *administration and operation* of the service. The regional district must operate the water service as an integrated whole, with professional expert oversight and the financial stability of a self-liquidating utility. In regard to each geographical water service instituted by way of an establishment bylaw, governance would be provided by the participating directors for that particular service area. In regard to the administration and operation of the service, each participating director votes [noting that since there is only one participant for each water service for most areas, every director (for those single-director services) present is entitled to vote and has one vote]. This includes bylaws imposing user charges, parcel tax bylaws, and bylaws exercising regulatory authority. The entire Board would vote on the basis of the weighted vote in regard to acquisition, expropriation or disposal of real property; the budget; authorizing borrowing or liabilities; or authorizing persons to enter into contracts. Subject to these voting rules and a delegation bylaw, the effective governance and control of the water service could be addressed by way of a Water Board (a sub-regional governance structure) comprising the electoral area directors.
- (2) The advantages of the model described in paragraph (1) above are that clear and direct accountability would rest with the regional board and not with unelected, unaccountable commissions that do not in many cases act in a manner required by applicable statutes. As well, this option has the advantage of creating opportunities for economies of scale and scope. Further, political oversight limits abuse of monopoly power and ensures protection of vulnerable consumers, particularly in regard to water rates and disconnections. Finally, in the absence of the desire to make a profit or to provide for dividends back to the regional district, this traditional not for profit business model would be appropriate. Consolidation of establishment bylaws and service areas is not recommended. This model could be instituted without approval of the electors.
- (3) Water commissions are not recommended. There are numerous problems with commissions including unlawful imposition of fees, regional district liability exposure, operational dysfunction in some areas, and the inability to comply with regional district meeting, procurement or operational procedures.
- (4) Merely eliminating commissions and proceeding by way of establishment bylaws and service areas would result in a loss of some of the local input, democratic participation, volunteerism, and local accountability afforded by the commission scheme. Local community involvement would be encouraged by way of the institution of local advisory groups and the appointment of members to them by the

applicable electoral area directors. The purpose of the groups would be to make the service more accountable, transparent, accessible and locally responsive. The advisory groups would provide local input for decisions on things like water quality, rates, system expansion, fluoridation and other matters. Initially, the groups could be comprised of members of the former commissions, or the commission establishment bylaws could be refined by constituting the commissions as local advisory groups dedicated to providing local advice and recommendations to the directors.

- (5) A wholly owned subsidiary (commonly called a “government business enterprise”) is not recommended because there is substantial uncertainty about the authority of the regional district to incorporate a corporation for service delivery in the first place; the business would be subject to regulation as an independent “utility” by the B.C. Utilities Commission in regard to water rates, connection fees, requirements to connect users, water quality, water service and other matters; MFA financing would not be available; provincial grants would not be available; regional board operational control would be limited; the corporation would be subject to the *Freedom of Information and Protection of Privacy Act* just the same as it would if it were a regional district service; and the business would be subject to trade agreements that control traditional government services. The advantages of a government business enterprise are that it would create a separate legal entity that shields the Regional District from liability (subject to a number of structural requirements) and the Regional District could exert some control through the threat of removal of directors from the business entity. Despite these two advantages, the disadvantages are significant and militate against the concept of a wholly owned utility subsidiary. Establishment of a society would suffer from most of the same disadvantages.

### 3. Governance

When considering whether or not to restructure water supply services, different options (including the status quo, or an improved status quo) should be compared (Bakker).

The Walkerton Report, for example, lists three options that municipal governments should consider when reviewing their systems: a municipal department; a municipal agency similar to a public utility commission (or board); and a municipal corporation (O’Connor 2002). In addition, the report mentions other options that municipal governments may wish to consider (Table 1).

The recommendations of the Walkerton Inquiry regarding restructuring emphasize the importance of competent, informed public oversight, and careful consideration of the options open to municipal governments (O’Connor 2002a; 2002b).

A restructuring of the current governance of the RDCK water systems is recommended including removal of the Commissions of Management. The principal options appear to be as set out in Table 1.

Table 1 Business Models for a Water Utility (Adapted from Bakker)

Business Model	Who owns infrastructure?	Who operates infrastructure?	Legal status of operator	Legal framework	Who owns shares?	Example
<b>Status Quo (with or without commissions)</b>	Regional District	Regional District (with or without Commissions)	Local Government (with or without delegated Commissions)	Public	n/a	Regional District of Central Kootenay (commissions), Capital Regional District
<b>Separate service, water board</b>	Regional District	Separate Board	Public agency	Public	n/a	Peterborough, Yukon
<b>Sub-regional water utility (similar to sub-regional resource recovery)</b>	Users/cooperative society	Users or delegated authority	Cooperative society or corporation	Varies	n/a (or users)	Rural Alberta Quebec Manitoba
<b>Regional water utility</b>	Government or utility	Utility	Usually defined by special law	Public or Corporate	Government	SaskWater, Greater Vancouver Water District
<b>Government Business Enterprise</b>	Government or private company	PLC as permanent concessionaire	Corporation	Corporate	Local Government, Province	Edmonton

### 3.1 Directly Managed Local Government Water Utility (“Status Quo” With or Without Commissions of Management)

#### 3.1.1 Definition

The directly managed local government water utility model is the first option under consideration. Under this model, the utility is owned and operated by the local government.

Features of the model include:

- Responsibility for operations and maintenance, as well as for capital expenditure on new infrastructure, remain the responsibility of the local government.
- Services are usually organized as a local government department.
- Revenues may be generated through property value taxes, parcel taxes, or user fees (rates) for connections or usage, as well as development cost charges for designated works and capital grants from other orders of government.
- Taxes, rates and charges are set by the local government so that the utility is self-supporting and the debt is self-liquidating, with or without the advice of local advisory entities.

#### 3.1.2 Advantages

- Clear and direct accountability exists through regional board.
- Traditional, not-for-profit business model is politically acceptable.
- Results in coordination with other regional district activities and policies.
- Political oversight limits abuse of monopoly power and ensures protection of vulnerable consumers (particularly with respect to pricing and disconnections).
- Creates opportunities for economies of scale and scope if local government operates other utility services.
- Statutory authority to register covenants and rights of way on title to properties where access or restrictions on use are required in connection with the service.
- Availability of provincial grants.
- Ability to protect the source of water through land use regulation, land acquisition or regional planning.

#### 3.1.3 Disadvantages

- Smaller local governments may not have the resources and expertise required.



- In the absence of a regulator, rates may be set above or below full-cost recovery. The utility may receive subsidies from other orders of government, or may provide often hidden subsidies through deferment of investment, which may lead to deterioration of assets.
- In the absence of a regulator or community accountability and oversight mechanisms, the regional district may not have incentives to operate systems efficiently and effectively.
- Opportunity for economies of scale and scope are lost if the regional district does not operate other utility services.
- Financial requirements for major infrastructure expansion or renewal may be difficult for some local governments to support.

#### 3.1.4 Examples in Canada

The directly managed municipal utility is the most widespread business model for water and wastewater services in Canada. In large urban areas, a region of several municipal governments may manage the services. In the Capital Regional District (“CRD”), for example, 13 municipal governments and the rural areas are served by a collectively managed water and wastewater supply system. The water supply system is owned by the regional district, and is run by a board with members drawn from constituent municipal governments of the CRD. Municipal governments purchase their bulk water at cost from the CRD.

#### 3.1.5 Examples elsewhere

The majority of water supply systems in Europe and the United States are operated directly as municipal utilities. This model is predominant in most industrialized countries, and in urban areas of developing countries.

#### 3.1.6 Water Service Commissions in the RDCK

##### (1) Overview

A number of water service commissions have been established by the RDCK for the governance, management, administration and operation of some of its water services. This section 3.1.6 contains only key findings of the separate report dated July 24, 2013 entitled “Structure and Function of Commissions” (“Commissions Report”). The reader is directed to refer to the detailed analysis contained in the Commissions Report.

##### (2) Problems and Difficulties

RDCK staff have identified numerous problem areas with respect to RDCK commissions. A summary of these problem areas was set out in a staff report of Chief Administrative Officer Brian Carruthers, dated June 4, 2013, in which he wrote the following:

The Enhancing Organizational Excellence report by Gord MacIntosh identified issues with the current model of delivering services through Commissions. As stated in the report:

“An advisory body accountability gap is evident among Board and staff by way of:

- Commissions are making recommendations directly to the Board without relevant advice and/or CAO comment;
- Uncertainty and the cumulative impact regarding how much staff technical and administrative support is provided to each Commission; and
- Liability and risk exposure when Commissions and/or its members act without due regard for regulations or standards.”

Further to these gaps, the writer has experienced first-hand the various challenges and liabilities regarding Commissions. These include but are not limited to:

- Conflict between Commissions/members and RDCK staff when there are disagreements on operational matters. This conflict has escalated in some cases to personal attacks and insulting language towards staff;
- Purchasing and financial transactions on the part of the Commissions with no adherence to policies or procedures;
- Inconsistent procedures and record-keeping associated with meetings;
- Inordinate amounts of time spent by Managers and CAO dealing with conflict within Commissions or between Commissions and staff;
- Excessive administrative time advising and/or correcting inadequate financial and other documentation;
- Confusion and frustration on the part of staff trying to manage operations in accordance with regulations or standards and coming up against resistance and resentment from Commissions/members;
- Liability exposures from Commissions/members addressing matters inappropriately, independently and without regard for standards and regulations;
- Strain on staff resources resulting from Commission requests, often small but with cumulative effects on staff capacity;
- Poor decisions and poor quality works resulting from the desire to reduce standards or think ‘short term’ in order to cut costs.

As well, there are a number of additional problems from a legal perspective:

- The enabling bylaws as a whole do not provide that recommendations by commissions should be submitted to staff prior to going to the RDCK Board, nor do they address how much staff technical and administrative support is provided to each Commission.
- The enabling bylaws as a group do not provide for commissions to return unspent grant funds. The requirement is simply that the commissions’ financial activities conform with the estimates provided to the RDCK Board.

- While staff have identified concerns with the fact that commissions are reporting directly to the Board and staff are not given the opportunity to review and/or provide recommendations or comments on commission submissions, we note that the enabling bylaws do not require such staff oversight.
- We note that many of the problems currently being experienced with the commissions arise because the enabling bylaws do not obligate the commissions to take certain actions. For example, there is no legal obligation for the commission to seek staff advice or comment prior to making recommendations to the Board. Because commissions are governed by their enabling statutes, if staff wish to be given the opportunity to provide the Board with recommendations on commission activities, the enabling bylaws should have been modified to reflect this process. Similarly, the enabling bylaws do not address how much staff technical and administrative support is provided to each commission, nor does the RDCK Bylaw.
- If commissions had been governed in large part by one bylaw (perhaps with rules regarding appointments and membership in the commissions set out in a schedule to that bylaw), the RDCK might also be able to streamline the financial reporting by commissions, such that all commission budgets are entered into a standard form to be submitted to the RDCK. This would have reduced administrative time that is currently spent on advising and correcting the financial documentation created by commissions. Such a bylaw would have addressed the consequences of purchasing and financial transactions on the part of the commissions that do not adhere to RDCK policies or procedures. It would also require commissions to be accountable for reporting the results of grant fund spending by the commission.
- For the most part the requirements for taking and submitting minutes of commission meetings are standard across the enabling bylaws. The RDCK has not, however, standardized the time period by which the minutes must be submitted, and that this standard be a particular length of time, rather than “without delay”.
- commissions have not been required to circulate agendas and post notice of meetings. Such practices would cut down on infighting between commissions members in relation to “secret meetings”, which we understand causes difficulties for RDCK staff and wastes valuable staff time and resources.
- section 373 of the *Local Government Act* provides that the RDCK financial officer must keep “separate financial records for each service that include full particulars of assets and liabilities, revenues and expenditures, information concerning reserve funds and other pertinent financial details.” If there are any concerns that a commission is not submitting this information to the regional district, the RDCK should be sufficiently concerned as on that basis the RDCK is failing to meet its own statutory financial obligations.
- Some of the commissions we have reviewed contain delegation provisions which are inconsistent and at times, contrary to each other. Most of the commissions’ enabling bylaws provide that the RDCK Board delegates to the commission the administrative powers over the service at issue. For example, under Duhamel Creek (Portion of Area F) Water Commission of Management Bylaw No. 824, 1990 the delegations to some commissions are inconsistent, to the extent that the bylaw attempts to delegate the

administration of the water service to the commission, but then requires that any act or proceeding of the commission be authorized by the RDCK Board by resolution. In our opinion, the latter provision is unnecessary, as it negates the whole reason for setting up the commission in the first place, namely, the delegation of the administration and operation of the water service to the commission.

- Section 232 of the *Local Government Act* requires the Board, in some circumstances, to establish procedures for reconsideration of the decision of a delegate. We are unaware of whether such procedures have been established for decisions of RDCK commissions.
- Fees may only be imposed by way of a fee bylaw, and cannot be delegated to commissions yet some of the commissions have been imposing fees.
- Some of the commissions have been entering into agreements with suppliers but without following the regional district purchasing policy.

In addition to this description of the concerns with the current operation of RDCK commissions, we have been provided with numerous examples of the less than optimal operation, management and oversight of RDCK commissions, as well as examples of the communication breakdown that occurs between commission members and RDCK staff. Examples include:

- Complaints regarding Regional District services that have been subsumed by other services or commissions but are still on RDCK books, and nominal fees are still billed monthly;
- Concerns with the adequacy of reporting to the RDCK Board by commissions;
- Concerns with appointments to commissions; and
- Inconsistencies in commission agendas and minutes, including the facts that:
  - commission agendas do not indicate they are a commission of the RDCK; and
  - minutes come in all forms and are even sometimes embedded within emails.

In this review of water service commissions, we have addressed only those problem areas that relate to or raise concerns about compliance with legal obligations and best practices by RDCK commissions. To the extent that some of the concerns identified above and by the RDCK Board and staff are corporate, human resources, or operational matters, we refer the Board to the 2012 RDCK Corporate Review, *Enhancing Organizational Excellence*.

### (3) Fixing the Commission Model

Although this report recommends proceeding without commissions for the reasons set out in the Commissions Report (see “Recommendations” in section 4), the Board may for some reason wish to attempt to fix the current commission model. The commission model employed by the RDCK might be improved and made to work more effectively, since delegation of authority to commissions theoretically frees the RDCK Board and staff from some of the day-to-day operation of the services. In addition, the ‘local governance’ provided by commissions allows the users of a service to become involved, and thus become invested, in the operation of the services.

Despite the suggestions for improvements to commission structure and function set out in the Commissions Report, the list of problems with commissions leads to the conclusion that this experiment has failed. The commission management model is not recommended for the water service. The significant challenges described in the Introduction to this report cannot be left to be addressed by unelected, unaccountable and unqualified overseers of small water systems spread out throughout the regional district. The challenges and consequences referred to in the Introduction may be addressed most efficiently by a single authority run by highly qualified professionals with final accountability. The current reality is that of small systems that differ from each other in terms of consumer base, nature of infrastructure, water source, geography, local preferences and legal establishment, and that in many cases are subject to the problems of the local commissions that are described in the Commissions Report.

### 3.1.7 Water Board

The establishment of a Water Board is recommended to enhance the regional district water service concept by facilitating decision making at a sub-regional level.

This would allow the participating directors to “download” most of the “heavy lifting” of sub-regional decision-making onto a sub-regional board and create a greater sense of ownership of the service.

According to the recommendations from staff, if a Water Board is developed, it should be done so for the following purposes:

- To create a structure that gives communities and regions the opportunity to create visions for their future and develop their own economic base to fund future services
- To create a structure that equips the Water Board with tools and resources to achieve economic prosperity, environmental sustainability and public accountability
- To create a “sense of ownership” within the community of service ownership and financial independence
- To create a structure that is widely accepted in the community as the governing committee of all sub-regional services and improve the transparency of service delivery models
- To create consistency in water service, addressing complaints and asset management
- To enhance the ability to secure and manage water sources and protect watershed

According to a 2011 report prepared by Jim Gustafson in regard to sub-regional entities:

“A certain mystique exists about regional districts and the SRGC is a legislative attempt to debunk the mystique and put more authority in the hands of sub-regional commissions. Currently, there is an illusion that all the power resides in the home base of the Regional District or in the case of the RDCK, Nelson. This perception is not true and many of the decisions of the RDCK come from committees, advisory

planning commissions, public meetings, public hearings, etc. Regional District agendas are largely made up of reports from others.”

“An effective SRGC will:

- Encourage building citizen capacity and engagement in important and routine decision-making
- Encourage local media coverage of issues being analyzed by the SRGC
- Plan for the future and recommend reserves, capital projects, major maintenance decisions, user rates and tax levies
- Monitor service performance criteria and report regularly to the community and the Regional Board
- Represent all interests within the defined services and conduct its affairs in an open and transparent manner”.

The Water Board would be created under section 263(1) of the *Local Government Act*. The model is set out in Schedule A.

## 3.2 Separate Water Services

### 3.2.1 Definition

Public utility commissions and municipal boards are separate legal entities created for the purposes of operating a specific utility service or services.

Some features of the model include:

- Commissioners or board members are either elected or appointed by a Regional Board or Council.
- A sense of community is amplified to the extent the Commission or Board is the employer and owns the assets.
- The regional board or council approves the operating budget and rates.
- Operational decision making is delegated to a utility board.
- “Ring-fenced” budget – utility is stand-alone financially.
- Commissions or boards may run a wide variety of services (e.g. gas, water, wastewater, parks).
- Revenue is from user fees (rates) rather than via property taxes.

### 3.2.2 Advantages



- Capital reserves are dedicated.
- There is greater financial accountability.
- Full cost recovery over asset lifecycle is easier to implement.
- There is easier access to finance, in some cases.
- Business is not necessarily restricted to local government boundaries.
- Administration costs may be spread over a wider range of businesses.

### 3.2.3 Disadvantages

- Public and political accountability may be weakened.
- Coordination is required with local government on a wide range of issues, including planning, regional growth strategies, economic development, trunk main repair and other matters.
- Labour costs are higher (in some cases)
- Availability of government subsidies is uncertain.
- Potential difficulties securing and protecting water sources.

### 3.2.4 Examples in Canada

Boards are widespread in municipal governments in Canada, and are usually dedicated to specific services, such as public health. Different provinces have slightly different models; in Ontario, for example, until restructuring of the utility sector in the mid-1990s, Public Utilities Commissions were widespread, delivering a range of utility services (including electricity, water and sewerage). Some commissions or boards are limited to one municipal government or restricted geographical area. The Peterborough continues to have a Public Utilities Commission, which owns water supply assets, which are in turn operated by a corporatized municipal utility section. Other boards are more extensive: in the Yukon, one Water Board is mandated with managing and protecting surface and sub-surface water resources in the territory.

### 3.2.5 Examples Elsewhere

Separate water services are widespread in the United States for water supply, water resources and irrigation. In France, regional water agencies play a role analogous to water boards, regulating water resources and in some cases supplying bulk water to municipal governments.

## 3.3 Sub-Regional Water Utility (Similar to Sub-Regional Resource Recovery)

### 3.3.1 Definition



A cooperative is an enterprise owned and managed by the users of the goods and services provided. Users can be consumers, employees or producers of products and services. In OECD countries, this model is most widely used in rural areas; in developing countries, the model is widespread. Cooperatives have a long history in the agricultural and banking sectors.

### 3.3.2 Advantages

- Direct accountability exists.
- There is a high degree of user involvement.
- System is responsive to users' needs.
- Administrative costs may be lower.
- There is flexibility in design and technology.

### 3.3.3 Disadvantages

- The regional district legislative framework and political governance culture prevent this option, unless the water service is alienated to a separate water cooperative under the *Cooperative Association Act*
- Scale: smaller utilities may find it difficult to source finance.
- In the absence of a regulator, incentives for efficient operation may be lacking.
- Management expertise may be substandard; poor maintenance and/or deterioration of infrastructure may occur.
- Availability of government subsidies is uncertain.
- Potential difficulties to secure access and restrict use of water users' premises, if necessary in respect of some water treatment options (for example, point of entry treatment infrastructure).
- Potential difficulties securing and protecting water sources.

### 3.3.4 Examples in Canada

The cooperative model has been used to deliver public services for over a century in Canada, in social housing, child care, health services and school boards. More than 400 cooperatives for the provision of utility services exist in Canada, serving 150,000 households. Services include electricity and gas distribution, telephone services, waterworks and sewage, and firefighting. Water supply cooperatives tend to be small and located in rural areas; 178 water supply cooperatives, mainly in Alberta, Quebec and Manitoba, responded to the most recent survey of cooperative activity by the federal government's Cooperatives Secretariat.

### 3.3.5 Examples Elsewhere

Water cooperatives are widespread in Denmark, where cooperatives are common in rural areas in the form of financial services, consumer, producer, and worker co-ops (particularly in the agricultural sector), as well as housing, local transportation, and water and power utilities. Water cooperatives are also widespread in Finland, where there is a long-standing tradition of private participation in water services, through not-for-profit and self-sufficient “water associations” and cooperatives owned and managed by the consumers, especially in rural and sparsely populated areas.

In developing countries, even relatively large cities may have cooperatively run water supply systems. The city of Santa Cruz, Bolivia, has run its water supply system as a consumer cooperative since the 1970s; it is regarded as having one of the best-run water supply systems in Latin America. Santa Cruz has achieved 94% water supply coverage of its population of 700,000—a rate significantly higher than that of most other Latin American cities. Improvement in performance of the Santa Cruz water supply system over the 1990s was significantly better than that of Bolivia’s two other major cities, in which water supply systems were run by the municipal government (Cochabamba) and by a private-sector operator (La Paz).

## 3.4 Regional Water Utility

### 3.4.1 Definition

A Crown corporation is a stand-alone agency or corporation that is specially created for the purposes of running a utility service or services at a regional or national level. They are public agencies, publicly owned and overseen and subject to public law. Crown corporations are created under a special law or act drawn up specifically for the utility; the utilities are not usually constituted as stockholding entities, and may be exempt from (certain) taxes.

Other features of the model include:

- Corporate structure; tasks, responsibilities and powers are defined in a special act.
- Government is the sole shareholder.
- Boards usually have representation from senior government officials.
- Autonomy in day-to-day operational management.
- Operates at provincial/state or national level.
- Particularly suited for network industries that operate at a large scale (e.g. electricity).
- Vertically and horizontally integrated.
- Often externally audited rather than by a government auditor.

### 3.4.2 Advantages

- Provides economies of scale and scope.
- Required management expertise can be obtained.
- Management is autonomous.
- Finance may be accessed at favourable rates – the utility can be added to the Municipal Finance Authority purview by regulation.
- Gas tax grants can be made to water utilities
- Could have options to secure water sources and protect watershed, which may not be available to other water providers.

### 3.4.3 Disadvantages

- Requires rationalization and consolidation of industry, which may be politically unacceptable.
- Ineffective regulation may lead to abuse of monopoly power and inefficient management.
- The lack of effective regulation/oversight results in a lack of incentives for innovation.
- There is reduced transparency, accountability and user input into decision making, in many cases.
- The utility would be (fully or partly) regulated by the BC Utilities Commission.

### 3.4.4 Examples in Canada

In Canada, Crown corporations are distinct legal entities that are wholly owned by the government, and that usually have a well-defined service mandate. Their use by government to deliver important public programs dates back to Confederation; they operate in many sectors of the Canadian economy, including transportation, energy and resources, agriculture and fisheries, financial services, culture, and government services. Crown corporations vary widely in size and in the level of financial support they receive from the government; they may operate commercially, or require a debt or operating subsidy from the government. At the provincial level, many provinces created Crown corporations to run hydro-electricity utilities (such as Ontario Hydro, Hydro-Québec and BC Hydro).

In Saskatchewan, SaskWater is a wholly owned subsidiary of the provincial government's Crown Investments Corporation. The corporation manages, administers, develops and protects the water and related land resources in Saskatchewan. It has three main areas of business activity: water management and protection, water supply and wastewater treatment services, and water-based economic development.

### 3.4.5 Examples Elsewhere

The Crown corporation business model is prevalent in Africa, Asia and Latin America where large numbers of public utilities were converted in the 1970s and 1980s.

## 3.5 Government Business Enterprise

### 3.5.1 Overview

This report examines the legal implications of regional delivery of water service in the Regional District of Central Kootenay through a wholly owned corporate subsidiary of the Regional District. In discussions leading up to this report, the proposed entity has been referred to as a “GBE: Government Business Entity”. As explained below, this is something of a misnomer, as the corporate entity would be delivering a service, not carrying on a business. Therefore, for clarity and ease of reference, the corporate entity will be referred to in this opinion as a “CS: Corporate Subsidiary”.

The Ontario Energy Competition Act (1998) required all municipal electric utilities in Ontario to incorporate by November 2000 in the run-up to anticipated deregulation of the province’s electricity sector. The provisions of the Municipal Act (2001) permit the corporatization of water and wastewater services. The cities of Kingston and Peterborough have corporatized water supply services. Some cities (including Edmonton, Hamilton and Kingston) have created municipal multi-utilities.

The corporatized public utility business model is found in Western Europe (including Germany, the Netherlands, Italy and Belgium). This model does not tend to be “self-exporting” because company bylaws often forbid operators from expanding activities beyond their service area or beyond the core business of water and sanitation services. Stockholding local bodies, representing the interests of local customer constituencies, are often unenthusiastic about and frequently prohibit perceived high-risk non-core or non-local business ventures.

As set out below, there is a threshold issue as to whether the Regional District is lawfully permitted under the *Local Government Act* to incorporate an entity for the provision of a service. Although the statute is ambiguous on this fundamental point, we set out below our analysis of the legal implications of water service delivery through a CS with respect to funding, taxation, regulation and liability, however, the reader must be aware that the statutory authority for a Regional District to incorporate a CS for service delivery is uncertain.

That said, generally Regional District service delivery through a CS would include the following advantages and disadvantages:

Advantages	Neutral factors	Disadvantages
Separate legal entity shields		Threshold legal

RDCK from liability (subject to structural requirements)		uncertainty about RDCK's lawful authority to incorporate a corporation for service delivery
RDCK control maintained through appointment/removal of directors (not direct management)	Subject to <i>Freedom of Information and Protection of Privacy Act</i>	Subject to regulation as a "water utility" by the BC Utilities Commission
	Subject to trade agreements	MFA financing unavailable
	Eligible for federal grants	Provincial grants unavailable
	Property tax exemption	RDCK operational control limited
	Income tax exempt	

### 3.5.2 Alternative Structure: Corporate Subsidiary

Among RDCK's goals in seeking to restructure the delivery of water in the Regional District are to achieve more efficient and effective control over water delivery, while reducing the Regional District's liability in the service provision. Accordingly, we examine the implications of service delivery through a wholly owned corporate subsidiary of RDCK ("CS").

A corporation is a separate legal entity, distinct in law from its owner. A corporation has the same legal rights and obligations an individual does: including the right to own property, enter contracts and sue and be sued. In this way, a corporation limits the liability of its owner/shareholder. The corporation is also taxed separately from the owner. The owner will typically delegate control over the corporation to the corporation's board of directors, but the owner will retain the right to appoint and terminate members to the board of directors, so as to maintain ultimate control over the corporation.

### 3.5.3 Service vs. "Commercial, Industrial and Business Undertakings"

An important threshold issue is whether the Regional District has the authority under the *Local Government Act* to incorporate a corporation for the purpose of delivering a service. In contrast to the *Community Charter*, the *LGA* is, on its face, more restrictive of a Regional District's authority to incorporate than is the *Charter* for municipalities.

The *Charter* says:

***Fundamental powers***

8 (1) A municipality has the capacity, rights, powers and privileges of a natural person of full capacity.

(2) A municipality **may provide any service** that the council considers necessary or desirable, and may do this directly or through another public authority **or another** person or **organization**.

However, by contrast, the *LGA* says:

### Corporate powers

263 (1) Subject to the specific limitations and conditions established under this or another Act, the corporate powers of a board **include the following**:

...

(f) to engage in **commercial, industrial and business undertakings** and **incorporate** a corporation or acquire shares in a corporation **for that purpose**;

(g) to establish commissions to

(i) **operate regional district services**,

(ii) undertake operation and enforcement in relation to the board's exercise of its regulatory authority, and

(iii) manage property or an interest in property held by the regional district.

Because section 263 distinguishes on its face between “commercial, industrial and business undertakings” and the operation of “regional district services”, and provides for incorporation for the former purpose and the establishment of commissions for the latter, there is a reasonable argument based upon the principles of statutory interpretation that the Regional District cannot establish a corporation to operate regional district services. While s. 263(1) does state that the listed powers in that section are those “include[d]” in the corporate powers of the board—and therefore, the list is not exhaustive—the principle *expressio unius est exclusio alterius* (the expression of one thing is the exclusion of another) suggests that the statutory scheme contemplates that regional districts are permitted to incorporate corporations only for commercial, industrial undertakings and that services are a) distinct from that category of undertaking and b) restricted to commissions as distinct from corporations.

On the other hand, the *LGA* does appear to contemplate that a regional district might incorporate a society (i.e. a not-for profit corporate entity) where the *Community Charter* excludes such an incorporation from requiring the approval of the inspector of municipalities (s. 185 of the *Community Charter*). Under the case law, the trend is generally to interpret “business” or “commerce” as being associated with the pursuit of profit: see e.g. *William Weselowski & Associates Lt. v. Currie* 2001 BCCA 635. Therefore by contemplating regional district

incorporation of a society, the *LGA* appears to be contemplating the incorporation of a corporation other than for the purpose of “engag[ing] in commercial, industrial and business undertakings” as s. 263(1)(f) contemplates. Societies may carry on a business “to advance or support the purposes of a society” (*Societies Act* s. 2(2)). However, rather than facilitating the interpretation of the statute, the apparent contradiction between s. 263 and 185 complicates the question.

Unfortunately, the definitions of “service” and “business” under the *LGA* and the *Charter* do not resolve the issue determinatively. Accordingly, the question can only be definitively determined by judicial interpretation. This makes service delivery by CS an uncertain legal proposition for RDCK.

The remainder of the analysis proceeds on the assumption that incorporation for service operation and delivery is permitted under the *LGA*.

#### 3.5.4 Non-profit corporation

The analysis proceeds on the understanding that the corporation would not be “for-profit.” This is for the following reasons:

- If the Regional District would plan to dispose of land or improvements to the CS (eg water distribution and treatment facilities), without first offering the land or improvements to the public, the CS has to be a not for profit corporation: *LGA* s. 285(2)(a).
- In the absence of a partnering agreement, the CS would only be eligible for a) municipal property tax relief, and b) only if it is a non-profit organization.
- In addition, we assume that Regional District voters as consumers and rate payers will resist paying more for their water than it costs to provide it, even if the excess or profit were returned to the RDCK to be put toward other regional district expenses.

Being not-for-profit does not mean necessarily that the corporation would be a society (and indeed, arguably, the purpose of water service delivery is not a permitted purpose under the *Societies Act* s. 2: “... a society may be formed under this Act for one or more lawful purposes, including, without limitation, agricultural, artistic, benevolent, charitable, educational, environmental, patriotic, philanthropic, political, professional, recreational, religious, scientific, social or sporting purposes”). However, the CS could be incorporated under the *BC Business Corporations Act*, but operate as a not-for-profit corporation. This would restrict use of any revenues to fulfilling the purposes of the corporation. Excess revenues could not flow back to the Regional District.

Moreover, as a threshold issue, even if the corporation were to stipulate in its articles of incorporation that it is a not-for-profit corporation, the RDCK would require the approval of the inspector of municipalities to incorporate or acquire shares in a corporation: s. 265 of the *LGA*. Such approval is not required for the incorporation of a society.



## (1) Board cannot delegate powers to subsidiary corporation: s. 191(2) LGA

While the regional district board does have the authority to delegate its “powers, duties and functions, including those specifically established by an enactment, to its officers and employees, its committees or its members, or to other bodies established by the board” (s. 229(1)), this authority to delegate specifically “does not include authority to delegate to a corporation” (s.229(3)). This also precludes delegating to a society, since society potentially comes within the meaning of corporation for the purpose of section 229(3) (based on specific exclusion of societies from the scope of the term “corporation” in section 265(1)(a)).

Therefore, the operation of the service by the corporation (or a society) would have to be achieved through a service agreement between the Regional District and the corporation, rather than the delegation of authority to the corporation.

## (2) Service Agreement: s. 263(1)(a) LGA

On the other hand, the Local Government Act specifically permits the board to make agreements respecting “the regional district's services, including agreements respecting the undertaking, provision and operation of those services, other than the exercise of the board's regulatory authority” (s. 263(1)(a)(i)).

## 3.5.5 Corporate Structure

## (1) Ownership

This report considers a wholly owned subsidiary option for RDCK, which means RDCK would be the sole shareholder.

Eligibility for federal funding requires the corporation to be wholly owned. Otherwise, RDCK could consider joint ownership of the corporation. We have not been advised that RDCK is interested in exploring this option. The structure of any joint ownership is beyond the scope of this memo.

The Board can decide to delegate the voting of its shares, but may wish to maintain control over certain matters by the entire Regional District board.

## (2) Directors

The RDCK as shareholder will appoint the CS board of directors. Potential appointees are discussed below.

(a) RDCK Directors:

The *Conflict of Interest Exceptions Regulation, 91/2016*, under the *Community Charter* (which applies to regional districts pursuant to section 205 of the *LGA*) enables elected officials to sit as directors on some corporate and society boards

without the risk of a pecuniary conflict of interest. This exception applies to all societies under the *Societies Act* and to corporations incorporated by the local government (which the elected official represents) that provides a service to the said local government. The elected official wishing to participate in the corporate/society board must be appointed to the board by the local government (presumably, by a resolution of the local government). The elected official appointed to the corporate/society board subject to the Regulation may make decisions to expend public funds or provide other specified benefits to the corporation or society which they serve.

The *Conflict of Interests Exception Regulation* was enacted to address the uncertainty created by the 2013 BC Court of Appeal decision in *Schlenker v. Torgrimson* 2013 BCCA 9. In *Schlenker* the Court of Appeal held that a pecuniary conflict of interest may arise where elected officials sit on boards of directors, when they are called upon in their elected capacity to make a financial decision (such a decision to expend public funds) affecting the corporation or society which they serve. While they do not themselves have a personal pecuniary interest in the outcome of the decision, their fiduciary duty as a director to act in the best interest of the corporation may conflict with their duty as an elected official to act in the best interest of the community.

If RDCK wishes to appoint Regional District board members to the board of the CS, we recommend that these directors be clearly appointed by a resolution of RDCK and that the appointed directors familiarize themselves with the Regulation. They would have to be able to determine which decisions are subject to the Regulation and which decisions may create a conflict of interests.

On the whole, we would not recommend appointing all of the RD directors to the CS board. Further, we recommend not restricting CS board membership to RD directors. This is in part to avoid the problems that arise around conflicts of interest which the Regulation addressed only in part—if there is too great an overlap between board membership of the RDCK and the CS, one or both of the organizations could be paralyzed at key decision making moments. We also advise against exclusively appointing RDCK directors to the CS board so as to protect against liability for the RDCK. Vicarious liability for negligence could be found if the RDCK is determined to have effectively “directed” the CS to take action that is negligent. Therefore, it is to RDCK’s benefit to be able to point to an independent CS board of directors that is independently directing the corporation.

(b) RDCK Staff:

RDCK could appoint staff members to the CS board of directors. This may allow placing staff members with useful technical knowledge on the CS board of directors. Staff members have a duty of loyalty to their employer, the RDCK, and would as CS directors have a fiduciary duty to act in the best interest of the CS. However, in so far

as staff members are not in the same decision making position as elected officials in the RDCK, this potential conflict between roles is less likely to be an issue than for elected RDCK officials.

Again, it would be important to maintain the independent mind of the board of directors of the CS. Therefore, despite staff duty of loyalty to the RDCK, RDCK could be vulnerable to liability if it were to be found to be “directing” its staff on how to direct the CS.

External appointees: RDCK may also consider appointing some or all members to the CS board who are external to RDCK. This would buttress the apparent independence of the CS, which contributes to maintaining the separate legal personality of the CS from the RDCK. Further, RDCK maintains the ultimate power to appoint and remove directors, as sole shareholder.

(c) Maintaining the Corporate Veil

The starting point in Canadian law is that the corporation is a separate legal entity from its owners and directors, and owners and directors of a company are personally liable for the debts, obligations, defaults or acts of the company. This is generally what is referred to as “the corporate veil.”

However, the corporate veil is not absolute, and courts will in rare circumstances, “pierce” the veil, to find liability with the owners or directors of a corporation. Accordingly, we advise the following principles be considered in determining whether and how to proceed with a CS for water service:

- Courts may attribute liability to an owner in cases where:
  - The separate entities are being used
    - To thwart the intent of a legislative scheme;
    - For an improper purpose, such as fraud, tax evasion, misrepresenting the identity of the corporation;
  - Doing so would be “flagrantly opposed to justice”;
  - Where the corporation is essentially the agent of the owner, with no true separate personality, including where the owner is found to have “directed” the corporation to take negligent action.

The RDCK and the CS can guard against the possibility of a court piercing SODC’s corporate veil, by ensuring that:

1. The CS acts lawfully at all times;

2. The CS expressly conducts itself on its own behalf and does not represent that it is an agent of the RDCK;
3. Where the CS and the RDCK both wish to contract with a third party, RDCK and the CS enter into separate contracts with the third party, or at a minimum are very clear that they are not entering into mutual covenants or joint and several obligations; and
4. The CS complies with all requirements with respect to corporate filings, financial statements and tax returns.

With respect to the specific issue of whether the CS would be held to be under the control of the RDCK, in order to guard against this possibility the RDCK and the CS should ensure that:

1. The CS's revenue and profits are kept separate from the District (this is also important if the CS is to be not-for-profit);
2. The CS should determine and fulfil its mandate without constant direction, input and oversight by the RDCK;
3. The CS should maintain its own office premises and staff; and
4. The CS should be vigilant in ensuring that all those who deal with the CS are aware that they are dealing with a separate corporation and not the RDCK.

(d) Insurance

The interplay between the statutory indemnities provided under the *Local Government Act* to the RD and its elected officials, officers and employees on the one hand, and wholly owned subsidiary corporations on the other, is unsettled in B.C. Law. However, in order to maintain the separate legal personality of the corporation, we would also recommend that the CS obtain Directors and Officers (errors and omissions) insurance and general comprehensive liability insurance, rather than seeking to extend RDCK issuance and statutory indemnities to the CS and its directors.

### 3.5.6 Restriction on Financing

(1) Providing Assistance: s. 176(1)(c) LGA

- (a) *Limitation: No assistance to industrial, commercial or business undertaking s. 273*

A wholly owned corporate subsidiary is a separate legal entity from the Regional District. Therefore, *prima facie*, the Regional District may be restricted in its capacity to assist or finance the CS under s. 273 of the *Local Government Act*. While s. 263(1)(c) provides that a board may “provide assistance for the purpose of benefiting the community or any aspect of the

community”, s. 273 states: “As a limitation on section 176 (1) (c), a board must not provide assistance to an industrial, commercial or business undertaking.”

In our opinion, it cannot at this point be established whether the CS that RDCK would pursue would be impacted by s. 273. That is because it is not clear that the CS would be “an industrial, commercial or business undertaking”. As stated above, the *LGA* distinguishes between the terms “service” and “business”; and, whereas it is possible to envision delivering a service through a commercial or business model, the case law tends to interpret “business” or “commerce” as being associated with the pursuit of profit. Accordingly, a CS that is delivering a service on a not-for-profit basis may not fall under the restriction on assistance to business provision of the *LGA*.

We also note that Courts have been reluctant to delve in to municipal agreements to determine whether the scheme of the agreement gives ‘something for nothing’ on the whole, amounting to “assistance”: *Misty Mountain Charters Ltd. v. Revelstoke (City)*, 2010 BCSC 1246 and see *Nelson Citizen's Coalition v. Nelson (City)* (1997), 31 B.C.L.R. (3d) 134 and *International Paper Industries Ltd. v. GVRD*, 2006 BCSC 72. That said, some things are “assistance” by definition: s. 272 *LGA*.

All of that said, even if s. 273 does apply, it can be overcome pursuant to s. 274 of the *LGA* by entering in to a partnering agreement between the RDCK and the CS. Where a partnering agreement is in place, the regional district can provide assistance.

Whether a partnering agreement will be required and the form it would take would be a matter for future legal advice if the board wishes to pursue the CS model. It is not at this time, in our opinion, a determining factor in deciding whether to proceed with the CS model.

(2) Notice and Approval of Assistance

(a) *Notice*

Even with a partnering agreement in place the board would have to publish notice of its intent to provide any of the following assistance (s. 272 *LGA*):

- (a) disposing of land or improvements, or any interest or right in or with respect to them, for less than market value;
- (b) lending money;
- (c) guaranteeing repayment of borrowing or providing security for borrowing;
- (d) assistance under a partnering agreement.

Under s. 272(2): The notice must be published before the assistance is provided and must include

- (a) the intended recipient of the assistance, and
- (b) the nature, term and extent of the proposed assistance.

(b) *Approval*

Further, if the Regional District would incur a capital liability or provide a loan guarantee on behalf of the CS it will require approval of the electorate if the agreement is for more than 5 years or may through renewal or extension exceed 5 years: *LGA* ss. 402 and 403.

If CS is not for profit, then Regional District can dispose of land or improvements to the CS. However, if it is for profit, then the Regional District must first offer the land or improvements to the public (s.285(1)).

However note that even so, if the RD will be disposing of any “works for the supply, treatment, conveyance, storage and distribution of water” to the CS, then the RD will need (s. 288(2)(c)):

- Agreement that water service will be continued for a specified period of time and
- Assent of the electors

## 3.5.7 Funding

## (1) Municipal Finance Authority

The CS would not be eligible for financing through the Municipal Finance Authority.

The CS would not be a “public institution” under definition set out in the *Municipal Finance Authority Act*. Therefore, the corporation would not be eligible for revenue anticipation or short term capital borrowing, nor borrowing under a temporary loan authorization bylaw as regional districts may do: s. 11(1)(a)-(c) *MFAA*.

Similarly, the financing that may be available to a regional district under a local government agreement with the Municipal Finance Authority would not be available to the corporation: s. 11.1(1). The *Municipal Finance Authority Regulation* s. 4 has specifically prescribed institutions that may receive financing under s. 11.1 of the *Act*, and there is no scope to interpret the inclusion of a wholly owned corporate subsidiary under the allowable institutions.

That said, the CS would not be subject to the borrowing restrictions set out above that apply to a RD.

## (2) Provincial Grants

Nor would the CS be eligible for Provincial grants.

While the *Local Government Grants Act* does allow for the issuance of some grants related to water services beyond local governments to certain corporate bodies called “greater boards” (see ss. 1, 5, and *Local Government Grants Regulation* ss. 9(a), 10, and 13). Those boards must be incorporated “by an Act”, therefore a corporation incorporated under the *B.C. Business Corporations Act* would not qualify. “Greater board” is defined in the *Community Charter* s. 1:

"greater board" means the corporate body, incorporated by an Act, with responsibility for the provision of water or sewage and drainage services.

Beyond this, provincial grants are limited to municipalities and regional districts under the Act.

(3) Federal Grants

However, the CS would be eligible for federal grants under the existing framework, including the Canada-BC Bilateral Agreement, Clean Water and Waste Water (signed in 2016, expires in 2020) and the Renewed Gas Agreement signed in 2014. .

(a) *Infrastructure Framework Agreement*

The Canada/British Columbia Infrastructure Framework Agreement, entered into in 2007 and set to expire March 31, 2015 would, on its face, allow funding for water infrastructure to flow to the regional district's corporate subsidiary.

To qualify for a Major Infrastructure grant or funding under the Base Funding initiative, the regional district subsidiary can act alone or in partnership with the regional district (Schedule A 1.1(3) and 2.1(3)). To qualify for Communities Component grant or money under the Base Funding initiative, the subsidiary's application would have to be supported by the regional district (Schedule A 1.2(3)). (Note that qualifications provided for in the Agreement which are based on the subsidiary being wholly owned by a municipality would not apply to ownership by a regional district (see e.g. Schedule A s. 1.1(2) and 1.2(2)).)

- (b) *Note that we do not go further in this opinion as to the likelihood of the wholly owned subsidiary actually receiving grant money administered pursuant to this Agreement beyond determining threshold eligibility. This is because the Agreement is set to expire in only 20 months. While the federal government has announced that a new long term agreement will be put in place, no draft language is available for review. Therefore, eligibility for this funding cannot be a certainty at this point in deciding whether to pursue a CS approach to water service operation and delivery Gas Tax funds*

As above, the CS would be eligible to receive funding under the UBCM/Federal Government Gas Tax Agreement. Under the Agreement, Eligible Recipient includes wholly owned corporations of local governments.

That said, as above, the Gas Tax Agreement is set to expire in 2015, and there is no draft language to review for a future replacement agreement. As well, being eligible for doesn't ensure receiving funding under the agreement.

Gas tax funding in British Columbia is administered by UBCM. The Gas Tax Agreement sets out three different funding streams:



1. Community Works Fund (CWF)
2. Innovations Fund (IF); and
3. General Strategic Priorities Fund (GSPF).

For the RDCK, the largest pool of funds is the CWF (\$1.2 million annually in recent years), the second largest, the GSPF, and the third the IF.

CWF: All local governments outside the Greater Vancouver Regional District automatically receive funding under the CWF. Funding is based primarily on a per capita formula with a funding floor, and delivered twice annually. These local governments make local choices about which eligible projects to fund and report annually on these projects and their outcomes.

Therefore, RDCK could choose to use CWF funding to pay for services provided by the corporation.

GSPF and IF:

- In contrast, the GSPF and IF are application-based funds, used to support environmental sustainable projects that are larger in scale or regional in impact.
- Both the GSPF and the IF provide investments towards capital projects that improve public transit, local roads, bridges and tunnels, active transportation, community energy, water, wastewater or solid waste infrastructure that reduce greenhouse gas (GHG) emissions, or provide cleaner air or cleaner water. GSPF and IF also provide investments towards certain capacity building and Integrated Community Sustainability planning projects.
- Within these investment goals, funding is specifically targeted in the GSPF program towards strategic investments that are larger in scale or regional in impact and in the IF program towards projects that reflect an innovative technology or approach.
- Eligible Projects are those that result in tangible capital assets in BC primarily for public use or benefit, owned by an eligible recipient, that improve the quality of the environment and contribute to reduce GHG emissions, cleaner air and cleaner water.
- Both the GSPF and IF grants are awarded up to the lesser of 100% of the actual eligible project costs and 100% of the eligible project costs identified in their application.
- All applications are reviewed by a Gas Tax technical assessment team and scored based on criteria set out in the program guides (e.g. sustainable community outcomes, environmental outcomes, large in scale, regional in impact or innovative technology or approach).
- These reviews are forwarded to the Gas Tax Management Committee, which approves projects based on technical scores. The Gas Tax Management Committee consists of senior staff appointed by Infrastructure Canada, BC Ministry of Community, Sport, and Cultural Development, and UBCM.

Therefore the CS would be eligible to apply for these funds directly.

We note that RDCK was funded from 2005-2010 under the IF program for Community Drinking Water Improvement Projects for \$870,000.00.

### 3.5.8 Taxation Exemptions

We were asked: if the water service is owned and operated by a subsidiary, is it exempt from property taxes and income tax, and is it eligible for the provincial sales tax rebate?

#### (1) Property Tax Exemption

The subsidiary would not be exempted from the payment of property taxes for land it owned under s. 391(3) and s.391(4) of the *Local Government Act*. The exemption only applies to land and improvements owned by the regional district within the boundaries of the regional district when used for the regional district's own purposes. Further, the corporation could not come under the exemption by leasing or renting the property back to the regional district: s. 391(2) *LGA*. This is true for rural property (*Taxation (Rural Area) Act* s.2 and s.15(v)) and property held within a municipality (*Community Charter* s. 197(2)).

However, if there is a partnering agreement:

- With the RD, then RD can exempt the CS from taxation (s. 396 LG)
- With municipality, then municipality can exempt the CS from taxation (224(2)(e) CC)

Even if there is no partnering agreement, a municipality can exempt a non-profit organization from taxation: (224(2)(a)(i) CC).

#### (2) Income tax exemption

##### (a) *British Columbia*

Under the B.C. *Income Tax Act* all BC corporations have an obligation to pay income tax: s. 2(2). However, s. 27 provides an exception that no tax is payable where a person (including corporation) is "exempt from tax by virtue of section 149 (1) of the federal Act." Therefore, where federal exemption from income tax applies, it applies provincially as well.

##### (b) *Canada*

Under the Federal *Income Tax Act*, s. 149 provides that:

**149.** (1) No tax is payable under this Part on the taxable income of a person for a period when that person was:

...

(c) a municipality in Canada, or a municipal or public body performing a function of government in Canada;

...

(d.5) subject to subsections 149(1.2) and 149(1.3), a corporation, commission or association not less than 90% of the capital of which was owned by one or more municipalities in Canada, if the income for the period of the corporation, commission or association from activities carried on outside the geographical boundaries of the municipalities does not exceed 10% of its income for the period;

Ownership by a Regional District, whose members are municipalities, would meet the definition of “one or more municipalities in Canada” under s. 149(1)(d.5), therefore the CS would be exempt from income tax.

It is important to note though that if the CS carries on more than 10% of its activities outside the Regional District, then the whole of the CS’s income could become taxable.

### (3) Other Tax Exemptions

- Regional Districts do not receive provincial sales tax rebates, therefore there is no basis upon which the RD’s subsidiary would receive a rebate (see Part 5 of the Provincial Sales Tax Exemption and refund Regulation; note s. 105 would not apply).
- We are unaware of the Minister having made the necessary designation under Part IX of the Excise Tax Act s. 259(4) to apply to a wholly owned subsidiary of a Regional District the GST rebate provided to municipalities under s. 259(4) of the Act.
- Despite being a wholly owned subsidiary of the Regional District, the CS would not enjoy the exemption from property transfer tax that the Regional District does under the Property Transfer Tax Act. We do note however that if the water licence structure under the CS qualifies the CS a “water users community” under the *Water Act*, the exemption would apply: *Property Transfer Tax Act* s. 14(3)(s).

### 3.5.9 Regulation

#### (1) *Water Utility Act* and *BC Utilities Commission Act*

The CS would be regulated by the *BC Utilities Commission* as a public utility under the *Water Utility Act*.

Regional Districts are exempt from regulation as water utilities under the *Water Utility Act* (s. 1):

**"water utility" ...does not include**

(g) a regional district under the *Local Government Act* in respect of the service of the supply of water

(i) in bulk to a municipality or electoral area participating in that service, or

(ii) to consumers in a municipality participating in that service,

Otherwise, under s. 1 of the *Water Utility Act* "water utility" means:

(a) a person who owns or operates in British Columbia equipment or facilities for the diverting, developing, pumping, impounding, distributing or furnishing of water, **for compensation**,

(i) to or for more than the prescribed number of persons or, if no number is prescribed, 5 or more persons, or

(ii) to a corporation, and

(b) the lessee, trustee, receiver or liquidator of a person referred to in paragraph (a).

Therefore, *prima facie*, a corporation will be a "water utility" under the Act: "for compensation" would include the service agreement model, even if the CS were not operated "for profit".

This would be so despite the CS being a wholly owned subsidiary of the Regional District. As discussed, a regional district is a distinct legal entity from its wholly owned corporation. The *Water Utility Act* specifically invokes the definition of "regional district" under the *Local Government Act*, which defines:

**"regional district"** means, as applicable,

(a) a regional district incorporated under this Act, or

(b) the geographic area of a regional district corporation referred to in paragraph (a);

The legislation must be read on its plain meaning. The legislature must be presumed to have chosen its language intentionally; the legislature included the incorporated body and the geographic area in the definition of regional district, but did not include subsidiary corporate bodies. This interpretation is all the more supported by the fact that the legislature clearly contemplated that regional districts would be incorporating subsidiary bodies (see s. 265 of the *LGA* imposing provincial approval requirements before a regional district may incorporate or acquire shares in a corporation other than a society.)

Therefore the subsidiary corporation would be a “water utility” under the *Water Services Act*. This would make it subject to the same regulation as a public utility is under the *Utility Commission Act*. The full scope and effect of this regulation is beyond the scope of this memorandum, but generally:

- Provides the Utilities Commission general supervision of the utility with the ability to set standards and make a broad range of inquiries, examinations and orders on its own motion to ensure the reasonable, safe and fair service of the utility (ss. 23-26)
- Public utility is under an obligation to provide service without delay or discrimination (s. 38-39), and cannot cease the provision of service without the commission’s permission (s. 41)
- Ongoing duty to provide information as requested or obligated to commission and keep accounts and records as required by the commission
- May require obtaining a Certificate of Public Convenience and Necessity (s. 45)

(2) *Freedom of Information and Protection of Privacy Act*

The CS would be subject to the *Freedom of Information and Protection of Privacy Act*.

The Regional District’s obligations under *FOIPOP* would extend to the subsidiary pursuant to s. 3 of the *Act* and Schedule 1 definition of “local government body” which includes:

(n) any ... corporation that is created or owned by a body referred to in paragraphs (a) to (m) [(c) *regional district*], and all the members or officers of which are appointed or chosen by or under the authority of that body...

(3) Trade Agreements

(a) *TILMA and NWPTA*

The Trade Investment and Labour Agreement (BC/Alta) and New West Partnership Trade Agreement (BC/Alta/Sask) both apply to “government entities”, which include “regional, local, district or other forms of municipal government as well as any corporation or entity owned or controlled by one or more of the preceding entities.”

(b) *NAFTA*

The rules relating to government procurement under Chapter 10 of the North American Free Trade Agreement do not apply to local governments, therefore there is no basis upon which to extend those provisions to a wholly owned corporate subsidiary of a local government.

#### 4. Recommendations and Implementation

For the reasons set out in this report, the authors recommend that the *regional board* take control of the *governance* of the water service and the *regional district* as a whole take control of the

*management, administration and operation* of the service. The RDCK Board (or a subset of the Board, as discussed below) would make administrative and policy decisions regarding the services, and RDCK staff would be responsible for their day-to-day operation. The Board would appoint local advisory groups to provide local input to policy decisions including water quality, rates system expansion, fluoridation and other matters. The optimal model, accordingly, is that of a directly managed local government water utility without commissions. For legal and experiential reasons, the corporate subsidiary, water board, sub-regional or regional utility options are not recommended. Subject to the Regional Board final accountability, governance and control of the water service could be addressed by way of a Water Board (a sub-regional governance structure) comprising the electoral area directors.

The advantages of the directly managed local government water utility without commissions model include the fact that clear and direct accountability would rest with the regional board and not with unelected, unaccountable commissions that do not in many cases act in a manner required by applicable statutes. As well, this option has the advantage of creating opportunities for economies of scale and scope. Further, political oversight limits abuse of monopoly power and ensures protection of vulnerable consumers, particularly in regard to water rates and disconnections. Finally, in the absence of the desire to make a profit or to provide for dividends back to the regional district, this traditional not for profit business model would be appropriate.

The Commissions Report documents the legal, financial and governance concerns with the current commission model. Despite the current commission of management model, the RDCK Board and staff are heavily engaged in the operation and administration of the services, due in large part to dysfunction and difficulties with the commissions as they currently stand. This direct regional management option is advisable as it effectively addresses the specific issues listed in the Commissions Report and most importantly provides a valid legal structure compared to what is largely occurring.

Under the recommended option, local community involvement could be encouraged by way of the institution of local advisory groups and the appointment of members to them by the applicable electoral area directors. The purpose of the groups would be to make the service more accountable, transparent, accessible and locally responsive. The advisory groups would provide local input for decisions on things like water quality, rates, system expansion, fluoridation and other matters. It is open to the directors to appoint individuals from the existing commissions to these advisory groups, or to refine the commission bylaws to constitute the commissions as entities to provide local advice and recommendations to the applicable directors.

The individual water services in the various areas were established over the years by way of supplementary letters patent, specified area bylaws, service continuation bylaws, or service establishment bylaws. It would appear that most service areas have had the benefit of establishment bylaws since 2010. Under the directly managed local government water utility model the service could be continued as a set of existing services or consolidated under one overarching establishment bylaw. Consolidation of establishment bylaws and service areas into one without approval of the electors is feasible under sections 349 and 350 of the *Local Government Act*, subject to Inspector approval and ministerial waiver of elector approval. The

disadvantage of amending all the *establishment* bylaws to create one set of service areas is that this would also militate against a framework that encourages local transparency, accountability, responsiveness and a relationship between a local electoral area director and the water users in his or her constituency.

One water service *regulatory* bylaw that contains limitations, restrictions, controls, regulations, rules, prohibitions and requirements for people and properties that have access to the water service within the establishment bylaw areas is recommended in the interests of uniform standards, practices and enforcement throughout the regional district. Under section 335 (2) of the *Local Government Act*, the Board may by bylaw regulate or prohibit in relation to the water service.

In regard to each water service instituted by way of an establishment bylaw, governance would be provided by the proposed sub-regional governance board (“Water Board”), participating directors for that particular area. In regard to the administration and operation of this service, each participating director votes. Where there is only one participant for each water system, every director who is present is entitled to vote and has one vote. This includes bylaws imposing user charges, parcel tax bylaws, and bylaws exercising regulatory authority. However, the entire Board would vote on the basis of the weighted vote in regard to acquisition, expropriation or disposal of real property; the budget; authorizing borrowing or liabilities; or authorizing persons to enter into contracts. Under this option, policy and financial accountability would rest with the Water Board and ultimately with the Regional Board, the commission problems would be eliminated and local community involvement would be encouraged by way of the institution of the local advisory groups.

## 5. References

Bakker, D. K. *Good Governance in Restructuring Water Supply: A Handbook*. Federation of Canadian Municipalities.

Canada, B. C. (2005). *Agreement on the Transfer of Federal Gas Tax Revenue*.

## Schedule A

### WATER BOARD MODEL

1. The Water Board would be a board created, defined and operated pursuant to an establishment bylaw and a delegation bylaw.
2. The Water Board would provide recommendations and advice on a regular basis to the Board of Directors, complete with minutes of scheduled meetings.



3. The Water Board would monitor and assess the water services of the RDCK within the service areas of the participants, while recognizing that different services have different boundaries and voting on service matters would vary from service to service.
4. The Water Board acknowledges that the Board of Directors of the RDCK is the local government authority for the sub-region and the final authority is the RDCK Board of Directors.
5. The Water Board roles and responsibilities are as follows:
  - (i) Annually prepare and approve budgets for operations, debt, and infrastructure renewal
  - (ii) On a regular basis, monitor operations, budgets and capital works programs and make adjustments as required
  - (iii) Authorize change in service levels and program service priorities
  - (iv) Accept public delegations that may want to advise the Water Board about community concerns of the RDCK services
  - (v) Recommend to the Board of Directors new regulation bylaws, service reviews, major contract awards, need for legal opinion, and alternative service delivery methods.
  - (vi) Consider and advise the Board of Directors on long term asset management and service sustainability
  - (vii) Consider and advise the Board of Directors on sufficiency of water sources, alternate source identification and acquisition
  - (viii) Consider and advise the Board of Directors on safety and protection of water sources and recommend watershed protection options
6. Consult with local Advisory Groups, First Nations, member municipalities, private corporations, societies and other organizations that may have an interest in the Water Board's affairs.
7. The Water Board would develop its own policies regarding enforcement actions provided it does not conflict with existing regulatory provisions established by Board resolution, bylaw or policy.
8. The Water Board would develop a business case analysis for new or significant changes to existing services.

*For this Schedule, the model was adapted from the draft RDCK Sub-Regional Governance Proposal to the Province dated August 31, 2011*

**Regional District of Central Kootenay**  
Structure and Function of Commissions

Privileged and Confidential

July 24, 2013

LIDSTONE & COMPANY  
BARRISTERS & SOLICITORS

# Regional District of Central Kootenay

## Structure and Function of Commissions

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## 1. Overview

A number of commissions have been established by the Regional District of Central Kootenay (“RDCK”) for the administration and operation of some of its services. In this report we:

- outline the problems and difficulties that have arisen as a result of the commission model;
- review the enabling bylaws of the commissions and their current practices;
- review the legal obligations of RDCK commissions;
- review the legal obligations of the RDCK Board with respect to the commissions;
- outline concerns about commission compliance with legal obligations and best practices; and
- provide alternative governance options to ensure continued community involvement in delivery of services while limiting the exposure and administrative impacts on the RDCK.

## 2. Executive Summary

There are two types of commissions in the RDCK:

- commissions of management comprising non-elected appointees who are involved in the governance, management and operation of various RDCK facilities (such as parks, water systems or community halls)
- commissions comprising elected officials and responsible for overseeing one or more facilities such as parks or recreational facilities (such as Nelson E&F Recreation Commission and Castlegar I&J Recreation Commission)

There are circumstances in a number of regional districts where the structure and function of commissions of management that are made up primarily of citizens are appropriate in the context of the nature of the services provided and the valid and effective implementation of the commission model from the outset. However, in the RDCK there are numerous legal, financial and governance issues with existing commissions of management that have been problematic for so long that the systemic dysfunction is beyond repair or saving. The commissions of management could be replaced with advisory groups. In the alternative, in some cases the facility the commission administers could be transferred to a non-profit society to operate on behalf of the community, with the Board providing financial grants to the society similar to a contribution service.

There are numerous problems with commissions of management including the following:

- fees may only be imposed by way of a fee bylaw, and cannot be delegated to commissions, yet some of the commissions impose fees;

- some of the commissions have been entering into agreements with suppliers but without following the regional district purchasing policy;
- in some cases, where grants are issued and conditions are imposed on the grants, these are not enforced by the commissions;
- the enabling bylaws as a whole do not provide effectively or at all for financial accountability, regional board oversight, staff and technical support, control of grant funding, valid delegation of executive or administrative powers;
- the rules governing some commissions vary from rules governing others, so that efficacy varies from one function or area to another;
- there is liability exposure as a result of commissions and their members addressing matters inappropriately, independently and without regard to statutory requirements, standards or regulations;
- there is evidence of conflict between the commissions and some of their members on the one hand and RDCK staff on the other hand when there are disagreements on operational matters;
- there is evidence of purchasing and financial transactions with no adherence to policies or procedures;
- there are inconsistent procedures and record keeping associated with meetings;
- inordinate amounts of time are spent by managers and the CAO dealing with conflicts within commissions or between the commissions and RDCK Staff;
- there is evidence of distribution of grant funds recommended by commissions with no accountability for results or returning unspent funds;
- there is excessive administrative time advising or correcting inadequate financial or other documentation;
- there is confusion and frustration on the part of staff trying to manage operations in accordance with regulations or standards and coming up against resistance and resentment from commissions or members;
- there are complaints regarding RDCK services that have subsumed by other services or commissions but are still on RDCK books;
- there are concerns with the adequacy of reporting to the Board by the commissions;
- there are concerns with the appointments to the commissions; and
- there are inconsistencies in commission agendas and minutes, including the facts that commission agendas do not indicate that they are from the commission and minutes come in all forms and are often imbedded within emails.

For the reasons set out in this report, the authors recommend that the Regional Board take control of the governance of the subject services and the Regional District as a whole take control of the administration and operation of the services. In regard to each service instituted by

way of an establishment bylaw, governance would be provided by the participating directors for the particular participating areas. In regard to the administration and operation of this service, each participating director votes on the basis of the aggregate weighted vote. This includes bylaws imposing user charges, parcel tax bylaws, and bylaws exercising regulatory authority. However, the entire Board would vote on the basis of the weighted vote in regard to acquisition, expropriation or disposal of real property; the budget; authorizing borrowing or liabilities; or authorizing persons to enter into contracts.

Merely eliminating commissions and proceeding by way of establishment bylaws and service areas would result in a loss of some of the local input, democratic participation, volunteerism, and local accountability afforded by the commission scheme. Accordingly, it is recommended that local community involvement be encouraged by way of the institution of local advisory groups and the appointment of members to them by the applicable electoral area directors. The purpose of the groups would be to make the service more accountable, transparent, accessible and locally responsive and to ensure that volunteers are not discouraged. The advisory groups would provide local input for decisions on such matters as regulations, fees, charges, property value taxes, service levels, area expansions, and other matters. Initially, the groups could be comprised of members of the former commissions. We suggest that the Board could amend the commission enabling bylaws to streamline the functioning of the commissions by focusing on the “advisory and recommending” functions. In such a model, the RDCK would ultimately make all decisions about the RDCK services in issue, and, where appropriate, would routinely delegate to the streamlined commissions matters for their advice and recommendations with respect to a host of options.

The elected officials’ commissions, on the other hand, could be replaced with area-specific boards that oversee the operational aspects of a number of joint services common to the electoral areas and municipalities in that area. This could include recreation facilities, cemeteries, community halls and other matters. There are some natural groupings based on geographical adjacency (such as Nelson/Salmo and Electoral Areas G, E, and F, Castlegar/IJ, Slokan Valley/H, Creston/ABC, Nakusp K (and H), and Kaslo D). These entities, analogous to the sub-regional governance entities described in the companion Water Services Report dated July 24, 2013, would liaise with staff and make operational decisions in the best interest of the services.

The advantages of the recommended governance and service model are that clear and direct accountability would rest with the Regional Board and not with unelected, unaccountable commissions that do not in many cases act in a manner required by applicable statutes.

### **3. Problems and Difficulties**

RDCK staff have identified numerous problem areas with respect to RDCK commissions. A summary of these problem areas was set out in a staff report of Chief Administrative Officer Brian Carruthers, dated June 4, 2013, in which he wrote the following:

The Enhancing Organizational Excellence report by Gord MacIntosh identified issues with the current model of delivering services through Commissions. As stated in the report:

“An advisory body accountability gap is evident among Board and staff by way of:

- Commissions are making recommendations directly to the Board without relevant advice and/or CAO comment;
- Uncertainty and the cumulative impact regarding how much staff technical and administrative support is provided to each Commission; and
- Liability and risk exposure when Commissions and/or its members act without due regard for regulations or standards.”

Further to these gaps, we have identified the various challenges and liabilities regarding Commissions. These include but are not limited to:

- Conflict between Commissions/members and RDCK staff when there are disagreements on operational matters. This conflict has escalated in some cases to personal attacks and insulting language towards staff;
- Purchasing and financial transactions on the part of the Commissions with no adherence to policies or procedures;
- Inconsistent procedures and record-keeping associated with meetings;
- Inordinate amounts of time spent by Managers and CAO dealing with conflict within Commissions or between Commissions and staff;
- Recommendations for distributions of grant funds by Commissions with no accountability for results or returning unspent funds;
- Excessive administrative time advising and/or correcting inadequate financial and other documentation;
- Confusion and frustration on the part of staff trying to manage operations in accordance with regulations or standards and coming up against resistance and resentment from Commissions/members;
- Liability exposures from Commissions/members addressing matters inappropriately, independently and without regard for standards and regulations;
- Strain on staff resources resulting from Commission requests, often small but with cumulative effects on staff capacity;
- Poor decisions and poor quality works resulting from the desire to reduce standards or think ‘short term’ in order to cut costs.
- think ‘short term’ in order to cut costs.

As well, there are a number of additional problems from a legal perspective:

- The enabling bylaws as a whole do not provide that recommendations by commissions should be submitted to staff prior to going to the RDCK Board, nor do they address how much staff technical and administrative support is provided to each Commission;



- The enabling bylaws as a group do not provide for commissions to return unspent grant funds. The requirement is simply that the commissions' financial activities conform with the estimates provided to the RDCK Board;
- While staff have identified concerns with the fact that commissions are reporting directly to the Board and staff are not given the opportunity to review and/or provide recommendations or comments on commission submissions, we note that the enabling bylaws do not require such staff oversight;
- Many of the problems currently being experienced with the commissions arise because the enabling bylaws do not obligate the commissions to take certain actions. For example, there is no legal obligation for the commission to seek staff advice or comment prior to making recommendations to the Board;
- For the most part the requirements for taking and submitting minutes of commission meetings are standard across the enabling bylaws. The RDCK has not, however, standardized the time period by which the minutes must be submitted, and that this standard be a particular length of time, rather than "without delay";
- Commissions have not been required to circulate agendas and post notice of meetings. Such practices would cut down on infighting between commissions members in relation to "secret meetings", which we understand causes difficulties for RDCK staff and wastes valuable staff time and resources.
- Section 814 of the *Local Government Act* provides that the RDCK financial officer must keep "separate financial records for each service that include full particulars of assets and liabilities, revenues and expenditures, information concerning reserve funds and other pertinent financial details." Concerns that a commission is not submitting this information to the regional district may mean that the RDCK is failing to meet its own statutory financial obligations;
- Some of the commissions contain delegation provisions which are inconsistent and at times, contrary to each other, to the extent that they delegate the administration of the service to the commission, but then require that any act or proceeding of the commission be authorized by the RDCK Board by resolution. This negates the whole reason for setting up the commission in the first place, namely, the delegation of the administration and operation of the water service to the commission;
- Section 194 of the *Local Government Act* requires the Board to establish procedures for reconsideration of the decision of a delegate. We are unaware of whether such procedures have been established for decisions of RDCK commissions;
- Fees may only be imposed by way of a fee bylaw, and cannot be delegated to commissions yet some of the commissions have been imposing fees;
- Some of the commissions have been entering into agreements with suppliers but without following the regional district purchasing policy; and
- In some cases, where grants are issued and conditions are imposed on the grants, the conditions are not enforced by the commissions.

In addition to this description of the concerns with the current operation of RDCK commissions, we have been provided with numerous examples of the less than optimal operation, management and oversight of RDCK commissions, as well as examples of the communication breakdown that occurs between commission members and RDCK staff. Examples include:

- Complaints regarding Regional District services that have been subsumed by other services or commissions but are still on RDCK books, and nominal fees are still billed monthly;
- Concerns with the adequacy of reporting to the RDCK Board by commissions;
- Concerns with appointments to commissions; and
- Inconsistencies in commission agendas and minutes, including the fact that:
  - commission agendas do not indicate they are a commission of the RDCK; and
  - minutes come in all forms and are even sometimes embedded within emails.

#### 4. Enabling Bylaws and Current Practices

We have reviewed the enabling bylaws for approximately 36 RDCK commissions, including 9 water commissions, 2 economic development commissions, 9 recreation commissions, 6 park commissions and 10 advisory planning commissions.

The form and content of the enabling bylaws varies. By and large the enabling bylaws use one of two forms or templates (with a number of exceptions). The first template was used in most of the bylaws that were enacted in the 1980s and 1990s, and the second, for bylaws adopted in the 2000s. An example of the former is Lister Commission of Management Bylaw No. 412, 182 and the latter, Sunshine Bay Regional Park Commission Establishment Bylaw No. 1550, 2002. While there is significant overlap between these two bylaw templates, there are some significant differences, which are examined in depth below.

We note at the outset that in this opinion we have not reviewed the historical enactment of the enabling bylaws, to determine whether each was validly enacted and that all procedural requirements were met. For the purposes of this legal review we assume that all of the commissions' enabling bylaws were validly enacted, and our review focuses on whether the bylaws and current practices of the RDCK commissions conform to the legal requirements set out in British Columbia's local government legislation.

##### (a) *Appointments and Composition*

All of the enabling bylaws provide for members in the commission. The number of commission members varies, running from 3 to 15 members. There are many instances where the RDCK Board has amended the enabling bylaws to vary the amount of commission members.

The majority of commissions are comprised of one elected RDCK Board Director and a designated number of members-at-large (e.g. Roseberry Parklands and Trails Commission Bylaw No. 2062, 2009). Others are comprised entirely of elected officials (e.g. Arrow Creek Water Treatment and Supply Commission Establishment Bylaw No. 1579, 2002) and others, entirely of

members-at-large (e.g. Historic Ainsworth Wharf Regional Park Commission Establishment Bylaw No. 2088, 2009).

The enabling bylaws provide for members-at-large to be appointed by the RDCK Board, in many cases upon recommendation from the Electoral Area Director or Municipal Director for the participating areas of the service (e.g. Duhamel Creek (Portion of Area F) Water Commission of Management Bylaw No. 824, 1990). In some instances members are appointed by third-party bodies. For example, School District No. 8 appoints a member-at-large to the Village of Salmo and Electoral Area G Recreation Commission No. 7. In contrast, for some commissions third-party organizations may only recommend a member to the RDCK Board for appointment (e.g. Slocan & Valley South Regional Parks and Recreation Commission Bylaw No. 1348, 1999).

Most of the commission enabling bylaws require members-at-large to “reside” or own property within the electoral area or specified service area. Members-at-large are appointed to commissions for terms of 1 – 3 years.

### **(b) Meetings**

Every enabling bylaw provides for meetings of the commission. Most provide for the election of a Chairman and Secretary, set out the number of members necessary to constitute a quorum, and establish that each member is entitled to one vote.

The frequency of regular meetings is usually provided for in the enabling bylaw (e.g. Regional Recreation Commission Number Ten (10) Bylaw No. 686 1988). In some instances the frequency and dates of regular meetings is set by commission resolution. Often the commission chairman or any two members may summon a special meeting with two days’ notice in writing to each member.

Most bylaws require that meetings be held within the service’s specified area, or within the relevant electoral area (e.g. Riondel Commission of Management Bylaw No. 607, 1986).

The commissions are responsible for minutes to be taken at all of their meetings. These minutes must be submitted to the Regional District. Some of the bylaws provide that the minutes must be certified as correct by the commission secretary, signed by the chairman or other member presiding at the meeting (e.g. Regional Recreation Commission Number Ten (10) Bylaw No. 686 1988), and delivered to the RDCK. The bylaws often establish the timeline by which minutes must be delivered or submitted to the RDCK. With reference to the two bylaw ‘templates’ identified above, the former requires minutes to be delivered within two weeks of the meeting (e.g. Regional District of Central Kootenay Electoral Area “A” Economic Development Commission Bylaw No. 587, 1986), or and the latter, “without delay” (e.g. Kaslo and Area Regional Facilities, Recreation, and Parks Service Commission Bylaw No. 2023, 2009).

About half of the commissions’ enabling bylaws provide that the commission shall regulate its own conduct and procedure and the other half adopt the RDCK Procedure Bylaw by reference.

(c) *Reporting and Financial Activities*

All of the enabling bylaws provide for budget making and reporting with respect the finances of the service for which the commission is established. However, the reporting requirements vary, as does the extent of authority granted to the commissions over financial activities.

Budgets

All of the enabling bylaws require the commission to prepare a draft budget for the service for which it has been established. For example, Ymir Water Commission of Management Bylaw No. 279, 1979 provides:

On or before October 31<sup>st</sup> of each and every year the Commission shall prepare an Annual Budget which indicates clearly the source of revenue and the application of expenditures and shall submit such budget for the approval of the Regional Board for inclusion in the Regional Board's provisional and annual budgets.

Bylaws enacted in the 2000s contain similar language, albeit more detailed. For example, Kaslo and Area Regional Facilities, Recreation, and Parks Service Commission Bylaw No. 2023, 2009 states:

On or before October 31<sup>st</sup> of each and every year the Commission shall prepare a draft budget for the following budget year to include estimates for the administrative, operational and other expenses of the Kaslo and Area Regional Facilities, Recreation and Parks Services, including contributions to persons or groups to provide recreational programming services on behalf of the Commission, together with estimates for expected revenues, and shall submit such budget for inclusion in the Regional Board's Financial Plan.

Both of these provisions require Board approval of the budget/estimates.

Reporting

Some of the enabling bylaws require a commission to report all items of revenue and expenditure to the RDCK Board in addition to submitting its annual budget:

All items of revenue and expenditure relating to the activities of the Commission shall be accounted for in the books of account of the Regional District of Central Kootenay in accordance with the provisions of Section 245 and the other relevant sections of the Municipal Act (South Slokan Commission of Management Bylaw No. 358, 1981).

Regional Recreation Commission Number Ten (10) Bylaw No. 686, 1988, goes one step further and states that:

The Recreation Commission shall make reports to the Regional District of Central Kootenay at such times as they are required.

The enabling bylaws as a whole do not provide that recommendations by commissions should be submitted to staff prior to going to the RDCK Board, nor do they address how much staff technical and administrative support is provided to each Commission.

### Financial Activities

Most of the enabling bylaws provide the commissions with authority over the administration of a service, including any financial activities related to that service. That said, some bylaws limit that authority to a small number of activities, while others provide commissions with broad authority over financial matters.

South Slokan Commission of Management Bylaw No. 358, 1981, for example, in language that is typical of bylaws from the 1980s and 90s, authorizes the South Slokan Commission of Management to undertake financial activities which are in the approved budget:

The Regional Board hereby delegates to the Commission, the following authorities, responsibilities and duties:

- (a) all of the administrative powers with respect to operation of the South Slokan Fire Protection, Street Lighting and Water Supply and Distribution Services provided however, that the costs incurred are within the annual budget as approved by the Regional District of Central Kootenay;
- (b) to ensure payment of all commitments, liabilities and accounts in accordance with the annual budget approved by the Board of the Regional District.

South Slokan Commission of Management Bylaw No. 358, 1981 however goes on to state that “[t]he Regional Board reserves unto itself all of its powers with respect to the initial and future financing.” Similarly, the Regional Recreation Commission Number Ten (10) Bylaw No. 686, 1988 states:

Save by resolution of the Regional Board, the Commission shall not authorized any expenditures except those provided for in the estimates as adopted by the Regional Board.

Other commissions, like the Erickson Water Distribution Commission, have no financial activity authority other than the drafting of a budget.

On the other end of the “financial authority spectrum” are bylaws like Slokan and Valley South Regional Parks and Recreation Commission Bylaw No. 1348, 1999, which provides the following:

The Regional District Board hereby delegates to the Commission the following authorities, responsibilities and duties:

- (a) empowers the commission to receive, consider, and approve payment to an individual, club, or organization for a recreational pursuit that is not in competition with the recreation programming services provided by contract to the Regional District, provided that such payments are included within either the Provincial and/or Annual Budgets of the Regional District;

...

Village of Salmo and Electoral Area G Recreation Commission No. 7 Bylaw No. 2271, 2012 makes the authority over financial activity even more explicit, and authorizes the commission to enter into contracts that total less than \$10,000, and recommend to the Board any contracts in excess of \$10,000 on initiatives involving debt. However, like the other enabling bylaws, these expenditures must be included in the RDCK Financial Plan and the bylaw also provides that the RDCK Board reserves all powers with regard to multi-year contracts or agreements and or fiscal arrangements involving debts.

The economic development commission enabling bylaws authorize the economic development commissions to authorize the commitment and expenditure of funds as provided for in the bylaws, but like the other commissions, such expenditures must be provided for in the annual budgets.

The enabling bylaws as a group do not provide for commissions to return unspent grant funds. The requirement is simply that the commissions' financial activities conform with the estimates provided to the RDCK Board.

#### **(d) Oversight**

Generally the RDCK Board has oversight over all of the activities of the commissions, either through the limitation of authority set out in the enabling bylaw, or by explicit provision for oversight.

As already outlined, most of the bylaws require any financial activity to have been included in the budget or estimates as approved by the RDCK Board.

Significantly, and as discussed further below, many of the bylaws enacted in the 1980s and 90s contain the following provision:

No act or other proceeding of the Commission shall be valid unless it is authorized by resolution at a regular or special meeting of the Regional District Board (e.g. Duhamel Creek (Portion of Area F) Water Commission of Management Bylaw No. 824, 1990).

Later versions include a modified version of this provision:

No act or other proceeding of the Commission shall be valid unless it is authorized by resolution at a meeting of the Commission and endorsed by resolution or bylaw of the Regional District Board (e.g. Erickson Water Distribution Commission Establishment Bylaw No. 1580, 2003).

These sorts of provisions provide significant oversight over the activity of commissions.

In the instances where an enabling bylaw provides a commission with authority to provide financial contributions to persons or groups who are providing recreational programs or otherwise contract with third parties, the RDCK Board has reserved the right of approval of these activities (e.g. Kaslo and Area Regional Facilities, Recreation, and Parks Service Commission Bylaw No. 2023, 2009).

Finally, some of the commissions' enabling bylaws provide that the RDCK Board has the power to dismiss any member of the commission and to appoint another person to serve in their stead (e.g. Riondel Commission of Management Bylaw No. 607, 1986).

## 5. Legal Obligations

### (a) General

The starting point for the legal authority for the delegation of RDCK service functions to commissions is that absent express language to the contrary, ultimate authority rests with the RDCK Board. Section 174 of the *Local Government Act* states this clearly:

#### **Board is governing body**

- 174** (1) The governing body of a regional district is its board.
- (2) The powers, duties and functions of a regional district are to be exercised and performed by its board unless this or any other Act provides otherwise.

In interpreting the provisions of the enabling bylaws of the Commission however, it is important to keep in mind the purposes of regional districts, as set out in section 2 of the *Local Government Act*. To the extent that there is ambiguity in a provision of a commission's enabling bylaw, it must be interpreted in a manner that gives meaning to those purposes:

#### **Purposes of regional districts**

- 2** Recognizing that regional districts are an independent, responsible and accountable order of government within their jurisdiction, the purposes of a regional district include
- (a) providing good government for its community,
  - (b) providing the services and other things that the board considers are necessary or desirable for all or part of its community,
  - (c) providing for stewardship of the public assets of its community, and
  - (d) fostering the current and future economic, social and environmental well-being of its community.

### (b) Delegation of Authority

Section 176 of the *Local Government Act* sets out the corporate powers of the RDCK Board, and it is from this section that the Board's authority to establish commissions arises:

#### **Corporate powers**

- 176** (1) Subject to the specific limitations and conditions established under this or another Act, the corporate powers of a board include the following:

...



(e) to delegate its powers, duties and functions, including those specifically established by an enactment, to its officers and employees, its committees or its members, or to other bodies established by the board;

...

(g) to establish commissions to

- (i) operate regional district services,
- (ii) undertake operation and enforcement in relation to the board's exercise of its regulatory authority, and
- (iii) manage property or an interest in property held by the regional district.

(2) In exercising its powers under subsection (1), a board may establish any terms and conditions it considers appropriate.

In addition, section 838 of the *Local Government Act* provides the authority for the regional district board to establish elected local community commissions. The board must specify in a delegation bylaw what particular service or services a local community commission is responsible for and the level of decision making with respect to those services which are delegated. This could mean that the role of the local community commission is advisory or that it has responsibility for the operation and administration of a service.

Section 191 of the *Local Government Act* provides restrictions on a board's ability to delegate. A board may not delegate in the following areas:

1. Bylaw making;
2. A power or duty that is only exercisable by bylaw;
3. A power or duty to suspend or terminate a local government officer or an auditor;
4. A power or duty to consider an action or decision where reconsideration is mandated in statute and hold a hearing; or
5. A power or duty established in legislation that the local government gives its consent or approval to recommendations on or acceptance of a decision or action or other matter.

Section 922(8) of the *Local Government Act* and common law also prohibit the delegation of development variance permits.

Section 192(1) of the *Local Government Act* provides that a local government may only delegate a power, duty or function by bylaw adopted by an affirmative vote of 2/3 of the votes cast. A local government may, by bylaw, adopted by a majority of votes cast, amend or repeal a bylaw to reduce or revoke the delegation (*Local Government Act* section 192(2)).

### (c) *Appointments and Composition*

While section 176(1)(g) does not expressly provide for appointment to commissions, section 800.2, which deals with establishing bylaws for regional district services, states:

**800.2** (1) An establishing bylaw for a service may do one or more of the following:

...

(c) if the administration and operation of the service is to be delegated to a body established by the board, provide for appointments to the body and establish voting rules for the body in relation to the service;

Similarly, section 898 of the *Local Government Act*, which provides for the establishment of advisory planning commissions, states that the enabling bylaw of a advisory planning commission must provide for (a) the composition of and the manner of appointing members to the commission. In our opinion, the enabling bylaw of a commission established under section 176(1)(g) may do the same.

#### (d) *Meetings*

The *Local Government Act* does not set requirements for commission meetings. Given the ability of a regional district board to set terms and conditions under 174(2), the RDCK Board may provide for meeting requirements, or allow commissions to do so themselves.

However, the *Local Government Act* does provide the following requirements with respect to minutes of board and committee meetings:

#### **Minutes of board meetings**

**236** Minutes of board meetings must be

- (a) legibly recorded,
- (b) certified as correct by the designated regional district officer, and
- (c) signed by the chair or other member presiding at the meeting or at the next meeting at which they are adopted.

#### **Minutes of board committee meetings**

**237** Minutes of a board committee meeting must be

- (a) legibly recorded, and
- (b) signed by the chair or member presiding at the meeting.

While these provisions do not expressly require minutes to be taken at commissions meetings, in our opinion, best legal practices suggest that minutes of commission meetings should be taken and comply with these requirements. They should be recorded and certified or endorsed by the secretary of the commission or the chairperson or other person presiding at the meeting.

RDCK Procedure Bylaw No. 1823, 2006 provides that public notice of the time and date of meetings be posted, both for the RDCK Board and for committees. The bylaw also requires that an agenda be prepared for each meeting, and that only those matters included on the agenda shall be considered at the meeting. Late items may only be considered by way of a motion carried by a

2/3's majority vote of the Directors present. Where a commission's enabling bylaw provides that the RDCK Procedure Bylaw applies to the commission, the commission is obligated to comply with the agenda and notice requirements.

**(e) Reporting and Financial Activities**

The *Local Government Act* provides for reporting in relation to minutes of proceedings, as discussed above, and with respect to financial activities.

The rules governing the financial operations of a regional district are set out in Division 5 of Part 24 of the *Local Government Act*. These provisions require detailed and thorough financial records of each service operated by a regional district:

**General accounting rules**

- 814** (1) The regional district financial officer must keep separate financial records for each service that include full particulars of assets and liabilities, revenues and expenditures, information concerning reserve funds and other pertinent financial details.

...

**Financial plan**

- 815** (1) A regional district must have a financial plan that is adopted annually, by bylaw, by March 31.
- (2) For certainty, the financial plan may be amended by bylaw at any time.
- (3) The planning period for a financial plan is 5 years, that period being the year in which the plan is specified to come into force and the following 4 years.
- (4) The financial plan must set out the following for each year of the planning period, shown separately for each service:
- (a) the proposed expenditures for the service;
  - (b) the proposed funding sources for the service;
  - (c) the proposed transfers between funds in respect of the service.

...

- (6) The proposed expenditures for a service must set out separate amounts for each of the following as applicable:
- (a) the amount required to pay interest and principal on regional district debt;
  - (b) the amount required for capital purposes;
  - (c) the amount required for a deficiency referred to in subsection (11);
  - (d) the amount required for other purposes.

...

### **Limit on expenditures**

- 817** (1) A regional district must not make an expenditure other than one authorized under subsection (2) or (3).
- (2) A regional district may make an expenditure that is provided for that year in its financial plan, other than an expenditure that is expressly prohibited by this or another Act.
- (3) A regional district may make an expenditure for an emergency that was not contemplated for that year in its financial plan, other than an expenditure that is expressly prohibited by this or another Act.

Provided their enabling bylaws delegate the authority to do so, commissions have the ability to enter into contracts with respect to the service that it operates and administers. As cited above, section 191 prohibits a regional district board from delegating certain authority, however, the ability to enter into contracts is not one such authority. Section 176(1)(a) provides a board the authority to make agreements respecting:

- (i) the regional district's services, including agreements respecting the undertaking, provision and operation of those services, other than the exercise of the board's regulatory authority,
- (ii) operation and enforcement in relation to the board's exercise of its regulatory authority, and
- (iii) the management of property or an interest in property held by the regional district;

Because this section does not require that a regional district board enter into agreements by bylaw, it is a delegable activity. Such an interpretation accords with and facilitates the purposes of regional districts, as set out in section 2 of the *Local Government Act*.

### **(f) Oversight**

In addition to the financial oversight listed above, the RDCK Board has oversight over the commissions in other areas. Specifically, section 194 of the *Local Government Act* requires the Board to establish procedures for reconsideration of the decision of a delegate.

### **(g) Liability**

RDCK commissions are not separate legal entities, but rather agents or servants of the RDCK, on behalf of which they exercise their powers. Courts have expressly held that arena, parks and recreation commissions are agents of local governments (*Ashbury v. Victoria*, [1953] 2 DLR 476 (BCSC); *Lewsey v. Surrey*, [1972] 1 WWR 611 (BCSC)). Thus, the RDCK is legally responsible for the negligent and tortious acts of its commissions.

Similarly, commissions can be restrained by injunction if they seek to exercise their powers improperly. The doctrine of *ultra vires* applies to local commissions without corporate status or legal identity.

## 6. Compliance

As set out above, the enabling bylaws of the RDCK commissions vary greatly, despite the fact that many take the form of two distinct “templates”. In our opinion this variation is likely to cause undue confusion and difficulty for the RDCK Board, and especially RDCK staff. As a simple example, while most of the enabling bylaws require commissions to submit their annual budgets or estimates of revenue and expenditures to the RDCK by October 31, some must be submitted by September 30. As another example, some bylaws require members-at-large to have their “primary” residence within an electoral or service area, while others simply require its members to own property in the requisite area. Generally speaking, and respecting differences between the different kinds of commissions as well as their history, we recommend that the RDCK begin to normalize or standardize the bylaws. This will likely cut down on many of the inconsistent practices and breakdowns in communication between RDCK staff and commission members.

That said, we have identified the following specific issues with the enabling bylaws and current practices of the RDCK commissions.

### (a) *Appointments and Composition*

It is our understanding that there is some confusion with respect to eligibility for appointment as members-at-large. As set out above, there are no explicit statutory provisions for appointment of members-at-large, and therefore eligibility is determined by bylaw. Thus, where a bylaw provides that a member-at-large must maintain residency in a service area, or own property in that area, that provision governs appointments to the commission.

We note that some such provisions cause undue ambiguity. For example, Kaslo and Area Regional Facilities, Recreation, and Parks Service Commission Bylaw No. 2023, 2009 provides for the appointment of “[f]ive (5) Members at Large whose primary residence is in Electoral Area D.” We note that “primary residence” is not defined in Bylaw No. 2023, and so it is up to the RDCK Board to determine, on a case-by-case basis, whether a potential appointee’s residence is “primary” or “secondary”. Despite what may very well be a well-placed intention, we find this requirement unduly onerous (and ambiguous), and likely to cause difficulty for the Board at some point in the future.

To make matters even more complicated, the same bylaw provides that “[s]hould a Member at Large cease being a resident of the area he/she represents, he/she will be deemed to have resigned from the Commission.” This provision is even more unclear than the corresponding appointment provision, as it does not refer to “primary residence” but only “residence”. It is unclear whether a person is ineligible for membership if he or she transfers from a primary to a secondary residence while appointed.

**(b) Meetings**

For the most part the requirements for taking and submitting minutes of commission meetings are standard across the enabling bylaws. We recommend that the RDCK standardize the time period by which the minutes must be submitted, and that this standard be a particular length of time, rather than “without delay”.

Notably, the RDCK Board Procedure Bylaw provides for agendas and public notice of commission meetings, whereas many of the commission enabling bylaws do not. We are not aware of whether commissions are complying with the requirements of the Procedure Bylaw where required to do so. At the risk of imposing greater administrative burdens on the commissions, we recommend that in the interest of greater transparency commissions be required to circulate agendas and post notice of meetings. Such practices will certainly cut down on infighting between commissions members in relation to “secret meetings”, which we understand causes difficulties for RDCK staff and wastes valuable staff time and resources.

**(c) Reporting and Financial Activities**

As set out above, the authority for commissions to engage in financial activities varies widely, from no authority to do so to authority to enter into contracts and agreements on behalf of the RDCK Board (e.g. Historic Ainsworth Wharf Regional Park Commission Establishment Bylaw No. 2088, 2009; Winlaw Regional and Nature Park Commission Establishment Bylaw No. 1618, 2003; and Castlegar and District Community Complex and Recreation Commission Bylaw No 530, 1985).

We are unaware of the history of these commissions and the reasons for these distinctions, but provided that the expenditures are set out in the annual estimates and budgets, and incorporated into the RDCK financial plan, we see no reason to prohibit the commissions from exercising this authority on behalf of the RDCK. That said, section 814 of the *Local Government Act* provides that the RDCK financial officer must keep “separate financial records for each service that include full particulars of assets and liabilities, revenues and expenditures, information concerning reserve funds and other pertinent financial details.” If there are any concerns that a commission is not submitting this information to the regional district, the RDCK should be sufficiently concerned as on that basis the RDCK is failing to meet its own statutory financial obligations.

While staff have identified concerns with the fact that commissions are reporting directly to the Board and staff are not given the opportunity to review and/or provide recommendations or comments on commission submissions, we note that the enabling bylaws do not require such staff oversight.

**(d) Oversight**

Some of the commissions we have reviewed contain delegation provisions which are inconsistent and at times, contrary to each other. Most of the commissions’ enabling bylaws provide that the RDCK Board delegates to the commission the administrative powers over the service at issue.

For example, Duhamel Creek (Portion of Area F) Water Commission of Management Bylaw No. 824, 1990 provides as follows:

The Regional District Board hereby delegates to the Commission the following authorities, responsibilities and duties:

- (a) all of the administrative powers, except employment of staff, with respect to the operation of the Duhamel Creek (Portion of Area F) Water Supply and Distribution System, provided that the costs incurred are within the annual budget as approved by the Regional District of Central Kootenay, and without limiting the foregoing:
- (b) to ensure approval for payment of all commitments, liabilities, and accounts in accordance with the annual budget approved by the Board of the Regional District.

This language is typical of many of the enabling bylaws. However, despite this lawful delegation of authority many of the bylaws, including Bylaw No. 824, also include the following provision:

No act or other proceeding of the Commission shall be valid unless it is authorized by resolution at a meeting of the Regional District Board.

These provisions are inconsistent, to the extent that the bylaw attempts to delegate the administration of the Duhamel Creek water service to the Commission, but then requires that any act or proceeding of the Commission be authorized by the RDCK Board by resolution. In our opinion, the latter provision is unnecessary, as it negates the whole reason for setting up the commission in the first place, namely, the delegation of the administration and operation of the water service to the commission.

We note that some bylaws have corrected this inconsistency. For example, Castlegar and District Community Complex and Recreation Commission Bylaw No 530, 1985 states:

No act or other proceeding of the Commission shall be valid unless it is authorized by resolution at a meeting of the Commission or a resolution of the Regional District Board.

Similarly, Slocan Lake Recreation Commission No. 6 Bylaw No. 1273, 1997 provides a variation on this oversight authority:

No act or other proceeding of the Commission shall be valid unless it is authorized by resolution at a regular or special meeting of the Commission.

We recommend that the restrictive language in the earlier bylaws be replaced with one or more of the latter provisions. First, in our opinion this is necessary because of the internal contradiction, and second, because it is not a delegation where the RDCK Board must review every act of a commission. Rather, it just makes more work for RDCK staff.

Finally, we note that section 194 of the *Local Government Act* requires the Board to establish procedures for reconsideration of the decision of a delegate. We are unaware of whether such procedures have been established for decisions of RDCK commissions.



(e) *Liability*

As stated above, the RDCK is legally responsible for any and all negligent acts of its commissions. For these reasons, it would be prudent for the RDCK to ensure that it maintains adequate oversight over the policy making and activities of the commission. For example, this might take the form of greater emphasis on reporting and the submission of minutes by commissions.

The RDCK Board could also adopt a policy which requires its commissions to immediately notify the RDCK in the event of any incident or occurrence which could give rise to liability. This is especially true with respect to the water and recreation/park commissions, which are engaged in activities and have oversight over services from which damage or injury is more likely to arise.

## 7. Alternative Governance Options

In light of the forgoing, we have identified the following options with respect to RDCK commissions of management going forward, noting that in a companion report we have set out a number of alternative governance options with respect to the RDCK water service only:

- Adopt an alternative governance option whereby the RDCK takes control of the administration and operation of the services for which commissions of management currently exist
- Remove all but advisory functions from the commissions of management
- Make changes to fix the current commissions of management model.

The elected officials' commissions, on the other hand, could be replaced with area-specific boards that oversee the operational aspects of a number of joint services common to the electoral areas and municipalities in that area. This could include recreation facilities, cemeteries, community halls and other matters. There are some natural groupings based on geographical adjacency (such as Nelson/Salmo and Electoral Areas G, E, and F, Castlegar/IJ, Slocan Valley/H, Creston/ABC, Nakusp K (and H), and Kaslo D). These entities, analogous to the sub-regional governance entities described in the companion Water Services Report dated July 24, 2013, would liaise with staff and make operational decisions in the best interest of the services. Details of the sub-regional governance model are set out in the companion Water Services Report dated July 24, 2013.

The following sections deal with the non-elected commissions of management:

(a) *RDCK administration and operation of services*

If the RDCK is concerned that the commission model is broken beyond repair, it may wish to adopt an alternative governance model for the services currently administered by commissions. The alternative to the commission model would be for the RDCK to take control of the administration and operation of the services currently operated by commissions. The RDCK Board (or a subset of the Board, as discussed below), would make administrative and policy decisions regarding the services, and RDCK staff would be responsible for their day-to-day operation.

This option is the most common way that services are delivered and administered in regional districts throughout BC. In this governance model, the regional district adopts a region-wide or sub-regional service establishment bylaw for the service in issue (e.g. parks, recreation, water, economic development, etc.). The RDCK Board would be responsible for the administration of the service. Where the establishment bylaw creates a service that only affects certain participating areas, section 791(4) of the *Local Government Act* provides that only those directors representing a participating area for the service are entitled to vote in matters relating to that service. RDCK staff would be responsible for carrying out the Board's direction, and operating the service.

The advantage of this alternative governance model is that it allows the RDCK Board (albeit a subset of the Board) to have complete oversight over the RDCK services. As RDCK staff are regularly in contact with the Board, this model would allow efficiency in reporting, minute taking, etc. Resolutions respecting the services would be considered at Board meetings, and notice and agendas for those meetings would be posted in the normal fashion. In addition, there would be very few questions about lawful authority to engage in various activities, as the only delegation would be from the RDCK Board to staff.

This alternative would completely eliminate many of the problems that have been arising between commissions and staff, across the board, as it would eliminate the commissions. For example, there would no longer be conflict between commission members and RDCK staff when there are disagreements on operational matters or inordinate amounts of time spent by Managers and CAO dealing with conflict within Commissions or between Commissions and staff.

The disadvantage to this alternative model is that it would likely impose additional burden on both the RDCK Board and staff. To the extent that the current commission model delegates the administrative and operational authority over the services, the alternative model would negate such delegation. RDCK Board meetings would be longer and perhaps more frequent. However, we do note that it is our understanding that at present, and despite the current commission model, the RDCK Board and staff are heavily engaged in the operation and administration of the services, due in large part to dysfunction and difficulties with the commissions as they currently stand. This alternative model may be attractive to the RDCK as it effectively provides legal structure to what is currently occurring.

It is also worth noting that the alternative would likely reduce community involvement in delivery of services.

**(b) *RDCK administration with commission advisory role***

In the alternative, instead of disbanding the commissions the Board could amend the commission enabling bylaws to streamline the functioning of the commissions by focusing on the “advisory and recommending” functions. In such a model, the RDCK would ultimately make all decisions about the RDCK services in issue, and, where appropriate, would ask a commission for its opinion with respect to a host of options.

This approach would reduce conflict between commission members and RDCK staff when there are disagreements on operational matters. In such cases, as the operation of the service is a staff responsibility, the commission’s authority would be trumped. This approach would also likely reduce inconsistent procedures and record-keeping associated with meetings; eliminate concerns about purchasing and financial transactions on the part of the Commissions with no adherence to policies or procedures; as well as reduce amounts of time spent by Managers and CAO dealing with conflict within commissions or between commissions and staff. Most importantly, removing the administration and operation of services from the commissions, and moving the commission to a simple advisory and recommending role, would eliminate concerns regarding the financial activities of the commissions, including reporting and oversight of unspent grant funds; concerns about inadequate financial documentation; and poor decisions and poor quality works resulting from the desire to reduce standards or think ‘short term’ in order to cut costs.

**(c) *Fixing the Commission Model***

Although this report recommends proceeding without a governance model that is fundamentally based on commissions, the Board may wish to attempt to fix the current commission model. The commission model employed by the RDCK might be improved and made to work more effectively, as delegation of authority to commissions, at least in theory, frees the RDCK Board and staff from some of the day-to-day operation of the services. In addition, the ‘local governance’ provided by commissions theoretically allows the users of a service to become more involved, and thus become invested, in the operation of the services. In so doing, the commission model theoretically promotes many of the purposes of regional districts, by providing good local government for the various geographic communities that make up the RDCK and providing administration and oversight of services as well as stewardship of the infrastructure that comprises those services.

However, as has become very obvious to the RDCK Board and staff, the current practice of commissions is flawed. As set out above, some of these problems and difficulties may come from the enabling bylaws of the commissions and in particular, as a result of the significant variance in commission structure and reporting requirements. While we do not claim that addressing these legal variations will be a panacea for the problems the RDCK is experiencing with its commissions, we believe a comprehensive restructure of the legal basis for the commissions might improve the current practices, while maintaining the ability of the service users to participate in the governance of that service.

We note that many of the problems currently being experienced with the commissions are not problems of a legal nature, because the enabling bylaws do not obligate the commissions to take

certain actions, because many problems arise from interpersonal or political dysfunction, and because the problems have become entrenched over time. To the extent that some of the concerns identified above and by the RDCK Board and staff are corporate, human resources, or operational matters, we refer the Board to the 2012 RDCK Corporate Review, *Enhancing Organizational Excellence*. For example, as set out above, there is no legal obligation for the commission to seek staff advice or comment prior to making recommendations to the Board. Because commissions are governed by their enabling statutes, if staff wish to be given the opportunity to provide the Board with recommendations on commission activities, the enabling bylaws could be modified to reflect this process. Similarly, the enabling bylaws do not address how much staff technical and administrative support is provided to each commission, nor does the RDCK Bylaw. If staff want this to be addressed, the Board will need to amend the RDCK Bylaw to address this issue, or otherwise adopt a policy resolution.

That said, it would be beneficial for the RDCK to amend the commissions' enabling bylaws to provide that all commissions are governed by the RDCK Procedure Bylaw. This would, in a single action, streamline the process by which commissions must conduct meetings; post agendas; publish notice of meetings; and complete and submit minutes of meetings.

In the alternative, the RDCK could request input from the commissions and based on that input, adopt a "Commission Procedure Bylaw". Such a bylaw would modernize the commission bylaws (as many of them were adopted in the 1980s, as well as provide RDCK staff with one set of administrative processes which apply to all commissions. Such a practice would also enable the RDCK Board to make changes to commission procedure in a single bylaw amendment.

If commissions were governed in large part by one bylaw (perhaps with rules regarding appointments and membership in the commissions set out in a schedule to that bylaw), the RDCK might also be able to streamline the financial reporting by commissions, such that all commission budgets are entered into a standard form to be submitted to the RDCK. This would likely reduce administrative time that is currently spent on advising and correcting the financial documentation created by commissions. Such a bylaw could address the consequences of purchasing and financial transactions on the part of the commissions that do not adhere to RDCK policies or procedures. It could also require commissions to be accountable for reporting the results of grant fund spending by the commission.

Despite these suggestions for improvements to commission structure and function, the overwhelming list of problems with commissions of management leads to the inescapable conclusion that this experiment has failed. Accordingly, the solutions set out in the Executive Summary are recommended.

# REGIONAL DISTRICT OF CENTRAL KOOTENAY

Attachment D

## BYLAW No. 2242

A bylaw to establish sub-regional Services Committees for  
the Regional District of Central Kootenay

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**WHEREAS** Section 796 [*General authority for services*] of the *Local Government Act* authorizes the Regional District Board to operate any service that the Board considers necessary or desirable for all or part of the Regional District;

**AND WHEREAS** Section 176 (1) [*Corporate Powers*] of the *Local Government Act* authorizes the Regional District Board to establish committees to operate regional district services; to delegate powers, duties and functions to those committees; and to establish any terms and conditions it deems appropriate;

**AND WHEREAS** the Board considers it necessary and desirable to establish Sub-regional Services Committees to oversee the governance and administration of services that are provided by the Regional District of Central Kootenay;

**AND WHEREAS** the participating Directors of the Sub-regional Services Committees have agreed to work together to create a functional governance structure for the delivery of shared Regional District services in their areas;

**AND WHEREAS** the participants in the Services Committees wish to provide a forum for collaborative service delivery that promotes a sense of broader community, while enabling each community and service area to maintain its own identity and fiscal accountability;

**NOW THEREFORE**, the Board of the Regional District of Central Kootenay, in open meeting assembled, ENACTS AS FOLLOWS:

### CITATION

1. This bylaw may be cited as the “**Sub-regional Services Committees Bylaw No. 2242, 2014.**”

### DEFINITIONS

2. In this Bylaw:

“Committee”	means a sub-regional Services Committee
“OCP”	means Official Community Plan
“Regional District”	means the Regional District of Central Kootenay
“Service”	means a service delivered by the Regional District

**ESTABLISHMENT**

3. Committees to be known as Sub-regional Services Committees (the “Committee”) are hereby established.

**PURPOSE**

4. The purpose of the Committees is to provide a framework for the governance of shared Regional District services and a venue to discuss other matters of interest to the broader sub-regional area.

**SERVICES COMMITTEES COMPOSITION**

5. The participating areas for the Committees are as follows:

**Creston Valley Services Committee:**

Town of Creston  
Electoral Area A  
Electoral Area B  
Electoral Area C

**Central Services Committee:**

City of Nelson  
Electoral Area E  
Electoral Area F

**Salmo and Area Services Committee:**

Village of Salmo  
Electoral Area G

**North Kootenay Lake Services Committee:**

Village of Kaslo  
Electoral Area D

**Slocan Valley Services Committee:**

Village of New Denver  
Village of Silverton  
Village of Slocan  
Electoral Area H



**Castlegar and Area Services Committee:**

City of Castlegar  
Electoral Area I  
Electoral Area J

**Upper Arrow Lake Services Committee:**

Village of Nakusp  
Electoral Area K

**SCOPE OF SERVICES COMMITTEES**

6. The scope of the Committees shall include all those Regional District services in which some or all of the Committee members participate.
7. The Committees may discuss issues which are not directly related to the services in which they participate, but will consider only the services in which they participate.

**DELEGATION OF AUTHORITY**

8. Subject to the limitations set out in Sections 10 and 11 of this Bylaw, the following powers, duties and functions of the Regional District Board in relation to the Services Committees are hereby delegated to the Services Committees:
  - (a) carry out short-term and long-term planning for the Services;
  - (b) establish proposed annual operating and capital budgets for the Services and recommend those budgets to the Regional District Board;
  - (c) authorize expenditures as required for the Services within the budgets approved by the Regional Board;
  - (d) establish policies and procedures for the use of Services facilities;
  - (e) subject to the provisions of the *Local Government Act*, recommend the acquisition, holding, management and disposal (including by way of lease) of land, improvements or other property to the Board;
  - (f) grant assistance to non-profit groups that benefit the community out of funds provided by the Board for such purposes; and
  - (g) generally, to do all things required to affect the purpose Committees.



### **LIMITATIONS ON DELEGATION**

9. As a limitation on the delegation of powers under this bylaw, the Services Committee may not exercise any power or duty:
- (a) that gives approval to a bylaw;
  - (b) that is only exercisable by bylaw including the power to levy parcel taxes, expropriate property, acquire land and appoint officers;
  - (c) to suspend or terminate a local government officer or an auditor;
  - (d) to hear an appeal or reconsideration of an action, decision or other matter that is required to be heard or reconsidered by the Regional Board; or
  - (e) to give approval, consent, recommendation or acceptance of an action, decision or matter that must be determined by the Regional Board pursuant to statute including consent for service establishment, consent to removals of land from the Agricultural Land Reserve and consent for an application for a liquor licence.

### **NO FURTHER DELEGATION**

10. The Committees shall not further delegate any power, duty or functions which have been delegated to the Committees under this Bylaw.

### **COST ALLOCATION**

11. The annual cost of operating the Services Committees shall be recovered through the services that fall within the scope of that Committee.

### **PROCEDURES**

12. The Committees shall operate in accordance with the Regional District Procedures Bylaw.

### **MEMBERS**

#### **Members**

13. Each Committee shall be comprised of its participating Board Directors.

#### **Alternate Members**

14. The Alternate Director for each Electoral Area may serve as an alternate member of the Committee as required.

### Chair and Vice-Chair

15. For committees of three or more members, at its first meeting, the Committee shall elect a Chair and Vice-Chair who shall serve until the December meeting of that calendar year. Thereafter, in December of each year, the position of Chair and Vice-Chair will be elected for a twelve-month (12) term.
16. In the event that the Chair is unable to attend a meeting, the Vice-Chair shall assume the chair.
17. For Committees of two members, the Chair shall rotate between members on a six-month basis or as agreed to by the members.

### MEETINGS

#### **Quorum**

18. A quorum is defined as a majority of members that participate in the service to be considered.
19. If there is no quorum of the Board present within thirty (30) minutes of the scheduled time for a Committee meeting:
  - (a) the recording secretary must record the names of the Members present.
  - (b) the Chair must adjourn the meeting until the next scheduled meeting.

#### **Attendance**

20. All Regional Board Directors and municipal council members shall be entitled to attend Committee meetings on a non-voting basis and to enter into discussion on agenda items with the unanimous consent of the Committee members.
21. Upon agreement of the members, Committees may conduct their meetings electronically. Meetings must be conducted in such a manner that enables the public to hear, or watch and hear, the proceedings.

#### **Scheduling**

22. Committee meetings shall be held on a quarterly basis or as required at the call of the Chair.

### Notices, Agendas and Minutes

23. Each member of the Committee shall be provided with one copy of meeting notices, agendas, reports and minutes of the Committee by the means most practicable, whether electronic or paper.
24. Meeting notices shall be provided in accordance with the *Local Government Act* requirements and the Regional District Procedures Bylaw.
25. Issues for discussion may be referred to the Committee by any one of the Committee members. All issues referred to the Committee must, however, be agreed to by the members prior to being discussed at a Committee meeting. Proposed actions arising from these issues must be voted on in accordance with voting procedures.
26. Minutes of all Committee meetings will be forwarded to the Corporate Officer for inclusion on the next Board agenda.

### Closed Meetings

27. Except where provisions of Section 90 of the *Community Charter* apply, all Committee meetings must be open to the public.
28. Before closing a Committee meeting or a portion of a Committee meeting to the public, the Committee must pass a resolution in a public meeting in accordance with section 92 of the *Community Charter* and such resolution must include the basis under the applicable subsection of section 90 on which the meeting or part of is to be closed.
29. At the end of a closed meeting, the Directors will return the paper copy of the closed meeting agenda cover to the recording secretary, which the recording secretary will then destroy.

### Voting

30. The number of votes that each member is entitled to and which may be used to decide all resolutions before the Services Committee, must be in accordance with the provisions of section 791(4)(b) of the *Local Government Act*.

### Remuneration

31. Committee members will not receive stipends or expenses for attendance at Committee meetings.

**SEVERABILITY**

32. If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the bylaw.

**EFFECTIVE DATE**

33. This bylaw shall take effect on the date on which it is adopted.

READ A FIRST TIME the 13<sup>th</sup> day of February, 2014.

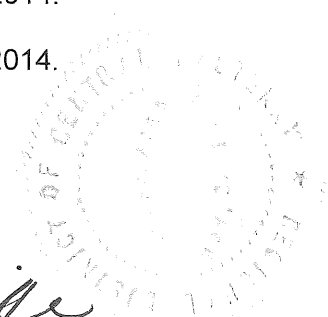
READ A SECOND TIME the 13<sup>th</sup> day of February, 2014.

READ A THIRD TIME the 17<sup>th</sup> day of April, 2014.

ADOPTED the 15<sup>th</sup> day of May, 2014.

  
\_\_\_\_\_  
Chair

  
\_\_\_\_\_  
Corporate Officer





# Board Report

**Date of Report:** August 09, 2023  
**Date & Type of Meeting:** October 19, 2023 RDCK Board Meeting  
**Author:** Todd Johnston, Environmental Services Coordinator  
**Subject:** WILDSIGHT 2022/2023 FINAL REPORT AND PROPOSAL  
DISCUSSION  
**File:** 12-6240-20  
**Electoral Area/Municipality:** Entire RDCK

## SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to present both the Beyond Recycling Final Report for the 2022/2023 School Year and also a proposal from Wildsight, with three potential funding scenarios from the RDCK to support continued programs from the Beyond Recycling Program in the Central Kootenays, following a substantial cut to program funding from the Columbia Basin Trust.

## SECTION 2: BACKGROUND/ANALYSIS

### FINAL REPORT 2022/2023 SCHOOL YEAR

Wildsight, a regional non-profit organization, delivers the Beyond Recycling program (BR), and has been developing and delivering environmental education programs throughout the Columbia Basin since 2000: they have offered field trips and classroom programs to over 95,000 students over the last two decades.

BR is a locally-developed environmental education program, financially supported by the RDCK, and other funders, which guides students in making sustainable lifestyle choices.

Educators provide an action-oriented, solutions-focused curriculum, with 27 available weekly lessons for grade 5 to 7 classrooms to address environmental issues, inspire positive action and find creative solutions in living sustainably. BR also empowers teachers to incorporate environmental education into their own practice, with every classroom teacher delivering 7 of the 27 program lessons. This supports increased teacher buy-in, capacity and familiarity with program topics, and ultimately the ability for Beyond Recycling to expand its reach to more classes.

The BR program manager works with RDCK staff to ensure that RDCK's environmental and sustainability program information is integrated into the BR curriculum, specifically: waste reduction, energy efficiency, water conservation, climate change, transportation alternatives, Firesmart, and local food production, all taught within an ecological footprint framework.

As part of the program, students visit RDCK landfills and transfer stations to reinforce their lessons in waste management.

The 2022/23 school Highlights for schools in the RDCK include:

- Beyond Recycling was delivered in four communities, in five schools, to 131 students.
- Each program delivers 27 lessons, at 75 minutes per lesson for a total of just under 169 hours of programming in the RDCK (for Five schools).
- Participating teachers taught 35 teacher-led Beyond Recycling lessons as part of the program addressing topics including: energy conservation, transportation, food systems and product lifecycle.
- Participating teachers (throughout the entire Columbia Basin) shared feedback over 23 times to assess their experience in the Beyond Recycling program
- Our regional online Earth Day program engaged an additional 6 teachers in the RDCK, who downloaded the online resources
- Three RDCK teachers registered to pilot and provide an extensive review of new BR independent teacher resources
- BR educators completed 25 blog posts to share the exciting activities that happened in the classroom at [www.beyondrecycling.ca/blog](http://www.beyondrecycling.ca/blog)

Below is a summary of classrooms that received the BR program in the 2022/2023 school year:

Community	School	# Students
Canyon	Canyon-Lister Elementary	25
Castlegar	Kinnaird Elementary	27
Castlegar	Twin Rivers Elementary	26
Creston	Erickson Elementary	27
Kaslo	JV Humphries Elementary	26
<b>TOTAL</b>		<b>131</b>

For more details, see the Year-End report for the 2022/2023 school year (Attachment 01).

## WILDSIGHT PROPOSAL

Since 2013, the RDCK has supported Wildsight’s BR program (Attachment 01 and 03) with three year contracts; however the last contract was for a single school year, due to funding uncertainties from Columbia Basin Trust (CBT). CBT verbally indicated to Wildsight that they would not continue to fund environmental education, which comprised 44% of their financial support for the BR Program at the end of the 2022/2023 school year.

While it is confirmed that CBT will not be contributing funding for the current 2023/2024 school year, CBT has not yet released their final strategic plan. If their draft strategic plan is any indicator, environmental education is not cited as a regional priority, as it was in previous plans. That said, Wildsight and other organizations providing educational services encouraged organizations within their networks to attend CBT consultation events in spring of 2023 to voice support for environmental education.

To adapt, Wildsight has submitted a proposal (Attachment 02) requesting continued funding from the RDCK, with three potential alternative funding models, as summarized below:

### Scenario A – FOUR SUBSIDIZED PROGRAMS Program - Consistent Level of Funding

In 2022/23 Wildsight delivered five full programs with the RDCK’s contribution of \$22,640, in addition to support from CBT and other funders. Without CBT funding, Wildsight is proposing to deliver four full programs plus 14 subscriptions to their new “Communities of the Future” online program (Attachment 04) for the same price paid by RDCK in the last contract (\$22,640). The full cost of one program is \$7,062, however Wildsight is offering the programs at a rate of \$5,000 each, subsidized through other revenue sources.

The Communities of the Future program (CoF) was designed to expand the reach of the BR program. It is a subscription-based program that is currently being marketed to teachers that are not able to access the in-person BR Program; if a success, this new resource will generate additional income for program delivery. Subscriptions to CoF were piloted last year by nine participating teachers within the entire Columbia Basin. Subscriptions for the CoF are price at a base cost of \$250/subscription with options for additional paid supports and field trips. For more information, view the program link: <https://beyondrecycling.ca/ourfuturecommunity/> .

**Scenario A: Full BR Program Summary:**

- **14 Educator-led lessons per program.** This includes Garbology, History of Waste, It's All From Earth, It's a Plastic World, Lifecycle of Stuff, Lifecycle Presentations, Our Changing Climate, Path of Power, Energy Debates, Eco Footprint, Sustainability, Our Water, Fishing for Sustainability, We Are Nature.
- **Seven Teacher-taught lessons per program** - Lifecycle Research, Closing the Loop, Our Energy, Energy Research, Debate Prep, Transportation, True Cost of Food.
- **Four Educator-led projects per program-** Paper Making, Real Food Potluck, EcoChallenge, Earth Day.
- **Two Field trips per program** - Waste Field Trip, Good Food Field Trip.
- **EcoChallenge classroom projects.**

Program Element	Full Cost	Cost to RDCK
<b>Full Beyond Recycling Program (four programs)</b>	\$28,248	\$20,000
<b>Up to 14 Communities of the Future subscriptions</b>	\$3,500	\$2,640
<b>TOTAL</b>	<b>\$31,748</b>	<b>\$22,640</b>

Scenario B – FIVE SUBSIDIZED PROGRAMS - Consistent Level of Delivery

For the delivery of the same number of programs in 2023-2024, the cost to the RDCK, without Columbia Basin Trust subsidies, for five full programs, and subscriptions to WildSight’s new online program would be \$27,640. Th

This scenario would deliver the same level of service as was done in 2022/2023 (five programs), but at a higher overall cost to the RDCK. The full cost of one program is \$7,062. Wildsight can subsidize the cost of a program with other revenue sources and can offer five programs to the RDCK for \$5,000 each. This options would also include fourteen CoF subscriptions to further expand the program reach.



Program Element	Full Cost	Cost to RDCK
<b>Full Beyond Recycling Program (five programs)</b>	\$35,310	\$25,000
<b>Up to 14 Communities of the Future subscriptions</b>	\$3,500	\$2,640
<b>TOTAL</b>	<b>\$38,810</b>	<b>\$27,640</b>

Scenario C - Six Abbreviated Programs at the same 2022/2023 Cost

Scenario C would see six abbreviated programs (content cut out to make them shorter) offered to nine classes, at the same cost as was paid in 2022/2023. If this scenario is chosen, a final determination of which lessons to cut is required.

An abbreviated BR program includes:

- **Nine Educator-Led Lessons per program.** To be determined
- **Five teacher-taught lessons per program.** To be determined
- **One educator-led project per program** - Paper Making
- **One field trip per program** – Waste Field Trip

The full cost of an abbreviated program is \$4,341, however Wildsight can subsidize the cost of the program with other revenue sources and can offer six abbreviated programs to the RDCK for \$3,200 each. This scenarios would also include eighteen CoF subscriptions to further expand the program reach.

Program Element	Full Cost	Cost to RDCK
<b>Abbreviated Beyond Recycling Program (six programs)</b>	\$26,046	\$19,200
<b>Up to 18 Communities of the Future subscriptions</b>	\$4,500	\$3,440
<b>TOTAL</b>	<b>\$30,546</b>	<b>\$22,640</b>

## SECTION 3: DETAILED ANALYSIS

### 3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan:  Yes  No      Financial Plan Amendment:  Yes  No  
 Debt Bylaw Required:  Yes  No      Public/Gov't Approvals Required:  Yes  No

As the next Strategic Plan for CBT has not been finalized, there is a possibility that WildSight could obtain some funding from CBT for the 2024/2025 school year and beyond, however previous communications deem this as unlikely. Regardless, RDCK Staff recommend awarding a one year contract to WildSight, with an option to renew for an additional two years, should CBT not come up with any funding for the 2024/2025 or the 2025/2026 school years. Should RDCK elect to award a contract to Wildsight for Scenario A or C, the contribution from RDCK would be the same as what was provided for the 2022/2023 school year. Scenario B would cost the RDCK \$5,000 above what was spent on the Beyond Recycling Program in 2022/2023.

It is, however, worth noting that cost increases for the BR Program have been marginal since their first contract with RDCK in 2013, which started at \$20,000 per year, increasing to \$22,354 in 2019, and \$22,640 in 2023.

When applying consumer price index data, the value of a \$20,000 contract issued in 2013, if keeping pace with inflation, would cost \$25,783.92 in 2023. This number derived using the Bank of Canada's Inflation Calculator (<https://www.bankofcanada.ca/rates/related/inflation-calculator/>).

### **3.2 Legislative Considerations (Applicable Policies and/or Bylaws):**

Not Applicable.

### **3.3 Environmental Considerations**

The Beyond Recycling program curriculum covers a wide range of environmental and sustainability topics including waste reduction, energy efficiency and micro-generation, water conservation, climate change, alternate transportation, local food production, and ecological footprint. The program supports the BC Curriculum learning outcomes and explores environmental and sustainability issues and solutions through an ecological footprint framework. Through integral eco-challenge opportunities, significant reductions in greenhouse gases can be achieved and valuable life skills in sustainability are gained.

### **3.4 Social Considerations:**

The program provides an action-oriented, solutions-focused curriculum that is age appropriate, hands-on and engaging. *'The Beyond Recycling program aims to equip students with the knowledge they need to make important decisions for our planet. Throughout this program, students will look critically at the impact, or ecological footprint, of their schools, homes and businesses.'*

### **3.5 Economic Considerations:**

Wildsight has lost 44% of their 2022/2023 environmental education funding for the 2023/2024 school year. Future funding from CBT for Wildsight remains to be seen.

### **3.6 Communication Considerations:**

In addition to ongoing communications with schools within the RDCK, Wildsight delivers promotion and outreach for the Beyond Recycling program, including: the Beyond Recycling website, media releases, and marketing materials. New to 2023/2024 is the subscription-based "Communities of the Future program", designed to expand the reach of the BR program.

### **3.7 Staffing/Departmental Workplace Considerations:**

The Environmental Services Coordinator administrates the regional environmental education program. RDCK staff works with the Contractor to ensure a balanced curriculum that remains consistent with the RDCK's policies and environmental and sustainability objectives. RDCK staff also facilitates and assists in coordination of RDCK site visits, including landfill and recycling depot tours.

### 3.8 Board Strategic Plan/Priorities Considerations:

This request aligns with the Board priorities of:

- To Strengthen our Relationships with our Community Partners
- To Adapt to Our Changing Climate and Mitigate Greenhouse Gas Emissions

## SECTION 4: OPTIONS & PROS / CONS

### Option 1:

That the Board approve the RDCK enter into a one year contract with Wildsight for the delivery of the “Beyond Recycling” Program (four subsidized programs) for the 2023/2024 school year and that the contract include the option for a two year extension with a cost not to exceed \$22,640 plus applicable taxes and that the contract be funded by Service A102.

AND FURTHER that the Chair and Corporate Officer by authorized to sign the necessary documents.

### PROS:

- Funding the Beyond Recycling Program will provide education to elementary school students, on RDCK programs such as Resource Recovery, Water Conservation, Climate Action, and Firesmart.
- Educational programs help residents to understand the complex workings of our facilities and also how to utilize our facilities, and provides an opportunity for students to become environmental stewards.
- Scenario “A” provides the same number of lessons and classroom time for each program as what has been previously provided for RDCK.
- Scenario “A” costs \$22,640 per year and is the same annual cost as what was paid in last year’s contract.
- Scenario “A” is for classes in the RDCK only
- Scenario “A” expands the reach of the program to classrooms unable to participate in live programs, from previous years, through the selling of “Communities of the Future” subscriptions

### CONS:

- Scenario “A” has four full programs, whereas the RDCK received five full programs in 2022/2023 for the same price. This was due to subsidized funding from the Columbia Basin Trust last year.

### Option 2:

That the Board approve the RDCK enter into a one year contract with Wildsight for the delivery of the “Beyond Recycling” Program (five subsidized programs) for the 2023/2024 school year and that the contract include the option for a two year extension with a cost not to exceed \$27,640 plus applicable taxes and that the contract be funded by Service A102.

AND FURTHER that the Chair and Corporate Officer by authorized to sign the necessary documents.

### PROS:

- Funding the Beyond Recycling Program will provide education to elementary school students, on RDCK programs such as Resource Recovery, Water Conservation, Climate Action, and Firesmart.
- Educational programs help residents to understand the complex workings of our facilities and also how to utilize our facilities, and provides an opportunity for students to become environmental stewards.

- Scenario “B” provides a consistent level of service, i.e., the same number of lessons and classroom time, and the same number of full programs (five) as what has been previously provided for RDCK.
- Scenario “B” is for classes in the RDCK only.
- Scenario “B” expands the reach of the program to classrooms unable to participate in live programs, from previous years, through the selling of “Communities of the Future” subscriptions.
- The cost of \$27,640, relative to inflation between 2013 to 2023 is ~\$2,000 more than what the value of the contract was in 2020 (in 2023 dollars).

**CONS:**

- Scenario “B” costs \$27,640 per year which is \$5,000 more per year than what was paid in last year’s contract.

**Option 3:**

That the Board approve the RDCK enter into a one year contract with Wildsight for the delivery of the “Beyond Recycling” Program (six abbreviated programs) for the 2023/2024 school year and that the contract include the option for a two year extension with a cost not to exceed \$22,640 plus applicable taxes and that the contract be funded by Service A102.

AND FURTHER that the Chair and Corporate Officer by authorized to sign the necessary documents.

**PROS:**

- Funding the Beyond Recycling Program will provide education to elementary school students, on RDCK programs such as Resource Recovery, Water Conservation, Climate Action, and Firesmart.
- Educational programs help residents to understand the complex workings of our facilities and also how to utilize our facilities, and provides an opportunity for students to become environmental stewards.
- Scenario “C” costs \$22,640 per year, the same amount paid for in 2022/2023.
- Scenario “C” provides more full programs (nine) than what was provided for RDCK in 2022/2023.
- Scenario “C” is for classes in the RDCK only
- Scenario “C” expands the reach of the program to classrooms unable to participate in live programs, from previous years, through the selling of “Communities of the Future” subscriptions

**CONS:**

- Scenario “C” provides less lessons and classroom time

## SECTION 5: RECOMMENDATIONS

That the Board approve the RDCK enter into a one year contract with Wildsight for the delivery of the “Beyond Recycling” Program (five subsidized programs) for the 2023/2024 school year and that the contract include the option for a two year extension with a cost not to exceed \$27,640 plus applicable taxes and that the contract be funded by Service A102.

AND FURTHER that the Chair and Corporate Officer by authorized to sign the necessary documents.

Respectfully submitted,  
Todd Johnston, Environmental Services Coordinator

**CONCURRENCE**

General Manager of Environmental Services – Uli Wolf **Approved**  
Chief Administrative Officer – Stuart Horn **Approved**

- ATTACHMENTS:
- Attachment 01 – Beyond Recycling Final Report 2022/2023
  - Attachment 02 – Beyond Recycling Funding Proposal 2023/2024
  - Attachment 03 – Beyond Recycling Promotional Poster
  - Attachment 04 – Communities of the Future Promotional Poster



**wildsight**  
EDUCATION

**BEYOND RECYCLING FINAL REPORT**  
**2022/2023**

**SUBMITTED BY**

Monica Nissen, Wildsight Education Director  
Dawn Deydey, Beyond Recycling Coordinator

**SUBMITTED TO**

Todd Johnston, Environmental Services Coordinator  
Regional District of Central Kootenay

## SUMMARY

Beyond Recycling (BR) is a classroom-based environmental education program, developed and delivered in the Columbia Basin by Wildsight. Passionate local BR educators throughout the region animate 25 lessons that address environmental issues and inspire students to take positive action and find creative solutions to live more sustainably.

The 2022/23 school year was the 14th year of BR delivery on a regional scale, offered in communities throughout the Columbia Basin. Highlights include:

- Beyond Recycling was delivered in **11 communities**, in **13 schools** in **16 classrooms**, to **402 students**
- BR was delivered to 402 students this year, with 25 lessons per program and 75 minutes per lesson - this adds up to **12,500 hours of programming!**
- Our team of **9 professional environmental educators** partnered with 16 classroom teachers to deliver xx educator-led Beyond Recycling lessons.
- Participating **teachers taught 79 teacher-led** Beyond Recycling lessons as part of the program addressing topics including: energy conservation, transportation, food systems and product lifecycle.
- Participating teachers shared feedback over **23 times** to assess their experience in the Beyond Recycling program
- Our regional online Earth Day program engaged an additional **22 teachers** who downloaded our online resources at [www.wildsight.ca/earthday](http://www.wildsight.ca/earthday)
- **16 teachers registered** to pilot and provide an extensive review of new BR independent teacher resources
- BR educators completed **25 blog posts** to share the exciting activities that happened in the classroom at [www.beyondrecycling.ca/blog](http://www.beyondrecycling.ca/blog)

*Wildsight would like to acknowledge the generous support of the Regional District of Central Kootenay in bringing this educational initiative to the students of our region. We value the partnership that has been developed over the years, and that continues to establish collaborative programming goals and messaging.*

Support from the following additional funders has made this program possible: Columbia Basin Trust, Columbia Shuswap Regional District, TD Friends of the Environment, BC Gaming Commission.



## PROGRAM OVERVIEW

Created in the Kootenays, Beyond Recycling (BR) is a school-based environmental education program. It provides solutions-focused curriculum that allows students to recognize the impacts of their lifestyle choices and highlights the importance of individual action. All BR lessons are based on scientifically sound knowledge and integrate locally relevant and recent information, particularly around issues of climate change, energy and waste reduction. Lessons are designed to complement the new BC curriculum, with connections to science, social studies, language arts, math and the core competencies.

Twenty lessons are brought into the classroom (Grades 5-7) weekly by a local BR educator. Several optional special lessons involving field trips and Earth Day activities make for a potential total of 27 available lessons.

Our interactive lessons involve learning through inquiry and investigation, using experiential activities, discussion, small-group tasks and technology. Our goal is to encourage students to think 'beyond' simply recycling — taking effective, positive environmental action and finding solutions to live more sustainably. BR's environmental education lessons focus on increasing awareness and student empowerment. Lessons address environmental issues and aim to remove barriers to motivate environmentally appropriate choices and behaviours.

Key aspects of educator-led Beyond Recycling program includes:

- Lesson plans and other online resources in the online BR Manual are housed on the password protected interactive website at [www.beyondrecycling.ca](http://www.beyondrecycling.ca)
- Prop kits contain supplies to facilitate each lesson and are cared for by each Beyond Recycling educator
- BR educator team is comprised of passionate professional educators who visit classrooms weekly throughout the school year
- Teacher taught lessons offer classroom teachers the opportunity to teach select BR lessons
- Student web pages contain online resources (videos, links, activities) that build on each of the Beyond Recycling lessons
- School blogs capture highlights of the program, and serve as a good way for students, teachers and the public to see what the schools are doing
- Field trips to transfer stations, landfills and recycling centres, as well as local farms and grocery stores are always a highlight of the program
- Extension Hours Each educator has additional hours to developing additional activities specific to that class



## 2022/2023 PROGRAM DELIVERY

RDCK schools IN YELLOW

Community	School	Teacher(s)	Educator	# Students
Canyon	Canyon-Lister Elementary	Victoria Jordan	Melissa Flint	25
Castlegar	Kinnaird Elementary	Rebecca Baker	Jess Williams	27
Castlegar	Twin Rivers Elementary	Kate Running	Jessica Williams	26
Cranbrook	St. Mary's Independent	Carmen Gallina	Patty Kolesnichenko	27
Cranbrook	Gordon Terrace Elementary	Rosalie Dureski	Kim Urbaniak	29
Cranbrook	Gordon Terrace Elementary	Marci Archibald	Kim Urbaniak	29
Creston	Erickson Elementary	Gillian Cooper	Melissa Flint	27
Golden	Lady Grey Elementary	Conor Richard	Laura Kaupas	26
Golden	Lady Grey Elementary	Jordan Hein	Laura Kaupas	22
Invermere	J Alfred Laird Elementary	Kristen Curry	Jessie Caza	28
Kaslo	JV Humphries Elementary	Keely Grunerud	Gillian Sanders	26
Kimberley	McKim Middle School	Steph Spensley	Kim Urbaniak	28
Revelstoke	Columbia Park Elementary	Kiah Davidson	Jess Booth	27
Trail	Glenmerry Elementary	Mr. Matt Gale	Jess Williams	28
Trail	Glenmerry Elementary	Christine DeRosa	Jess Williams	27
Valemount	Valemount Elementary	Dustin Winzer	Karen Doughty	25
			<b>TOTAL</b>	<b>402</b>

Engaged **402 students** in **11 communities** in **13 schools** with **16 teachers**

## REGIONAL EARTH DAY

	SD5	SD6	SD8	SD19	SD20	other	TOTAL
# of participating teachers	3	1	6	1	6	5	22

**22 teachers** (6 from the RDCK) utilized Earth Day resources. Details on page 11.

## PILOT OF NEW RESOURCES

	SD5	SD6	SD8	SD19	SD83	other	TOTAL
# of teachers registered	6	2	3	1	3	1	16

**8 teachers** (3 from the RDCK) completed the program pilot. Details on page 11.

## TEACHER FEEDBACK

Participating teachers continue to give the program rave reviews. Some highlights from the 2022/23 are included below.

- The program effectively emphasized the real-world relevance of recycling and reducing our ecological footprints. Through local and relatable examples, the students learned about the consequences of our actions on the environment and how small changes can make a big difference. This practical approach enabled them to grasp the importance of sustainable practices in their daily lives. - Kiah Davidson, Gr.6, Columbia Park Elementary
- Engaging, hands-on lessons, relevant material and activities to spark student thinking and actions to improve our waste management, purchasing, and daily habits. BR provides opportunities to actually make change and gives students the control to come up with their own ideas to improve our school and community events. BR provides field trip experiences in our community to help develop an understanding of how we deal with waste management. - Stephanie Spensley, Gr.5/6, McKim Elementary
- The thing that I have enjoyed about participating in the Beyond Recycling program is how well the program is structured. Everything is planned out thoroughly with supporting resources like powerpoint and hands on activities. The lessons also build off each other with the end goal of supporting the understanding of how we should and can live for a better tomorrow. - Dustin Winzer, Gr.4/5/6, Valemont Elementary
- Participating in Beyond Recycling has been a truly enjoyable experience for both my students and me. We have been engaged in hands-on activities such as waste audits and energy conservation challenges, which have allowed us to actively participate in learning about the environment. It has been fascinating to see my students make real-world connections and understand the impact of their choices on the planet. - Dustin Winzer, Gr.4/5, Valemont Elementary
- Society is a pivotal point in human history in terms of climate changes and environmental governance. Students are the leaders of the future who will impact countless other people's lives and if they are able to form values connected to social responsibility and environmental stewardship in their young education then they will spread those positive ideas through out their lives. To make a difference we have to look ahead and plan better for the long term. Beyond Recycling and learning about these topics as a child is extremely important for understanding the world that they are growing up into. - Jordan Hein, Gr.4/5, Lady Grey Elementary
- This program is extremely important to our school as it covers so many curricular competencies and actively engages students to care for our planet. The interactive activities provided opportunities that a typical classroom teacher could not create. - Christine DeRosa, Gr.6/7, Glenmerry Elementary

- We just can't teach fast enough to get our communities and children 'Climate Ready'. Beyond Recycling is a very helpful weekly space that offers a unique place marker for teaching this Climate knowledge. - Gr.4/5, Gillian Cooper
- The BR program holds significant importance for both me and my students. Firstly, it equips students with essential knowledge and skills related to environmental sustainability, fostering a sense of responsibility and empowerment. BR goes beyond traditional classroom learning, providing hands-on experiences that allow students to actively engage with real-world environmental issues. This experiential approach helps them develop critical thinking, problem-solving, and teamwork skills that are vital for their future success. Moreover, BR instills in students a deep understanding of the interconnectedness between human actions and the environment. It encourages them to make informed choices, adopt eco-friendly habits, and become advocates for positive change. By participating in BR, my students have transformed into environmentally conscious individuals who actively practice waste reduction, energy conservation, and responsible consumption. - Dustin Winzer, Gr.4/5, Valemont Elementary
- The BR program gets students thinking about the world around them in a conservative way. It allows them to draw connections and understand their individual and community impacts (both positive and negative). This creates a community of students that genuinely care about making a difference and gives them the understanding and reality that what they do DOES make a difference. - Kate Running, Gr.6, Twin Rivers Elementary
- The Beyond Recycling program is great for helping to influence youth to live responsibly as they inherit our planet and it's rapidly changing ecosystem and declining natural resources. It is our responsibility as adults to equip the youth with programs like Beyond Recycling so that they can achieve positive environmental change. - Dustin Winzer, Gr.4/5, Valemont Elementary
- The program included collaborative activities that promoted teamwork and problem-solving. Group discussions, brainstorming sessions, and interactive games not only fostered a sense of camaraderie among the students but also provided them with opportunities to explore creative solutions to eco-related challenges. This collaborative approach enhanced their critical thinking skills and encouraged them to think beyond the classroom. - Kiah Davidson, Gr.6, Columbia Park Elementary
- BR sparked change in my students. They changed their recycling habits in the classroom and at home. They advocate for change in our community. - Stephanie Spensley, Gr.5/6, McKim Elementary
- Continued support from funders is crucial for the sustainability and expansion of the BR program. By supporting the program, funders contribute to shaping environmentally literate and proactive citizens who can address the pressing environmental challenges of our time. The program's impact extends beyond the classroom, reaching families and communities as students share their newfound knowledge and inspire others to adopt sustainable practices. Furthermore, funders' support enables the program to provide

valuable resources, professional development for teachers, and opportunities for community engagement. Overall, the BR program matters to me and my students because it cultivates environmental stewardship, equips students with vital skills, and fosters a collective effort to create a sustainable future. Continued funding is essential to sustain and expand the program's impact, empowering more students to make positive environmental choices and become catalysts for change in their communities. - Dustin Winzer, Gr.4/5, Valemont Elementary

- The BR program addresses one of the most pressing issues that our society faces. Climate change will affect everyone's lives whether we like it or not. Funders should continue supporting the program because if we don't educate our kids of today about the challenges we face and potential solutions then we're only ignoring the problem until it is a catastrophe. Kids need to be informed on these topics because they may have opportunities during their lives to affect real change in the world and the BR program is an engaging way to get kids involved. - Jordan Hein, Gr.4/5, Lady Grey Elementary
- The program's community involvement, including partnerships with local organizations and exciting field trips, has provided a sense of belonging and a broader context for our learning. I have witnessed my students develop critical thinking skills, collaborate effectively, and become empowered to make positive changes in their lives as well as become advocates for the environment. The multidisciplinary approach of Beyond Recycling, integrating various subjects, has created a holistic learning experience, fostering teamwork and allowing my students to grasp the complexity of environmental issues. - Dustin Winzer, Gr.4/5, Valemont Elementary
- The combination of interactive learning, real-world relevance, inspiring role models, collaborative activities, field trips and engaging presenters made this educational experience both enjoyable and impactful. The students not only gained valuable knowledge about recycling and sustainability but also felt motivated to take meaningful actions in their own lives. We highly recommend this program to other schools as an effective means of educating and inspiring young minds to become environmentally conscious global citizens. - Kiah Davidson, Gr.6, Columbia Park Elementary

## TEACHER TAUGHT LESSONS

All classroom teachers who host the Beyond Recycling program in their classroom also have the opportunity to teach 7 specially designed Teacher Taught lessons as part of the program. In total, participating teachers **taught 79 Beyond Recycling Teacher lessons** throughout the school year.

The goal of this delivery model is to empower teachers to develop their own knowledge and comfort level with the content, with the hope that they may continue to incorporate some of the key messages into their own evolving practice. As well, this model increases the number of total programs we are able to deliver with the budget we have available.





## STUDENT FEEDBACK

- I learned to use less water when you think to use more then you need - Elyse
- It changed my life a lot more because i see the world differently with all the pollution and i didn't even realise - Griffin
- My answer would probably be to eat more local foods, check where the food came from before I buy it, and create a smaller ecological footprint - Gabbie
- My favourite part of Beyond Recycling was the debates because you were able to learn the benefits and the impacts of energy resources. - Kingston
- After participating in Beyond Recycling I always think before I go into or leave a room and if I left water running or the lights are still on? - Sophia
- What I changed in my life was I started a garden and I am growing food. I now think differently about turning the lights off and having long showers. - Avery
- I changed how we used to put plastic in the garbage. Now we put it in a bag and it gets recycled. I used to leave the shower on for the whole time, but now when I wash my body I turn the shower off. - Jeremy
- Too much CO<sub>2</sub> in the air can create a very hot environment because the earth's atmosphere becomes just like a blanket. So to help the earth you could plant a tree. Or maybe more than one. - Maddie
- My favourite part was going to the landfill to learn where our waste goes and how much people waste. - Max
- I think the plastic is the worst for our environment. And why because the animals think its food.- Kain
- My favorite part of beyond recycling was probably making our plants because we get food out of it and because it was just really fun. - Peyton
- It made me recognize that we need to take care of the earth more then we think. - Ariane
- Deforestation is one of the concern for the planet why, because if there is no trees that means no fresh air and less homes for animals. - Skye
- my favorite part was the energy debates I thought it was a lot of fun and I learned a lot about my energy sources! - Sophia
- I have changed by not wasting water or food because if i take a shower it takes a lot of water so i have been trying not to take long showers. - Peyton
- My biggest concern for the environment is people being stupid, not thinking and ignoring the real concerns of the world and thinking in a way that won't work instead of thinking realistically and making big picture changes. - Bridge



## EDUCATOR TEAM

The Educator Team is what makes Beyond Recycling such a powerful and effective program. In 2022/23, **9 professional environmental educators** brought BR into **16 classrooms** throughout the school year.

The creativity, passion and profound dedication are what make the team dynamic and always welcomed in schools. Teachers, administrators and students continue to rave about the high quality work being delivered. We are also very pleased to have educators in various communities, as they are able to build relationships in their communities and deliver local content and messaging.

Feedback from the BR Educator Team demonstrates their passion and commitment, as well as supports continued development of the program to incorporate best teaching practices and current information.

- “Beyond Recycling is an in-depth program looking at how Grade 5 and 6 students relate to the natural world. It offers a good foundation for learning about interconnections across species and topics, all from the realistic perspective of an 11 or 12 year old’s life. The associated action projects are a very meaningful way to put theory into practice and learn first hand that not all solutions are difficult or time consuming.” - Kim U
- BR “offers teachers and students an opportunity to explore some many valuable concepts and ideas. The program also offers fantastic variety and content that connects with the core competencies of the BC curriculum. Students have the chance to really build a strong foundation of environmental knowledge, ideas, vocabulary and hopefully inspires them to make good environmental sustainable choices throughout life.” - Patty K
- “BR is important because it teaches youth that they have an important voice in their communities. It teaches them that they can question, and change the world around them. That it is possible to create kinder, more connected communities.” - Melissa F

## ONLINE ENGAGEMENT

The Beyond Recycling website is the epicentre of all things BR. Our password-protected site provides BR educators access to their lesson resources (videos, slideshows, worksheets, lesson plans) and BR teachers access their teacher taught lesson resources. The public side of the website offers BR students access to engaging student content for each of the lessons and **25 blog posts** by our educators highlighting what happened in their program over the school year.

In the 2022/23 school year, we had: **4,557** users of the Beyond Recycling website for **6,274** sessions with **12,189** page views. The Earth Day program resource pages were viewed 91 times. Our new online Communities of the Future info page was viewed 125 times and the program resource pages were viewed 755 times by teachers participating in the pilot.

## REGIONAL EARTH DAY

Our online ‘Regional Earth Day’ is an excellent way to increase the reach of Beyond Recycling and reach teachers throughout the region who do not have access to the educator-led BR program.

This series of online Earth Day includes easy to access resources for teachers with lessons, videos and resources for tangible action projects.  
[www.wildsight.ca/earthday](http://www.wildsight.ca/earthday)

Over 304 principals and teachers throughout the region were emailed. The Earth Day resources were downloaded by **22 teachers in 5 school districts** and by **5 independent schools** across the Columbia Basin region. Teachers across the regions utilized the resource, 14 of these teachers were new to utilizing BR programming.

In previously years we offered teachers the opportunity to participate in an Earth Day contest where they could win cash prizes for their classroom. We also had sent posters and letters to all principals in the Region. We did not offer this for Earth Day 2023 as we were already offering a cash honorarium for teachers to participate in the pilot of the independent teacher program. We saw a reduction in teachers participating in the program (37 in 2022 to 22 in 2023).



## PROGRAM RESOURCE DEVELOPMENT

The Beyond Recycling program is continually being adapted and improved to ensure we include the most recent and up to date science, teaching methodologies and key messaging on relevant topics from our funding partners and local communities.

In 2022/23, we undertook the following program development work, as described below.

- **PILOTED NEW BR INDEPENDENT RESOURCES:** Teachers piloted the new independent teacher resource platform developed in 2021/22. The program offers teachers minimum prep to address environmental topics in the classroom. 16 teachers registered to utilize 7 lessons on the new platform and provided extensive feedback in exchange for a \$200 honorarium. [www.beyondrecycling.ca/ourfuturecommunity](http://www.beyondrecycling.ca/ourfuturecommunity)
- **TEACHER FEEDBACK:** We collected teacher feedback on the educator-led BR program twice throughout the 22/23 school year. Teachers reflected on what worked, how they would improve the program and the changes they see in students. The incredibly thoughtful feedback collected will be utilized to guide future improvements to the program.

## CONNECTING TO CURRICULUM

Beyond Recycling is an ideal complement to BC’s redesigned curriculum, offering numerous opportunities for students and teachers to delve deeper into the learning through inquiry as well as place-based learning. The program spans the disciplines, incorporating Big Ideas in Science, Social Studies, English Language Arts, and Applied Design, Skills, and Technologies, as well as incorporating numerous Core Competencies (in the Thinking, Communication, and most particularly the Personal and Social arenas). The new BC curriculum has been designed with flexibility and choice in mind, and Beyond Recycling matches this commitment in numerous, exciting ways.



**Beyond Recycling**  
Curricular Connections to Grade 5

In particular, the EcoChallenge projects fit very well. EcoChallenges offer the students a chance to take a leadership role, work through the design process to solve a real life problem, and take ecological responsibility for their actions.

These can be done within the class, within the school, and/or at home, with many connections to the curriculum. Most EcoChallenge action projects can address the Core Competencies (Communication, Creative Thinking, Critical Thinking, Positive Personal & Cultural Identity, Personal Awareness & Responsibility), but the strongest link is Social Responsibility.

Beyond Recycling Lessons	Science			Socials	ADST	Career Ed			Physical & Health Education			English Language Arts	
	Big Ideas	Content	Curricular Competencies	Curricular Competencies	Curricular Competencies	Big Ideas	Content	Curricular Competencies	Big Ideas	Content	Curricular Competencies	Big Ideas	Curricular Competencies
Garbology	x		x	x		x			x				x
History of Waste	x	x	x	x									x
Waste Field Trip	x		x					x				x	x
From the Earth	x	x											x
Lifecycle of Stuff	x		x	x		x	x	x					x
It's Plastic World	x			x								x	x
Closing the Loop	x		x					x					x
Paper Making			x		x			x	x				x
Our Climate								x	x				x
Our Energy							x						x
Path of Power	x	x	x						x				x
Energy Debates	x	x	x	x		x	x	x					x
Eco Footprint	x	x	x			x		x	x			x	x
Sustainability		x	x	x		x	x						x
Transportation	x		x	x				x	x			x	x
Our Water			x	x		x	x						x
Fishing For		x	x	x		x	x						x
True Cost Food			x	x					x	x	x		x
Food Field Trip			x	x				x			x		x
We Are Nature			x	x									x
EcoChallenge			x	x	x	x	x	x					x
Earth Day			x	x	x	x	x	x				x	x

Please Note: Depending on the specific content taught, or projects completed in your individual classroom, there may be other curricular links met than the ones outlined above.

## RDCK COLLABORATION

Wildsight has a unique partnership with the RDCK as a key funder of the Beyond Recycling program. As such, we have been working with the RDCK to strengthen the communication of relevant programs and initiatives of the Regional District through Beyond Recycling lessons and resources. **The extensive adaptations to specific BR Lessons to include RDCK content - please see Appendix A.**

## FINANCIAL REPORT

In addition to the Regional District of Central Kootenay, major funders for Beyond Recycling include Columbia Basin Trust, Columbia-Shuswap Regional District, TD Friends of the Environment, and the Province of British Columbia.

The Regional District of East Kootenay has repeatedly declined our requests for funding, as they deliver their own, in-house education program. The East Kootenay is a significant portion of Wildsight's operating area. With support of one of our core funders, the Columbia Basin Trust,

we were able to continue offering programming in East Kootenay communities. In 2023-2024, with the loss of funding from Columbia Basin Trust, program delivery in this region will of course be the most severely impacted.

<b>Beyond Recycling 2022-23</b>			
<b>BUDGET ITEM</b>		<b>Budget</b>	<b>Actuals</b>
<b>Revenue</b>			
Columbia Basin Trust		60,000	60,000
BC Gaming Commission		12,500	12,500
Columbia Shuswap Regional District		12,620	12,140
Regional District of Central Kootenay		22,640	22,640
Other funding		30,000	1,800
<b>Total Revenue</b>		<b>137,760</b>	<b>109,080</b>
<b>EXPENSES</b>			
<b>Administration and Overhead</b>			
Operational Support	Accounting, IT, office rental, insurance	13,776	10,773
Copying/Printing	Copying/Printing	0	36
<b>Staffing and Coordinators' Wages</b>			
Program Coordinator	Coordinated delivery	14,728	16,036
Program Manager	Managed delivery	11,492	11,670
Program Educators	Facilitated programs	67,388	46,726
Teacher Support	Honorariums	0	1,800
Program Development	Developed program	5,250	5,438
<b>Capital Purchases, Equipment Rental and Project Supplies</b>			
Prop kit creation	Prop kit supplies	850	1,810
<b>Promotion and Advertising Costs</b>			
Promotion & Outreach	Website, social media, press releases, promotion	13,776	10,773
<b>Travel, Training &amp; Other Costs (be specific)</b>			
Mileage to schools	0.58 km/h	4,500	3,420
Bussing	Field trip bussing	6,000	598
<b>Total Expenses</b>		<b>137,760</b>	<b>109,080</b>



# PHOTOS







## APPENDIX A - RDCK CONTENT IN BR LESSONS

Wherever possible, we have built opportunities to incorporate particular messages and programs of the RDCK into various lessons.

### Example - Our Changing Climate Lesson

The adaptations to the Our Changing Climate lesson is a great example of the work done. A series of Community Action Cards were developed to highlight RDCK programs. These cards will be utilized by BR Educators in the RDCK as part of the lesson.

In this lesson, students explore climate change by imagining they are a character from an epic story that will overcome obstacles by learning new skills, growing emotionally and developing a deeper understanding of their situation. We explore the differences between climate and weather, how we know our climate is changing, play a game to understand the greenhouse effect, and the impact of increasing levels of greenhouse gases. The lesson ends with an activity that highlights what actions are being taken to reduce CO2 production and aims to offer hope and a frame of reference for some of the emotional impacts from this lesson.

[Click here to view the RDCK Climate Action Cards](#)

The following is a list of program lessons and resources that were adapted to include connections to specific RDCK content:

- **Garbology:** Lesson: Educators talk about what we can recycle and compost in the lesson. RDCK educators have links to the new [RecycleBC program](#). During the compost section in the lesson they will share '[backyard composting](#)' as well as the plan to have [organics diversions](#) in some communities. Student page: [Recycle BC - What can I Recycle? Backyard Composting](#)
- **It's a Plastic World:** Students page: [Recycle BC - What can I Recycle?](#) Learn how you can recycle plastic in your community
- **Waste Field Trip:** Lesson: Educators and RDCK staff explore waste reduction (recycling, composting and all the R's), how different types of waste are sorted and treated at the landfill, and product stewardship. They might also visit a recycling depot depending on the community. Student page: [Recycle BC - What can I Recycle? Backyard Composting, Product Stewardship](#) Learn where you can recycle things like batteries, electronics and paint
- **Closing the Loop:** Lesson: Teachers talk about product stewardship with regard to batteries, paint, tires, propane tanks in this lesson. They also talk about recycling aluminum cans and glass bottles. Student page: [Product Stewardship](#) Learn where you can recycle things like batteries, electronics and paint, '[What can I recycle?](#)'
- **Our Changing Climate:** Lesson: Community Action Plan Cards - made special cards for RDCK educators by adapting the cards. Programs mentioned in the cards are: [Regional Energy Efficiency Program](#), [Organics Diversion](#), Accelerate Kootenays, [Water Smart](#)



[Program](#), [FireSmart Program](#), [100% Renewable Kootenays](#). Student page: [Regional Energy Efficiency Program](#)- Here are some ways to reduce how much energy you use in your house, [Water Smart Program](#)- Save water and energy! [FireSmart Program](#)- Ways to adapt your home to the changing climate

- **Our Energy:** Student pages: [Regional Energy Efficiency Program](#)– Save energy in your home, [See the Heat](#)– Use thermal energy cameras to see the heat in your homes
- **Eco Footprint:** Student page: [Regional Energy Efficiency Program](#)– Reduce your energy footprint in your home, [Backyard Composting](#)– Reduce your waste footprint by composting, [Recycle](#)– What can I recycle in my community?, [Water Smart Program](#)– Get smart about water in your home, [Eat Local Food](#)– Support local farmers and reduce your ecofootprint
- **Transportation:** Link in the lesson to [Accelerate Kootenays](#)
- **Our Water:** [Water smart program](#) link in student pages
- **True Cost of Food/Good Food Field Trip/Real Food Potluck:** Link to [Central Kootenay Food](#) and BC farmers' markets



## **BEYOND RECYCLING PROPOSAL 2023-2024**

The Beyond Recycling programs aim to equip students with the knowledge they need to make more sustainable lifestyle choices and prepare for a future in the face of climate change. Throughout this program, students look critically at their ecological footprint, through engaging lessons in topics including resource use, waste, product life cycles, energy use, transportation, water and food systems.

Students devise actions to shrink their own ecological footprints and to take environmental action, 'beyond' simply recycling. The program seeks to support teachers and students, as well as our partners and funders, in delivering key messages through our locally-developed environmental education program.

Wildsight has been delivering the Beyond Recycling program for 17 years. The program has grown and changed since it began, through feedback from our own educators, as well as the teachers, students and partners we work with.

We have had a partnership with the RDCK for over a decade to deliver the program in Revelstoke and Golden, where Wildsight operates and has locally-based educators. The program consists of 25 lessons, projects and field trips as well as additional student and teacher resources and extension activities. A key component of the program is the 'waste field trip, supported by the RDCK staff, and highlighting solid waste management practices and key public messages.

## **CHANGES TO FUNDING**

We have historically been able to deliver this intensive program with additional funding support, regionally, from the Columbia Basin Trust, as well as other funders. This has enabled the partnership with RDCK, and subsidized the true cost of delivering the program.

For the coming 2023-2024 school year, the budget for the Beyond Recycling program, and for all of our environmental education offerings at Wildsight, has been severely curtailed due to the loss core funding from the Columbia Basin Trust, who have recently announced that they will no longer be supporting environmental education. We are determined to persevere, although we do so with a realistic approach, given a large funding gap.

# PROGRAM DELIVERY OPTIONS

We hope to continue delivering Beyond Recycling together with support from the RDCK, and as such, we present the following proposal for three different program delivery scenarios, with different funding levels. These are presented below for consideration.

## Scenario A - Program Capacity for Consistent Level of Funding

- In 2022/23 Wildsight delivered five full programs with the RDCK’s contribution of \$22,640, as well as support from other funders (including the Columbia Basin Trust).
- For the same funding amount as last year, given the loss of Columbia Basin Trust funding, Wildsight can offer to deliver **four full programs and subscriptions to the new online program for \$22,640**
  - The full cost of one program is \$7,062 (See Appendix 1). Wildsight can subsidize the cost of a program with other revenue sources and can offer four programs to the RDCK for \$5,000 each
  - Wildsight can also offer fourteen subscriptions to our new Communities of the Future program, which will help to expand Beyond Recycling’s reach.

Program Element	Full Cost	Cost to RDCK
Full Beyond Recycling Program (four programs)	\$28,248	\$20,000
Up to 14 Communities of the Future subscriptions	\$3,500	\$2,640
Total	\$31,748	\$22,640

## Scenario B - Cost for Consistent Level of Delivery

- In 2022/23 Wildsight delivered five full programs with the RDCK’s contribution of \$22,640, as well as support from other funders (including the Columbia Basin Trust).
- For delivery of the same number of programs in 2023-2024, the cost to the RDCK, without Columbia Basin Trust subsidies, for **five full programs, as well subscriptions to our new online program would be \$27,640.**
  - The full cost of one program is \$7,062 (see Appendix 1). Wildsight can subsidize the cost of a program with other revenue sources and can offer five programs to the RDCK for \$5,000 each.
  - Wildsight can also offer fourteen subscriptions to our Communities of the Future program, which will help to expand Beyond Recycling’s reach.

<b>Program Element</b>	<b>Full Cost</b>	<b>Cost to RDCK</b>
Full Beyond Recycling Program (five programs)	\$35,310	\$25,000
Up to 14 Communities of the Future subscriptions	\$3,500	\$2,640
Total	\$38,810	\$27,640

### Scenario C - Cost for Abbreviated Programs

- In 2022/23 Wildsight delivered five full programs with the RDCK’s contribution of \$22,640, as well as support from other funders (including the Columbia Basin Trust).
- Wildsight could deliver **six abbreviated programs, as well as subscriptions to our new online program for \$22,640.**
  - The full cost of an abbreviated program is \$4,341 (See Appendix 1). Wildsight can subsidize the cost of the program with other revenue sources and can offer six abbreviated programs to the RDCK for \$3,200 each.
  - Wildsight can also offer eighteen subscriptions to our Communities of the Future program, which will help to expand Beyond Recycling’s reach.

<b>Program Element</b>	<b>Full Cost</b>	<b>Cost to RDCK</b>
Abbreviated Beyond Recycling Program (six programs)	\$26,046	\$19,200
Up to 18 Communities of the Future subscriptions	\$4,500	\$3,440
Total	\$30,546	\$22,640

## BEYOND RECYCLING PROGRAM DETAILS

### A full BR program includes:

- 14 Educator-led lessons - Garbology, History of Waste, It's All From Earth, It's a Plastic World, Lifecycle of Stuff, Lifecycle Presentations, Our Changing Climate,

Path of Power, Energy Debates, Eco Footprint, Sustainability, Our Water, Fishing for Sustainability, We Are Nature.

- 7 Teacher-taught lessons - Lifecycle Research, Closing the Loop, Our Energy, Energy Research, Debate Prep, Transportation, True Cost of Food
- 4 Educator-led projects - Paper Making, Real Food Potluck, EcoChallenge, Earth Day
- 2 Field trips - Waste Field Trip, Good Food Field Trip
- EcoChallenge classroom projects

**An abbreviated BR program includes:**

- 9 educator-led lessons - Garbology, History of Waste, It's All From Earth, It's a Plastic World, Lifecycle of Stuff, Lifecycle Presentations, Our Changing Climate, Path of Power, Energy Debates, COTF Presentations
- 5 teacher-taught lessons - Lifecycle Research, Closing the Loop, Our Energy, Energy Research, Debate Prep.
- 1 educator-led project - Paper Making
- 1 field trip - Waste Field Trip
- The abbreviated BR program does not include:
  - 5 educator-led lessons - EcoChallenge, Sustainability, Our Water, Fishing for Sustainability, We Are Nature
  - 2 teacher-taught lessons - Transportation, True Cost of Food
  - 3 educator-led projects - Real Food Potluck, EcoChallenge, Earth Day
  - 1 field trip - Good Food Field Trip
  - EcoChallenge class projects

**Communities of the Future online program:**

- We developed an online program, based on some of the key content from our original Beyond Recycling program, called Communities of the Future. This program, consisting of 7 lessons, including a final group design and building challenge.
- A series of flexible, video-based lessons for independent teacher use that set the stage for a culminating, hands-on and creative “Communities of the Future” group design and building challenge
- Research has shown that many of our youth don't have the tools to imagine anything but an apocalyptic future for themselves. This program, for grades 4 through 7, helps our youth dream and design of a safe, clean and thriving future they are happy to see themselves as a part of.
- Final activity directly links to BC curriculum ADST design guidelines
- The program was piloted in 2022/23 by 9 teachers who gave it rave reviews. The program will be launched in 2023/24 on the Outdoor Learning Store.

- This online independent teacher-led program can be delivered anywhere in the whole Regional District, not just where we have educators.
- The program would begin with a professional development webinar to introduce teachers to the main goals and learning outcomes, as well as how to use the resource most effectively

## Appendix 1: Cost per program

<b>Expense</b>	<b>Full Program</b>	<b>Abbreviated Program</b>
<i>Program Costs</i>		
Bussing	\$150	\$150
Educator Delivery	\$3,811	\$2,068
Mileage	\$230	\$150
Supplies	\$84	\$84
<i>Overhead Costs</i>		
Administration	\$706	\$429
Communications	\$706	\$429
Program Coordinator	\$803	\$602
Program Manager	\$572	\$429
<b>Total Expense</b>	<b>\$7,062</b>	<b>\$4,341</b>

WILDSIGHT EDUCATION

# BEYOND RECYCLING

Year-long, action-oriented, solutions-focused, environmental education program brought into the classroom by a professional Wildsight educator

## EDUCATOR LED ENVIRONMENTAL EDUCATION

Students explore:

- ecological footprint
- product lifecycle
- climate change
- waste reduction
- sustainability
- resource extraction
- human impacts
- energy conservation

includes:

- field trips
- action projects
- games
- experiments

Grades 5-7  
28 lessons  
75 min each

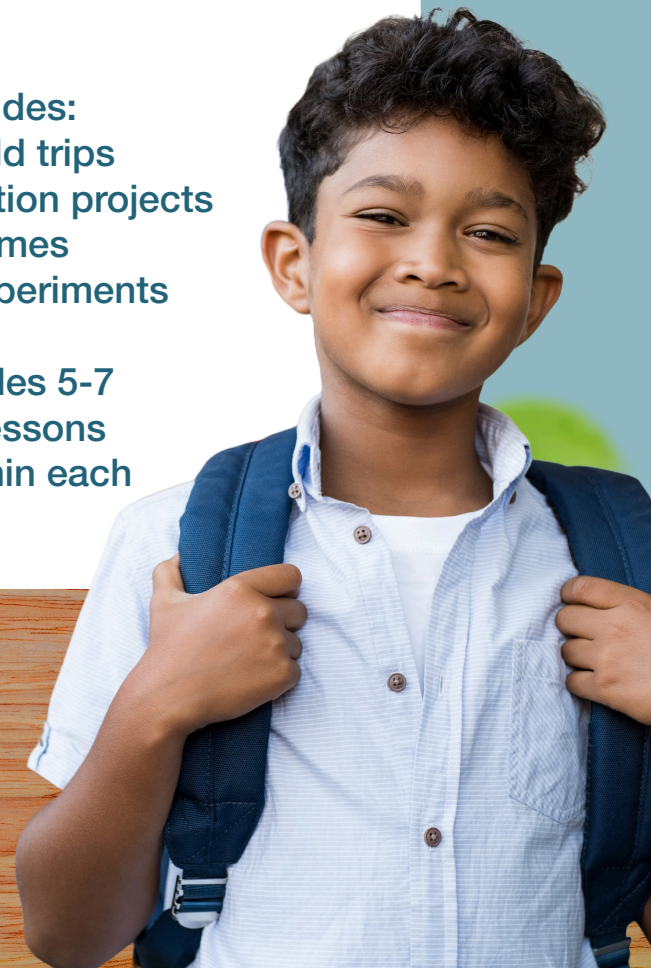


wildsight

"Engaging, informative, fun convincing, educational, well-organized, focused and CRITICAL to today's youth"

[beyondrecycling.ca](http://beyondrecycling.ca)

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WILDSIGHT EDUCATION

# COMMUNITIES OF THE FUTURE

A set of flexible classroom teacher resources that inspires hope in students as they learn & design for a sustainable future

## TEACHER RESOURCE ENVIRONMENTAL EDUCATION

Includes:

- video-based lessons
- extension activities
- hope-filled lessons to inspire students
- flexible teacher resources
- student design & building challenge

Students explore:

- waste
- energy
- water
- food
- transport

Grades 4-7  
7 modules



wildsight

"An essential framework for considering how we can all strive for sustainability. Each lesson can take a half hour or all day, it just depends on how deep you would like to go."

[wildsight.ca/education](http://wildsight.ca/education)

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# Board Report

**Date of Report:** October 11, 2023  
**Date & Type of Meeting:** October 19, 2023  
**Author:** Tom Dool, Research Analyst  
**Subject:** 2023 West Kootenay Transit Three Year Expansion Plan Memorandum of Understanding  
**File:** 15/8020/10  
**Electoral Area/Municipality:** Areas A, D, E, F, G, H, I, J, K, Slokan, Silverton, New Denver, Nakusp, Kaslo, Salmo, Nelson, and Castlegar

## SECTION 1: EXECUTIVE SUMMARY

The Purpose of this report is to provide the Board consideration regarding the 2023 West Kootenay Transit Three Year Expansion Plan Memorandum of Understanding (MOU).

This report recommends the Board approve of the RDCK entering into a memorandum of understanding with BC Transit for the purpose of confirming transit service expansion plans for 2024/25 and to approve transit expansion priorities for the subsequent two years, and that the Chair and Corporate Officer be authorized to sign the necessary documents; and further, the costs associated with memorandum of understanding be included in the 5 year financial Plans for Castlegar and Area Transit Service S237, North Shore Slokan Valley Transit Service S238, Kootenay Lake West Transit S239.

## SECTION 2: BACKGROUND/ANALYSIS

### BACKGROUND

The Regional District of Central Kootenay, in partnership with the City of Nelson and BC Transit, has completed a Transit Future Service Plan for West Kootenay Transit. At the August 19, 2021 Open Board Meeting the Board resolved that

*(593/21) That the Board adopt the West Kootenay Transit Future Service Plan.*

The plan contains 32 service options for consideration by the Board. Each year BC Transit provides the Board with a 3 Year Transit Improvement Proposal for West Kootenay Transit. The proposal contains critical and high priority transit service changes and improvements identified in the Board approved Transit Future Service Plan.

The preliminary Transit 3 Year Transit Expansion Proposal for West Kootenay Transit was submitted to the West Kootenay Transit Committee at the June 2023 meeting. The West Kootenay Transit Committee submitted that proposal to the Board in the June 2023 meeting minutes with a recommendation that the Board proceed with requesting detailed costing.

BC Transit has finalized costing for the approved service level options and is now presenting those costs for consideration by the Board. The cost and hours detailed in Year 1 one of the MOU represent a firm commitment while those Year 2 and 3 priorities are for planning purposes.

Cost and hours agreed to in Year 1 (2024/25) would be included in both the RDCK and BC Transit budget development processes in 2024 and 2025. Implementation of minor service level changes that do not require additional rolling stock could be implemented in the 2024 budget year. All service level changes that require additional rolling stock, such as additional #99 Connectors and the additional proposed #10 would be implemented in the 2025 budget year.

There are four service changes presented for consideration in year one of the MOU.

### **Service Change 1**

Expansion of Route 34 into South Castlegar to better service the Grandview Heights Neighborhood. The costs associated with this change will be supported by Castlegar and Area Transit (S237).

### **Service Change 2**

52 additional operating hours proposed for timing corrections for the Edgewood-Nakusp #53 to address ferry wait times and an additional 26 additional hours proposed to reroute the Nakusp-Playmor #52 to stop at the New Denver Health Center. The costs associated by this expansion will be born by Kootenay Lake West Transit S239. A detailed analysis of the distribution of these costs is included in Financial Analysis component of this report.

### **Service Change 3**

322 additional operating hours and an additional vehicle required to extend the weekday 4:04pm Route 10 trip to Balfour. The costs associated with expansion will be funded by North Shore Slocan Valley Transit Service S238. Specifically the North Shore component of the Service. A detailed analysis of the distribution of these costs is included in Financial Analysis component of this report.

### **Service Change 4**

1500 additional operating hours and 2 additional vehicles required to provide 2 additional peak time round trips between Castlegar and Nelson. The costs associated by this expansion will be born by Kootenay Lake West Transit S239. A detailed analysis of the distribution of these costs is included in Financial Analysis component of this report.

The Regional District currently uses several methods of apportionment to distribute the costs associated with public transit.

### **Castlegar and Area Transit S237**

This service uses a criteria based apportionment to distribute the cost of local transit services. The current apportionment method attributes the costs of this expansion within the municipality to the City of Castlegar which has agreed to fund it.

The apportionment of costs is based on

**Conventional Opportunity** - the population within 400m of a bus stop multiplied by the number of times a bus stops at that location on an annual basis.

**Conventional Mileage** - the cumulative annual kilometers required to provide Conventional Transit service.

**Custom Population** - the population within the service participants Custom Transit service area as defined by the most recent census or, where a proxy is required, by multiplying the number of addresses within the service area by 2.1.

### **Kootenay Lake West Transit S239**

This service apportions transit costs based on percentages contained within the service establishment bylaw as amended by Kootenay Lake West Transit Service Amendment Bylaw No. 2354,2013 . Those percentages were determined by staff and BC Transit when West Kootenay Transit was established in 2012. Because there have been no substantive service level changes since then the percentages adequately reflect the agreed upon distribution of costs. However, the distribution will no longer adequately reflect services if the Board chooses to proceed with the recommended service improvements. A process of reapportionment will be required. The Board may choose to distribute the costs of using a criteria based approach similar to Castlegar and Area S237 or it may choose another approach.

### **North Shore Slocan Valley Transit S238**

This service apportions cost in two ways.

For that portion of the service provided in the Slocan Valley, including the #99/20 Electoral Area E & F and Slocan Valley Transit Service Establishment Bylaw No. 1443,2000 apportion the costs as Area H 60%, Village of Slocan 7%, and the remaining 33% recovered by a property tax for Electoral Areas E and F based on assessment.

For that portion of the service provided on the North shore including the #10 North Shore, the costs are distributed based on assessment.

If the Board decides to proceed with expansion of service on the #10 North Shore as described in Service Change 3 the Board may continue to apportion the costs of transit-based assessments or may choose to reapportion those costs based on another method.

### **ANALYSIS**

BC Transit anticipates a return to pre-pandemic ridership levels by 2025. At these ridership levels, West Kootenay Transit will have seen a 68% increase in ridership since 2013 and 3% increase in operating hours. Investment in operating hours has not kept pace with the increase in ridership. There are well-documented over-crowding issues on the #99 Connector and passenger pass-ups at these ridership levels. Additionally, a significant number of passengers are required to stand for the duration of the trip between Castlegar and Nelson. This is noted safety issue with concerns consistently expressed by the operator. A highway collision, similar to the one that happened in 2022, but with a significant number of passengers standing presents a very significant risk to the safety of our ridership.

In the event that the Board directs staff to sign the MOU, the implementation of service changes would begin in the fall of 2024 with service changes that do not require rolling stock. Changes that require rolling stock would proceed in Q1 of 2025. Service changes that the Board decides not to proceed with will not be available for further consideration until September of 2024 with implementation for those options requiring rolling stock in Q1 2026.

While the Board may contemplate different methods of apportionment, until the bylaws that stipulate those apportionments are amended, the Board must abide by existing apportionments. If the Board chooses to

proceed with the proposed service improvements, the Board has 1 year to reapportion the costs to reflect new service levels.

**SECTION 3: DETAILED ANALYSIS**

**3.1 Financial Considerations – Cost and Resource Allocations:**  
**Included in Financial Plan:**  Yes  No      **Financial Plan Amendment:**  Yes  No  
**Debt Bylaw Required:**  Yes  No      **Public/Gov’t Approvals Required:**  Yes  No

**Service Change 1**

The criteria based apportionment adopted by the Castlegar and Area Transit Service (S237) requires that the municipality fund the additional \$57,946 in additional annual operating costs proposed by the expansion.

**Service Change 2**

The 52 hours proposed for timing corrections for the Edgewood-Nakusp #53 to address ferry wait times result in an additional \$3120 expense to the Kootenay Lake West Transit Service (S239).

Under the current apportionment, method these costs would distributed to all participants in the service as specified in Kootenay Lake West Transit Service Amendment Bylaw No. 2354, 2013.

The Board may choose to proceed with this service option and consider these costs during a reapportionment process in 2024. For example, to reapportion these costs based on 50% Transit Opportunity and 50% Transit Mileage in which case the Village of Nakusp would pay an additional \$1695.18 and Area K would pay an additional \$1424.82 in annual operating costs.

The 26 additional hours proposed to reroute the Nakusp-Playmor #52 to stop at the New Denver Health Center result in an additional \$1560 expense to the Kootenay Lake West Transit Service (S239). Under the current bylaw, this cost would be distributed to all service participants in accordance with the stated percentages.

The Board may choose to proceed with this service option and consider these costs during a reapportionment process in 2024. For example, to reapportion these costs based on 50% Transit Opportunity and 50% Transit mileage would distribute them in the following fashion

Participant	Cost
Area H	\$595.51
Area K	\$174.19
Nakusp	\$615.45
New Denver	\$78.04
Silverton	\$43.64
Slocan	\$53.17

It should be noted that a criteria based apportionment of costs excludes those participants of Kootenay Lake West Transit S239 who do not receive a benefit from the proposed service expansion.

**Service Change 3**

The 322 additional hours required to extend the weekday 4:04pm Route 10 trips to Balfour result in an additional \$44,340 expense to the North Shore Slocan Valley Transit Service (S238). Under the current



apportionment method for the service the costs would apportioned 51% to Area E (\$22,570) and 49% to Area F (\$21,769).

The Board may choose to proceed with this service option and consider these costs during a reapportionment process in 2024. To evaluate this option exclusively in terms transit opportunity and mileage outside of the context of the existing service results in the entire cost being attributed to Electoral Area E. Staff do not recommend this approach as the additional vehicle required to provide the service would also result in enhanced service to Area F through the #10. This option warrants further consideration regarding the apportionment of costs.

**Service Change 4**

The 1500 additional operating hours and 2 additional vehicles required to provide two additional peak time round trips between Castlegar and Nelson result in an additional \$163,142 expense for the Kootenay Lake West Transit Service (\$239).

Under the current apportionment method costs would attributed as follows.

<b>Participant</b>	<b>Current %</b>	<b>Current \$</b>
Castlegar	8.55%	\$ 13,948.64
Kaslo	4.18%	\$ 6,819.34
Nakusp	12.60%	\$ 20,555.89
Nelson	20.15%	\$ 32,873.11
new Denver	4.47%	\$ 7,292.45
Salmo	0.97%	\$ 1,582.48
Silverton	3.40%	\$ 5,546.83
Slocan	0.44%	\$ 717.82
Area A	1.71%	\$ 2,789.73
Area D	8.47%	\$ 13,818.13
Area E	7.86%	\$ 12,822.96
Area F	7.43%	\$ 12,121.45
Area G	3.22%	\$ 5,253.17
Area H	7.60%	\$ 12,398.79
Area I	1.85%	\$ 3,018.13
Area J	2.52%	\$ 4,111.18
Area K	4.58%	\$ 7,471.90

The Board may choose to proceed with this service option and consider these costs during a reapportionment process in 2024. For example to reapportion these costs based on a 1% Administrative Cost, 50% Transit Opportunity and 50% Transit mileage would distribute them in the following fashion

<b>Participant</b>	<b>Cost</b>
Area A Def	\$ 1,631.00
Area D	\$ 1,631.00
Area E	\$ 8,866.74
Area F	\$ 22,346.94
Area G	\$ 1,631.00
Area H	\$ 7,751.35
Area I	\$ 30,984.00
Area J	\$ 2,368.68
Area K	\$ 1,631.00
Nelson	\$ 40,285.14
Castlegar	\$ 34,229.14
Kaslo	\$ 1,631.00
Nakusp	\$ 1,631.00
Salmo	\$ 1,631.00
New Denver	\$ 1,631.00
Silverton	\$ 1,631.00
Slocan	\$ 1,631.00
<b>Total</b>	<b>\$ 163,142.00</b>

The proposed implementation of a 1% administrative charge reflects the importance of the #99 service to those rural routes in terms of connectivity to larger centers. The distribution of additional costs based on transit opportunity and mileage places the burden of cost on those service participants who receive the majority of the service.

It is important to note that until the Board decides how it would like to apportion the costs of public transit staff cannot provide the Board with certainty regarding the apportionment of those costs. It is anticipated that Board will determine a method of apportionment for Kootenay Lake West Transit S239 in 2024.

### **3.2 Legislative Considerations (Applicable Policies and/or Bylaws):**

None at this time.

### **3.3 Environmental Considerations**

Transportation is a critical path to the reduction of greenhouse gas (GHG) emissions. Increasing the availability of public transit reduces reliance on passenger vehicles and fosters a just transition to a low carbon society as described in the Regional District Climate Action Plan.

### **3.4 Social Considerations:**

Public transportation is a critical resource in a just transition away from intensive hydrocarbon based transportation. Public Transit addresses the needs of the highest barrier populations in our community and is critical to accessing education, medical services, affordable housing, employment, and allowing seniors to age in place.

### **3.5 Economic Considerations:**



Public Transportation between rural electoral areas and municipalities provides a critical link between affordable housing and employment demand.

### 3.6 Communication Considerations:

None at this time.

### 3.7 Staffing/Departmental Workplan Considerations:

None at this time.

### 3.8 Board Strategic Plan/Priorities Considerations:

Consideration of the proposed service level changes demonstrates the Regional Districts commitment to excellence in governance and service delivery.

## SECTION 4: OPTIONS & PROS / CONS

**Option 1.** That the Board approve of the RDCK entering into a memorandum of understanding with BC Transit for the purpose of confirming transit service expansion plans for 2024/25 and to approve transit expansion priorities for the subsequent two years, and that the Chair and Corporate Officer be authorized to sign the necessary documents.

#### Advantages

Addresses the longstanding and well-documented need for service expansion.

#### Disadvantages

Increases the cost of public transit.

**Option 2.** That the Board approve of the RDCK entering into a memorandum of understand with BC Transit for the purpose of confirming

1. Service Change 1 – The Expansion of Route 34 into South Castlegar to better service the Grandview Heights Neighborhood. The costs associated with this change will be supported by Castlegar and Area Transit (S237).
2. [Additional Services changes as described in this document and selected by the Board]

## SECTION 5: RECOMMENDATIONS

That the Board approve of the RDCK entering into a memorandum of understanding with BC Transit for the purpose of confirming transit service expansion plans for 2024/25 and to approve transit expansion priorities for the subsequent two years, and that the Chair and Corporate Officer be authorized to sign the necessary documents; and further, the costs associated with memorandum of understanding be included in the 5 year financial Plans for Castlegar and Area Transit Service S237, North Shore Slocan Valley Transit Service S238, Kootenay Lake West Transit S239.

Respectfully submitted,  
Tom Dool, Research Analyst

## CONCURRENCE

Chief Administrative Officer – Stuart Horn	Approved
Manager of Corporate Administration – Mike Morrison	Approved
Chief Financial Officer – Yev Malloff	Approved

**ATTACHMENTS:** Attachment A – West Kootenay Transit 3 Year Expansion Proposal



August 31, 2023

Attn: Tom Dool  
Research Analyst  
202 Lakeside Drive  
Nelson BC V1L 6B9

**Re: Transit Improvement Program - 3 Year Transit Expansion**

Dear Tom,

The purpose of this letter is to confirm transit service expansion plans for 2024/25 and approve transit expansion priorities for the subsequent two years.

BC Transit confirms service expansion plans with local government partners on an annual basis to coordinate the development of three-year budgets and capital plans with the Provincial Service Plan. Confirmation of next year's desired level of transit service expansion is also required to support the procurement of buses.

As your transit system has service initiatives requiring expansion funding, we have attached a Memorandum of Understanding (MOU) to formalize the process of securing provincial funding on your behalf. This MOU summarizes specific transit expansion initiatives for the next three operating years from 2024/2025 through to 2026/2027. These initiatives are derived from recommendations outlined in the most recent service plan received by your Board and validated in collaboration with local government staff.

Transit service expansion investments are important components to sustaining and growing a successful transit system. These investments in your transit system come with several considerations. To support Board decision making, we have provided updated order-of-magnitude costing for each transit service initiative. These are based on the estimated annual increase to revenue service hours. If your expansion requires additional vehicles, this is identified and factored into estimated total costs. If expansion requests exceed available provincial funding, BC Transit's expansion prioritization process will be used to determine which projects receive funding.

One of the key challenges we continue to face through this process is the higher probability that demand for expansion vehicles will exceed the availability in each fleet category. More advanced lead times are required for procurement and delivery of buses, and bus orders need to be strategically timed to align with our deployment plans. While every effort is made to align bus orders with demand, some expansion initiatives will likely be impacted by the limited availability of certain vehicle types. Despite these challenges, we continue to work with our local government partners to identify and develop expansion priorities, and to align our expansion initiatives with our overall fleet procurement plans.

By conveying proposed transit service expansion initiatives as far in advance as possible, we are seeking to achieve four important goals:

1. Ensure 3-year expansion initiatives are consistent with the expectations of local governments.
2. Provide local government partners with enhanced 3-year forecasts that identify longer term funding requirements.
3. Ensure transit system infrastructure investments needed to support transit service expansion plans are aligned with transit service expansion initiatives identified in both local government and BC Transit's 3-year operating budgets and the long-term capital plans.
4. Attain a commitment from local governments that allow BC Transit to proceed with the procurement and management of resources necessary to implement transit service expansions.

Upon confirmation of your Board's commitment to the expansion initiatives, we will include your request in BC Transit's Service Plan funding request to the Province. Following confirmation of the provincial budget, I will confirm with you if supporting provincial funding was secured and initiate a transit service implementation plan and work with local government to advance any capital infrastructure planning that may be required to ensure alignment with transit service expansion initiatives. I look forward to working with you on the continued improvement of your transit service and encourage you to contact me if you have any questions regarding these proposed initiatives.

We ask that a signed copy of this letter be returned to BC Transit by September 29, 2023. If you are unable to meet this deadline, please contact me at your earliest convenience.

Yours truly,

Daynika White  
Manager, Government Relations  
BC Transit

## Three-Year Transit Expansion Plan

<b>Date</b>	August 31, 2023
<b>Expiry</b>	September 29, 2023
<b>System</b>	West Kootenay Transit

### Proposed Transit Service Expansion Initiatives

The table below outlines expansion initiatives for the 2024/25 fiscal year with an estimated costing based on the hourly rates of your existing system. Please ensure that these initiatives are consistent with your local government expectations. Upon receipt of this MOU, we will confirm funding from the Province on your behalf. Please keep in mind that should vehicles be procured to support your expansion following agreement to the MOU and a determination is made that an expansion is no longer desired by the local government, the lease fees related to the new vehicles will still be added to your operating budget for a minimum of one-year.

PROPOSED EXPANSION INITIATIVES - Year 1 (2024/25)						
AOA Period	In Service	Annual Hours	Vehicle Requirements	Estimated Annual Revenue	Estimated Annual Total Costs	Estimated Annual Net Municipal Share
2024/25	September	400	1	\$4,554	\$92,563	\$57,946
		<b>Description</b>	Extend Route 34 to serve the Grandview Heights Neighbourhood			
2024/25	September	400	1	\$1,600	\$83,952	\$49,020
		<b>Description</b>	Additional trip time for route 53 Edgewood to address ferry run time issues, and additional hours for route 52 trips to pass by the New Denver Health Centre. Extend weekday 4:04 pm Route 10 trip to Balfour.			
2024/25	September	1,500	2	\$6,002	\$283,074	\$163,142
		<b>Description</b>	One new Route 99 round trip on weekdays at each peak time, for a total of two new round trips per weekday.			

The table below outlines expansion initiatives for year two and three of the three-year transit service expansion initiatives with an estimated costing based on the hourly rates of your existing system. Please ensure that these initiatives are consistent with your local government expectations. Upon

confirmation of your local government’s intent to commit to the expansion and budget, we will proceed with the request to secure funding from the Province on your behalf.

<b>PROPOSED EXPANSION INITIATIVES - Year 2 &amp; 3</b>						
<b>AOA Period</b>	<b>In Service</b>	<b>Annual Hours</b>	<b>Vehicle Requirements</b>	<b>Estimated Annual Revenue</b>	<b>Estimated Annual Total Costs</b>	<b>Estimated Annual Net Municipal Share</b>
2025/26	September	<b>700</b>	<b>1</b>	<b>\$8,057</b>	<b>\$221,354</b>	<b>\$123,101</b>
		<b>Description</b>	Add a new route to extend service from Fruitvale to Salmo, 3 trips per weekday; interline with route 43.			
2025/26	September	<b>1,300</b>	<b>1</b>	<b>\$5,278</b>	<b>\$206,247</b>	<b>\$105,573</b>
		<b>Description</b>	Introduce basic commuter service between Salmo, Ymir and Nelson. 5 new service days, 3 trips a day.			
2026/27	September	<b>1,000</b>	<b>0</b>	<b>\$11,510</b>	<b>\$249,929</b>	<b>\$121,728</b>
		<b>Description</b>	Extend service in Castlegar until 8pm weekdays and align with other urban routes within the West Kootenay Transit System.			
2026/27	September	<b>1,000</b>	<b>5</b>	<b>\$4,060</b>	<b>\$360,499</b>	<b>\$250,039</b>
		<b>Description</b>	Introduce heavy duty buses and decouple routes 10 & 99 from Nelson Transit.			

### **Approval**

On behalf of the Regional District of Central Kootenay, I/we are confirming to BC Transit to proceed with the request for funding to the Province on our behalf for the 2024/25 Fiscal year, and that we will budget accordingly for the initiatives identified above and will review and confirm on an annual basis as per the advice provided and with the knowledge a more detailed budget will follow as service details and capital initiatives are confirmed.

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Position:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Position:** \_\_\_\_\_

**On behalf of BC Transit**

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Position:** Manager, Government Relations

DRAFT





# Memorandum

**Date:** 10-11-2023

**To:** RDCK Board of Directors

**From:** Mike Morrison, Manager of Corporate Administration and Corporate Officer

**Subject:** UBCM Meeting Notes

**File No.:** 01-0230-05

## **Meeting with the Honourable Anne Kang, M.L.A., Minister of Municipal Affairs and Housing**

### Meeting Topic 1- Support for Small Water Systems Proposal

There are hundreds of small water systems within the RDCK facing challenges with meeting water quality guidelines and with navigating the complexities regarding licensing, water system compliance, financing and governance. The RDCK has previously submitted a proposal to the Province for a pilot project to attempt to better support small water systems in these matters. The RDCK is requesting ministry support for advancing the proposal to pilot project stage.

#### Discussion Points:

- RDCK proposal will be re-sent for review by Ministry staff.
- RDCK reinforced to the Minister that the existing Infrastructure Planning Grant program available to small water systems does not address the need for business planning or regulatory support.
- Ministry staff noted many commonalities between the RDCK and Thompson-Nicola Regional District regarding small water system issues, and will consider both jurisdictions in addressing the issues.

## **Meeting Topic 2: Borrowing For Fire Apparatus**

The RDCK has scheduled three upcoming referenda to approve borrowing for fire apparatus, which will require significant expense and staff resources. The current taxation rates for these fire services eliminate the possibility of using the Alternative Approval Process (AAP) to achieve approval for the borrowing. The RDCK requests that ministry evaluate options for legislative changes that would allow borrowing for this apparatus without a requirement to hold referenda.

#### Discussion Points:

- The RDCK reinforced that the requirement for the new apparatus is driven by regulatory compliance and there are no plans to discontinue operation of these fire services.
- Exemptions to voter assent specific to fire apparatus could be considered.

- Options for specifically allowing fire apparatus borrowing under AAP regardless of the resulting rate/\$1,000 could be considered.
- Options that consider borrowing rules that consider the life cycle of the asset could be considered
- Matter was referred to Ministry staff for further consideration.
- CAO has reached out to the ADM to continue this conversation.

### **Meeting with the Honourable Josie Osborne, Minister of Energy, Mines and Low Carbon Innovation**

CAO Horn was invited by the City of Nelson to a meeting with Minister Osborne and her staff to discuss the HB Mine property and to request continued assistance in the management of the property by the RDCK.

#### Discussion Points:

- Ministry staff was thanked for their support to date on the property, including technical support and allowances within the Mines Act.
- Request for further support as the RDCK gets into the monitoring phase of the property, as the requirements are quite stringent and the RDCK is not a mining company and does not have the vast in house expertise of one.
- Connection was made with the Deputy Minister on the file and communication will continue on the support the RDCK requires.

## **Meeting with the Honourable Pam Alexis, M.L.A , Minister of Agriculture**

Meeting Topic- Irrigation in the Creston Valley

The Creston Valley is a major agricultural area, and many agricultural producers rely upon the RDCK water supply system for their irrigation needs. The current drought situation has strained the potable water system to meet the needs of both agricultural and residential users. The RDCK has submitted a grant application to the investment Agriculture Foundation of BC to investigate development of new irrigation water sources in the area, and the RDCK is seeking Ministry support for this project.

### Discussion Points:

- The current constraints on water supply will limit opportunities for growth in the local area, however moving agricultural users off of the potable water supply to new irrigation sources would enable growth.
- Lack of irrigation water has direct and current economic impacts to agriculture in the local area, and limits investment in future expansion of the agriculture sector.
- RDCK is in discussions with the Lower Kootenay Band to understand how we can support them on this project, and it presents a meaningful opportunity to implement reconciliation efforts at the local level.
- There is an opportunity to tie the project in to other work the RDCK is undertaking regarding watershed security, which notably aligns with provincial priorities and strategies.
- Ministry staff suggested the RDCK also look at the Indigenous Food Sovereignty Program as a funding source.

## **Meeting with Senior Staff at Ministry of Housing and the Residential Tenancy Branch**

### *Meeting Topic 1: Impacts of the Residential Tenancy Act in Rural Areas*

The current Residential Tenancy Act requirements may act as a disincentive to increasing housing supply in rural areas. The RDCK wishes to make the Ministry aware of the unique rural circumstances and have these considered in future policy or legislative changes.

#### Discussion Points:

- Small municipalities have smaller-scaled and more economically challenging projects than larger, resulting in significant challenges with attracting developers for any type of housing and purpose-built rental housing may not be economically viable in rural communities.
- Growth of rental stock in rural BC is reliant on ‘mom and pop’ type landlords renting out basements suites, carriage houses and cabins, and who generally do not have a sophisticated understanding of the Residential Tenancy Act.
- Current tenancy rules are perceived by potential landlords to heavily favour tenants’ rights, which acts as a disincentive to developing and bringing new rentals to market.
- Lack of rental housing is limiting growth in smaller communities, and concerning situations have arisen where specialized and vital jobs in the community (e.g. nurses, ambulance attendants, fire chiefs etc..) go unfilled because qualified candidates coming from outside the community are unable to secure housing.
- BC Housing’s Secondary Suites Incentive Program has resources for potential landlords to better understand residential tenancy rules.

### *Meeting Topic 2: Increased Funding for the Residential Tenancy Branch*

The wait times to resolve landlord-tenant disputes at the Residential Tenancy Branch Tribunal act as a disincentive to developing rental housing. The RDCK requests additional funding to clear the backlog of complaints at the Tribunal.

#### Discussion Points:

- Residential Tenancy Branch increased their staff component by 50 FTE’s to address the backlog of complaints and wait times are trending downward as a result.
- Growing awareness within government that the hearing- based approach may not be best for resolving landlord-tenant disputes.
- Work is underway to address the resolution of disputes specifically related to non –payment of rent.

### *Meeting Topic 3: Contractor Qualifications and Permitting*

A general discussion took place regarding the province’s requirements for work to be completed by certified trades and installers in order to access rebates and grant funding. Due to the lack of certified contractors in rural areas the RDCK requested the Ministry of Housing staff review this and consider policy changes

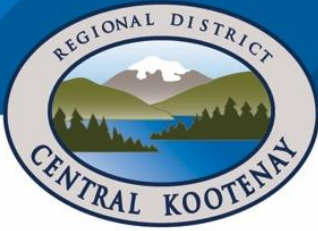
## **Meeting with Amandeep Singh, M.L.A, Parliamentary Secretary for the Environment**

Meeting Topic: Improving Recycling Programs in Rural Communities

Despite the advancement of Extend Producer Responsibility (EPR) programs in BC the RDCK still must heavily subsidize recycling programs in order to provide a minimum service level to RDCK residents. The RDCK is seeking adjustments to the Recycling Regulation to decrease costs and improve services to rural residents.

Discussion points:

- RDCK suggests to increase the fees that producers must pay into the Recycle BC program , but to have that additional funding be paid to regional districts to offset their subsidization of rural recycling services rather than being retained by Recycle BC.
- There are many areas of the RDCK where curbside collection is viable, but that don't meet Recycle BC's threshold of a minimum 5,000 population to provide this service. The RDCK requests that Province require the next review of Recycle BC's stewardship plan include provisions for expanding rural curbside services.
- The rural Industrial, Commercial and Institutional (ICI) recycling stream is not collected by commercial haulers in rural areas as it is in more densely populated communities. Therefore ICI material ends up in the Recycle BC system and Recycle BC applies significant financial penalties for this that offset RDCK revenues.
- Recycle BC has overcome the initial challenges resulting from their program launch in 2013 and has the operational capacity to make improvements to their program.
- Ministry staff noted that the issues experienced by that RDCK have been raised by other local governments.
- It was noted that some interim solutions to these are being considered for the north- central region of BC and that similar initiatives might be considered for the RDCK. No details were provided. RDCK staff will be following up to get details on these solutions.
- The RDCK expressed willingness to participate in a pilot project to achieve recycling program improvements. Ministry and RDCK staffs to follow up on this.



# Board Report

**Date of Report:** October 05, 2023  
**Date & Type of Meeting:** October 19, 2023 Open Regular Board Meeting  
**Author:** Nora Hannon, Regional Fire Chief  
**Subject:** UBCM CEPF FIRE SERVICE GRANT APPLICATION  
**File:** 14/7750/01  
**Electoral Area/Municipality:** RDCK Area A, Area B, Area D, Area E, Area F, Area G, Area H, Area I, Area J, Slocan and Kaslo

## SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to seek approval from the Board for staff to apply to the UBCM Community Emergency Preparedness Fund under the Volunteer & Composite Fire Department Training & Equipment Stream October, 2023 intake under a regional application.

## SECTION 2: BACKGROUND/ANALYSIS

The intent of this funding stream is to build the resiliency of volunteer and composite fire departments through the purchase of new or replacement equipment, and to facilitate the delivery of training and exercises. Ongoing operational costs and the purchase of fire apparatus are not eligible.

Volunteer fire departments are those that have no paid staff, except paid on-call volunteers. Composite fire departments are those that have a mix of paid staff and unpaid volunteers.

Each Fire Department may apply for up to \$30,000, with UBCM providing 100% funding.

Staff are recommending the RDCK apply to UBCM as a regional application of 16 fire departments (Robson, Ootischenia, Tarrys, Pass Creek, Crescent Valley, Passmore, Winlaw, Slocan, Beasley, Blewett, Ymir, Yahk Kingsgate, Riondel, North Shore, Balfour Harrop and Kaslo) for a total grant of \$480,000.

This application would fund up to two, one year temporary, full time training positions; contract training and training props for RDCK fire stations.

This proposal takes into consideration feedback received from both the Training Officers and Chiefs, fire department training records and current standing towards meeting the requirements of the BC Minimum Training Standards for Firefighter 'the standard', as published by the Office of the Fire Commissioner. This application takes into account the recent 2022 update to the standard, which requires a new training plan and program to meet the updated training standard in the spring 2024.

Up to two, one year training positions would support: RDCK Fire Departments with meeting the standard requirements. The positions would focus on exterior, interior and live fire training for volunteer firefighters. Both positions would deliver training locally and sub regionally to RDCK departments on a schedule that supports our volunteers and their work / life balance.

Contract training would support: Water Supply Training in support of FUS Superior Tanker Shuttle Accreditation, Pump Operator Training and the development of RDCK Fire Service Incident Commanders, Team Leaders and Officers.

The construction of training props and purchase of equipment:

With the intent for each department to have a consistent inventory of basic training props, allowing firefighters to train at their stations for all exterior and interior job performance requirements (JPR's).

The re construction of Live Fire Training Props at the Live Fire Training Center.

The purchase of equipment for individual departments.

### SECTION 3: DETAILED ANALYSIS

#### 3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan:  Yes  No      Financial Plan Amendment:  Yes  No

Debt Bylaw Required:  Yes  No      Public/Gov't Approvals Required:  Yes  No

If successful, grant funding of \$480,000 will be allocated to S101 Rural Administration, OVR106-102 Fire Services:

The budget for 2024 is \$185,000 for two, one year temporary, full time positions working up to 35 hrs per week, including employer contributions and travel.

The budget for 2024 is \$120,000 for contract training.

The budget for 2024 is \$175,000 for the construction of training props and purchase of equipment.

Under the recommendation of staff and approval from UBCM, funds may be reallocated as required within the three aforementioned categories.

#### 3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

The Office of the Fire Commissioner requires the Authority having Jurisdiction to declare service levels for each fire department, and train firefighters to the requirements of that service level.

#### 3.3 Environmental Considerations

Fire Departments mitigate impact on the environment at the incidents they attend.

#### 3.4 Social Considerations:

Service level specific training benefits the health and safety of each firefighter and supports a resilient fire force in every community.

#### 3.5 Economic Considerations:

Fire Protection supports business continuity and economic development for RDCK communities.

#### 3.6 Communication Considerations:

The Regional Fire Chief has consulted with every Fire Chief in the RDCK Fire Service.

#### 3.7 Staffing/Departmental Workplan Considerations:

This recommendation is already considered in the department workplan.

#### 3.8 Board Strategic Plan/Priorities Considerations:



## SECTION 4: OPTIONS & PROS / CONS

Pros:

This grant provides funding in for training that is needed by RDCK Fire Departments.

Cons:

By not applying to this grant, departments would not be able to access, this needed provision of training.

## SECTION 5: RECOMMENDATIONS

That the Board direct staff to apply to the October, 2023 UBCM Community Emergency Preparedness Fund intake for Volunteer and Composite Fire Departments, with a \$30,000 per fire hall grant application totalling \$480,000 for each of Robson, Ootischenia, Tarrys, Pass Creek, Crescent Valley, Passmore, Winlaw, Slokan, Beasley, Blewett, Ymir, Yahk Kingsgate, Riondel, North Shore, Balfour Harrop and Kaslo fire departments;

And FURTHER, that if successful the grant funding to be allocated S101 Rural Administration Fire Services budget, and that staff proceed with the hiring of up to two, one year, full time training positions, contract training, purchase of equipment and the construction of training props.

Respectfully Submitted,  
Nora Hannon

## CONCURRENCE

Chief Administrative Officer – Stuart Horn	Approved
Chief Financial Officer – Yev Malloff	Approved

## ATTACHMENTS:

Nil



# Board Report

**Date of Report:** October 3, 2023  
**Date & Type of Meeting:** October 18, 2023 Open Regular Board Meeting  
**Author:** Jeannine Bradley, Project Manager  
**Subject:** Ootischia Fire Hall Bay Addition – Change Order Award  
**File:** \\files\RDCK\01\0600\20\2022 Projects\2022 Ootischia FH New Bay  
**Electoral Area/Municipality:** Area J

## SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to provide an update regarding the Ootischia Fire Hall Bay Addition project; and request that the Board approve a change order to extend the CCDC2 Stipulated Price Contract with NDB Construction Ltd., and to award further construction services to NDB Construction Ltd., to a maximum value \$275,403.00, increasing the total contract value to \$487,832.00.

This request is dependant on the approval of the Ootischia Fire Hall Community Works Fund application by the Rural Affairs Committee on October 18, 2023.

## SECTION 2: BACKGROUND/ANALYSIS

The Ootischia Fire Hall in Electoral J was constructed in 1990 and has since outgrown its space. The fire service has purchased a new rescue truck and has inadequate bay space available to house the vehicle. A Community Works Fund was approved to fund the expansion of the Ootischia Fire Hall on 9 December 2021.

The RDCK issued a Request for Proposal (RFP) on January 28, 2022 for the design and construction of the Ootischia Fire Hall Vehicle Bay Expansion and Improvements Project. 5 proposals were received by the closing date on February 24, 2022. NDB Construction Ltd. (NDB) was selected as the preferred contractor based on factors including: experience, resources, proposed methodology, quality assurance and quality control program, schedule, overall price and sustainability. NDB submitted the overall lowest price: submitted proposals ranged between \$165,500.00 to \$468,369.75 excl. additional optional items. On March 17, 2022 the board passed resolution 197/22, awarding the project with additional items to NDB Construction Ltd. to a maximum value of \$212,429.00.

In April 2022, NDB submitted a building permit application to the RDCK. Subsequently, the RDCK Building Department concluded that the building was incorrectly designed to the Part 9 BC Building Code 2018 (BCBC) regulations, whereas a fire hall should comply with the more onerous Part 4 Post-Disaster and related BCBC regulations which requires an architectural consultant. NDB's contract was temporarily placed on hold at this time, and Cover Architecture Collaborative Inc. (Cover) was retained on 1 November 2022 to undertake the required re-design of the building to comply with BCBC regulations.

On 21 September 2023, Cover submitted a revised building permit application and construction drawings to the RDCK. NDB subsequently provided a proposed change order for an additional \$275,403.00 for the additional work required to construct the new building, increasing their total contract value to \$487,832.00.

The Project Team to date has not re-issued a RFP for the construction of the new design for the following reasons:

- NDB’s original proposal provided a significantly lower price than the next lowest Proponent. It is expected that NDB would again provide the lowest price in a renewed RFP process;
- Repeating the RFP procurement process would require additional staff time and costs to terminate existing contract with NDB Construction Ltd., reproduce RFP documents, and evaluate submissions, and would delay construction commencement for several months.
- To date, NDB Construction Ltd. has continued to support the project team in re-estimating project costs at their own cost.

### SECTION 3: DETAILED ANALYSIS

**3.1 Financial Considerations – Cost and Resource Allocations:**  
**Included in Financial Plan:**  Yes  No      **Financial Plan Amendment:**  Yes  No  
**Debt Bylaw Required:**  Yes  No      **Public/Gov’t Approvals Required:**  Yes  No

NDB Construction Ltd’s services are funded by the following sources:

Community Works Fund: Vehicle Bay Addition (approved)	\$212,429.00
Growing Community Fund (approved)	\$73,885.00
Community Works Fund (pending approval at 18 Oct 2023 RAC)	\$201,518.00
<b>Total</b>	<b>\$487,832.00</b>

The overall project budget for the Ootischenia Fire Hall’s expansion is \$709,454.88, which includes funding for all consulting and fees, regulatory fees, project management and contingency. These additional related costs are proposed to be funded within Community Works Funds and the service’s reserves.

### 3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

The original RFP was competitively procured in accordance with the terms of the RDCK Purchasing Policy using the RFP procurement process.

The project team has obtained an RDCK development variance permit and Ministry of Transportation and Infrastructure (MOTI) permit as the building addition would have otherwise encroached on property set back limits.

### 3.3 Environmental Considerations

n/a

### 3.4 Social Considerations:

n/a

### 3.5 Economic Considerations:

n/a

### 3.6 Communication Considerations:

n/a

### 3.7 Staffing/Departmental Workplan Considerations:

This project is in the work plan for fire services and project management staff.

### 3.8 Board Strategic Plan/Priorities Considerations:

- To Excel in Governance and Service Delivery
- To Manage our Assets and Operations in a Fiscally Responsible Manner
- To adapt to our Changing Climate and Mitigate Greenhouse Gas Emissions

## SECTION 4: OPTIONS & PROS / CONS

**Option 1:** That the Board direct staff to award further construction services to NDB Construction Ltd.

Pros:

- Work can start in a timely manner and project will be completed and commissioned prior to August 31, 2024.
- No additional cost will be incurred for staff or consultants relating to repeating a procurement process.

Cons:

- May be perceived as preferential treatment to NDB Construction Ltd.

**Option 2:** That the Board direct staff to re-issue and RFP for the construction services:

Pros:

- Will ensure maximum transparency in the procurement process.
- May result in additional proposals.

Cons:

- Repeating a procurement process will incur additional staff and consultant time and costs.
- May result in higher pricing.
- Will push the award and completion dates forward by several months.

**Option 3:** That the Board direct staff to postpone the Ootischenia Fire Hall Bay Addition project:

Pros:

- None

Cons:

- Expected lifetime of existing fire-fighting equipment may be reduced due to inadequate storage methods.
- Will necessitate termination of existing contract with NDB Construction Ltd.
- May result in higher pricing if revisited in future.
- May require redesign due to BC Building Codes revisions expected to be made effective by end of 2023.

## SECTION 5: RECOMMENDATIONS

That the Board award a change order to extend the CCDC2 Stipulated Price Contract with NDB Construction Ltd. for construction services of a vehicle bay expansion at the Ootischenia Fire Hall for the period up to August 31, 2024, and that the Chair and Corporate Officer be authorized to sign the necessary documents to a maximum value of \$275,403.00 plus GST, increasing the total contract value to \$487,832.00 plus GST; AND FURTHER, that the cost be included in the 2023 and 2024 Financial Plans for S145 Fire Protection – Area J.

Respectfully submitted,  
Jeannine Bradley, Project Manager

## CONCURRENCE

Regional Fire Chief – Nora Hannon	Approved
General Manager of Finance – Yev Malloff	Approved
Chief Administrative Officer– Stuart Horn	Approved



# Discretionary Fund Grant Program Application Form

## REGIONAL DISTRICT OF CENTRAL KOOTENAY

202 Lakeside Drive, Box 590, Nelson, B.C. V1L 5R4  
Phone 250-352-6665 Fax 250-352-9300  
Toll Free in B.C. 1-800-268-7325

FILE NO. 1860-20-\_\_\_

**Contact Information:**

*Note: Applicants are encouraged to discuss their project with the applicable RDCK elected official prior to submitting their grant application.*

<b>Organization/Society Name:</b> Creston Valley Quilters' Guild	<b>Date of Application:</b> 10/06/2023
<b>Contact Name:</b> Barbara Apponen	<b>RDCK Electoral Area/Member Municipality:</b> <input type="checkbox"/> RDCK Electoral Area: A <input type="checkbox"/> Municipality:
<b>Mailing Address:</b> 1213 Cedar St  Creston BC V0B 1G3	<b>Payment Type:</b> <input type="checkbox"/> Electronic Fund Transfer <input checked="" type="checkbox"/> Mailed cheque
<b>Phone #:</b> (250) 402-6612	<b>Email:</b> capponen@telus.net

**Project/Service Description**

Please provide an overview of the project and/or service and how the funds will be used. (600 characters max.) *Attach supporting project documentation, organization's list of directors and their respective executive position, plus overall number of members. Grant requests exceeding \$5,000 must be accompanied by the organization's most recently approved financial statements.*

The Creston Valley Quilters' Guild have 24 ladies from Creston, Wynndel, Erickson, Lister, Canyon and Arrow Creek. We meet on Wednesdays, Sept to May, at the Anglican Church. This is the 40th season we have met as a group. The ladies share many years of knowledge to the group with workshops and demonstrations of quilting techniques. Our rent and insurance costs are more than the membership fees. To help offsets these costs we have been creative. We would appreciate any help the RDCK could give us.

**Grant Application:**

Total Grant Requested: \$750.00	Which funding criterial objective does this project meet? <input checked="" type="checkbox"/> Social <input type="checkbox"/> Economic <input type="checkbox"/> Cultural
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Other Funding Sources - Identify all sources of project funding and amounts. Both funds requested and received: Membership 860.00. Yard sales \$376.98. Pfaff Machine \$400.00. November Craft Sale \$466.

~~Other Discretionary Grants Received in the Year Last Ap~~ November 2022 - \$750.00

By submitting this application for the Discretionary Fund Grant Program, I confirm I am an authorized signatory of the recipient organization and I agree to the Discretionary Fund Grant Program Recipient Obligations detailed on page two of this application.

*B.Apponen* Signed at:  
2023-10-06 12:14:28  
\_\_\_\_\_  
Signature

Barbara Apponen  
\_\_\_\_\_  
Print Name

**Authorization**

Signature of Area Director Signed by director	Total Grant Approved \$ 750
Board Approved Date:	Resolution #



# Discretionary Fund Grant Program Application Form

## REGIONAL DISTRICT OF CENTRAL KOOTENAY

202 Lakeside Drive, Box 590, Nelson, B.C. V1L 5R4  
Phone 250-352-6665 Fax 250-352-9300  
Toll Free in B.C. 1-800-268-7325

FILE NO. 1860-20-\_\_\_

### Contact Information:

*Note: Applicants are encouraged to discuss their project with the applicable RDCK elected official prior to submitting their grant application.*

<b>Organization/Society Name:</b> Creston Valley Hospice Society	<b>Date of Application:</b> 09/12/2023
<b>Contact Name:</b> Jason Meidl	<b>RDCK Electoral Area/Member Municipality:</b> <input type="checkbox"/> RDCK Electoral Area: A <input type="checkbox"/> Municipality:
<b>Mailing Address:</b> 218 NW Blvd  Creston BC V0B1G0	<b>Payment Type:</b> <input type="checkbox"/> Electronic Fund Transfer <input checked="" type="checkbox"/> Mailed cheque
<b>Phone #:</b> (250) 581-2120	<b>Email:</b> jason@crestonvalleyfuneralservices.ca

### Project/Service Description

Please provide an overview of the project and/or service and how the funds will be used. (600 characters max.) *Attach supporting project documentation, organization's list of directors and their respective executive position, plus overall number of members. Grant requests exceeding \$5,000 must be accompanied by the organization's most recently approved financial statements.*

The Creston Valley Hospice Society relies on its volunteers to provide hospice care to families ranging from Yahk to Boswell. Every year we have a volunteer dinner as a way to thank them for all their service. The funds if received will be used to pay for this dinner. This is the first dinner we have had since Covid and are excited to provide this as a thankyou for our hardworking volunteers.

### Grant Application:

Total Grant Requested: \$ 500	Which funding criterial objective does this project meet? <input checked="" type="checkbox"/> Social <input type="checkbox"/> Economic <input type="checkbox"/> Cultural
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Other Funding Sources - Identify all sources of project funding and amounts. Both funds requested and received:  
We have no other funding other than self funded through our existing monies from fundraising and donations from the ...

Previous Discretionary Grants Received – Year and Amount: none

By submitting this application for the Discretionary Fund Grant Program, I confirm I am an authorized signatory of the recipient organization and I agree to the Discretionary Fund Grant Program Recipient Obligations detailed on page two of this application.

Signed at:  
2023-09-12 11:21:01  
\_\_\_\_\_  
Signature

Jason Meidl  
\_\_\_\_\_  
Print Name

### Authorization

Signature of Area Director    Signed by director	Total Grant Approved \$ 500
Board Approved Date:	Resolution #





# Discretionary Fund Grant Program Application Form

## REGIONAL DISTRICT OF CENTRAL KOOTENAY

202 Lakeside Drive, Box 590, Nelson, B.C. V1L 5R4  
Phone 250-352-6665 Fax 250-352-9300  
Toll Free in B.C. 1-800-268-7325

FILE NO. 1860-20-\_\_\_

### Contact Information:

*Note: Applicants are encouraged to discuss their project with the applicable RDCK elected official prior to submitting their grant application.*

<b>Organization/Society Name:</b> Creston Valley Hospice Society	<b>Date of Application:</b> 09/12/2023
<b>Contact Name:</b> Jason Meidl	<b>RDCK Electoral Area/Member Municipality:</b> <input type="checkbox"/> RDCK Electoral Area: B <input type="checkbox"/> Municipality:
<b>Mailing Address:</b> 218 NW Blvd  Creston BC V0B1G0	<b>Payment Type:</b> <input type="checkbox"/> Electronic Fund Transfer <input checked="" type="checkbox"/> Mailed cheque
<b>Phone #:</b> (250) 581-2120	<b>Email:</b> jason@crestonvalleyfuneralservices.ca

### Project/Service Description

Please provide an overview of the project and/or service and how the funds will be used. (600 characters max.) *Attach supporting project documentation, organization's list of directors and their respective executive position, plus overall number of members. Grant requests exceeding \$5,000 must be accompanied by the organization's most recently approved financial statements.*

The Creston Valley Hospice Society relies on its volunteers to provide hospice care to families ranging from Yahk to Boswell. Every year we have a volunteer dinner as a way to thank them for all their service. The funds if received will be used to pay for this dinner. This is the first dinner we have had since Covid and are excited to provide this as a thankyou for our hardworking volunteers.

### Grant Application:

Total Grant Requested: \$ 500	Which funding criterial objective does this project meet? <input checked="" type="checkbox"/> Social <input type="checkbox"/> Economic <input type="checkbox"/> Cultural
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Other Funding Sources - Identify all sources of project funding and amounts. Both funds requested and received:  
Self funded through general account

Previous Discretionary Grants Received – Year and Amount: none

By submitting this application for the Discretionary Fund Grant Program, I confirm I am an authorized signatory of the recipient organization and I agree to the Discretionary Fund Grant Program Recipient Obligations detailed on page two of this application.

Signed at:  
2023-09-12 11:22:56

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Signature

Jason Meidl

---

Print Name

### Authorization

Signature of Area Director    Signed by director	Total Grant Approved \$    \$500
Board Approved Date:	Resolution #



# Discretionary Fund Grant Program Application Form

## REGIONAL DISTRICT OF CENTRAL KOOTENAY

202 Lakeside Drive, Box 590, Nelson, B.C. V1L 5R4  
Phone 250-352-6665 Fax 250-352-9300  
Toll Free in B.C. 1-800-268-7325

FILE NO. 1860-20-\_\_\_

**Contact Information:**

*Note: Applicants are encouraged to discuss their project with the applicable RDCK elected official prior to submitting their grant application.*

<b>Organization/Society Name:</b> Creston Valley Hospice Society	<b>Date of Application:</b> 09/12/2023
<b>Contact Name:</b> Jason Meidl	<b>RDCK Electoral Area/Member Municipality:</b> <input type="checkbox"/> RDCK Electoral Area: C <input type="checkbox"/> Municipality:
<b>Mailing Address:</b> 218 Northwest Blvd  Creston BC V0B1G0	<b>Payment Type:</b> <input type="checkbox"/> Electronic Fund Transfer <input checked="" type="checkbox"/> Mailed cheque
<b>Phone #:</b> (250) 581-2120	<b>Email:</b> jason@crestonvalleyfuneralservices.ca

**Project/Service Description**

Please provide an overview of the project and/or service and how the funds will be used. (600 characters max.) *Attach supporting project documentation, organization's list of directors and their respective executive position, plus overall number of members. Grant requests exceeding \$5,000 must be accompanied by the organization's most recently approved financial statements.*

The Creston Valley Hospice Society relies on its volunteers to provide hospice care to families ranging from Yahk to Boswell. Every year we have a volunteer dinner as a way to thank them for all their service. The funds if received will be used to pay for this dinner. This is the first dinner we have had since Covid and are excited to provide this as a thankyou for our hardworking volunteers.

**Grant Application:**

Total Grant Requested: \$ 500	Which funding criterial objective does this project meet? <input checked="" type="checkbox"/> Social <input type="checkbox"/> Economic <input type="checkbox"/> Cultural
Other Funding Sources - Identify all sources of project funding and amounts. Both funds requested and received: Self funded through general account	
Previous Discretionary Grants Received – Year and Amount: none	

By submitting this application for the Discretionary Fund Grant Program, I confirm I am an authorized signatory of the recipient organization and I agree to the Discretionary Fund Grant Program Recipient Obligations detailed on page two of this application.

Signed at:  
2023-09-12 11:24:19  
\_\_\_\_\_  
Signature

Jason Meidl  
\_\_\_\_\_  
Print Name

**Authorization**

Signature of Area Director    Signed by director	Total Grant Approved \$ \$500
Board Approved Date:	Resolution #



# Discretionary Fund Grant Program Application Form

## REGIONAL DISTRICT OF CENTRAL KOOTENAY

202 Lakeside Drive, Box 590, Nelson, B.C. V1L 5R4  
Phone 250-352-6665 Fax 250-352-9300  
Toll Free in B.C. 1-800-268-7325

FILE NO. 1860-20-\_\_\_

**Contact Information:**

*Note: Applicants are encouraged to discuss their project with the applicable RDCK elected official prior to submitting their grant application.*

<b>Organization/Society Name:</b> Procter-Harrop Seniors 'Association BR118	<b>Date of Application:</b> 09/06/2023
<b>Contact Name:</b> Sharon Naslund	<b>RDCK Electoral Area/Member Municipality:</b> <input type="checkbox"/> RDCK Electoral Area: E <input type="checkbox"/> Municipality:
<b>Mailing Address:</b> 7906 Woodside Ave 7906 Procter British Columbia V1L 0B8	<b>Payment Type:</b> <input type="checkbox"/> Electronic Fund Transfer <input checked="" type="checkbox"/> Mailed cheque
<b>Phone #:</b> (250) 229-5741	<b>Email:</b> rsboldt@telus.net

**Project/Service Description**

Please provide an overview of the project and/or service and how the funds will be used. (600 characters max.) *Attach supporting project documentation, organization's list of directors and their respective executive position, plus overall number of members. Grant requests exceeding \$5,000 must be accompanied by the organization's most recently approved financial statements.*

To provide Christmas Dinner to anyone who is without family on Christmas Day.  
We have provided door prizes to the children  
Its a dinner with all the trimming and this will be our 4th year.  
Previous years we have asked for donations from many sources and we feel this year will be difficult.

**Grant Application:**

Total Grant Requested: \$300.00	Which funding criterial objective does this project meet? <input checked="" type="checkbox"/> Social <input type="checkbox"/> Economic <input type="checkbox"/> Cultural
---------------------------------	---

Other Funding Sources - Identify all sources of project funding and amounts. Both funds requested and received:

Previous Discretionary Grants Received – Year and Amount: Its been a few years since we have received any grants.

By submitting this application for the Discretionary Fund Grant Program, I confirm I am an authorized signatory of the recipient organization and I agree to the Discretionary Fund Grant Program Recipient Obligations detailed on page two of this application.

*SN*      Signed at:  
2023-09-06 21:22:38  
\_\_\_\_\_  
Signature

Sharon Naslund  
\_\_\_\_\_  
Print Name

**Authorization**

Signature of Area Director      Signed by director	Total Grant Approved \$ 300
Board Approved Date:	Resolution #



# Discretionary Fund Grant Program Application Form

## REGIONAL DISTRICT OF CENTRAL KOOTENAY

202 Lakeside Drive, Box 590, Nelson, B.C. V1L 5R4  
Phone 250-352-6665 Fax 250-352-9300  
Toll Free in B.C. 1-800-268-7325

FILE NO. 1860-20-\_\_\_

### Contact Information:

*Note: Applicants are encouraged to discuss their project with the applicable RDCK elected official prior to submitting their grant application.*

<b>Organization/Society Name:</b> Nelson Skating Club	<b>Date of Application:</b> 10/02/2023
<b>Contact Name:</b> Lisa Singer	<b>RDCK Electoral Area/Member Municipality:</b> <input type="checkbox"/> RDCK Electoral Area: F <input type="checkbox"/> Municipality:
<b>Mailing Address:</b> PO Box 345  Nelson BC V1L 5R2	<b>Payment Type:</b> <input type="checkbox"/> Electronic Fund Transfer <input checked="" type="checkbox"/> Mailed cheque
<b>Phone #:</b> (250) 304-2208	<b>Email:</b> lisasinger2021@gmail.com

### Project/Service Description

Please provide an overview of the project and/or service and how the funds will be used. (600 characters max.) *Attach supporting project documentation, organization's list of directors and their respective executive position, plus overall number of members. Grant requests exceeding \$5,000 must be accompanied by the organization's most recently approved financial statements.*

The Nelson Skating Club is hosting the West Kootenay Invitational Competition from December 8th-10th at the Nelson & District Community Complex. The Invitational will feature approximately 125 talented figure skaters from eleven clubs across the region competing in events such as Dance, Artistic and Freeskate. This multi-day competition will bring activity to our local hotels, restaurants and businesses and provide an entertaining sporting event for the community to enjoy. Participation in this event will develop local athletes and coaches and promote the sport within the community.

### Grant Application:

<b>Total Grant Requested:</b> \$500	<b>Which funding criterial objective does this project meet?</b> <input checked="" type="checkbox"/> Social <input type="checkbox"/> Economic <input type="checkbox"/> Cultural
<b>Other Funding Sources - Identify all sources of project funding and amounts. Both funds requested and received:</b> Requested: Area I \$250; Areas H & E; ViaSport \$3500; canvassing local businesses for silent auction. Received: Katesnikoff Lumber \$300; Castlegar Dental Centre \$300.	
<b>Previous Discretionary Grants Received – Year and Amount:</b> December 2022: Area F \$500; Area H \$200; Area \$200	

By submitting this application for the Discretionary Fund Grant Program, I confirm I am an authorized signatory of the recipient organization and I agree to the Discretionary Fund Grant Program Recipient Obligations detailed on page two of this application.

**Signed at:**  
2023-10-02 10:03:19

---

Signature

Lisa Singer

---

Print Name

### Authorization

Signature of Area Director    Signed by director	Total Grant Approved \$    \$500
Board Approved Date:	Resolution #





# Discretionary Fund Grant Program Application Form

## REGIONAL DISTRICT OF CENTRAL KOOTENAY

202 Lakeside Drive, Box 590, Nelson, B.C. V1L 5R4  
Phone 250-352-6665 Fax 250-352-9300  
Toll Free in B.C. 1-800-268-7325

FILE NO. 1860-20-\_\_\_

**Contact Information:**

*Note: Applicants are encouraged to discuss their project with the applicable RDCK elected official prior to submitting their grant application.*

<b>Organization/Society Name:</b> Nelson Skating Club	<b>Date of Application:</b> 10/02/2023
<b>Contact Name:</b> Lisa Singer	<b>RDCK Electoral Area/Member Municipality:</b> <input type="checkbox"/> RDCK Electoral Area: I <input type="checkbox"/> Municipality:
<b>Mailing Address:</b> PO Box 345  Nelson BC V1L 5R2	<b>Payment Type:</b> <input type="checkbox"/> Electronic Fund Transfer <input checked="" type="checkbox"/> Mailed cheque
<b>Phone #:</b> (250) 304-2208	<b>Email:</b> lisasinger2021@gmail.com

**Project/Service Description**

Please provide an overview of the project and/or service and how the funds will be used. (600 characters max.) *Attach supporting project documentation, organization's list of directors and their respective executive position, plus overall number of members. Grant requests exceeding \$5,000 must be accompanied by the organization's most recently approved financial statements.*

The Nelson Skating Club is hosting the West Kootenay Invitational Competition from December 8th-10th at the Nelson & District Community Complex. The Invitational will feature approximately 125 talented figure skaters from eleven clubs across the region competing in events such as Dance, Artistic and Freeskate. This multi-day competition will bring activity to our local hotels, restaurants and businesses and provide an entertaining sporting event for the community to enjoy. Participation in this event will develop local athletes and coaches and promote the sport within the community.

**Grant Application:**

<b>Total Grant Requested:</b> \$250	<b>Which funding criterial objective does this project meet?</b> <input checked="" type="checkbox"/> Social <input type="checkbox"/> Economic <input type="checkbox"/> Cultural
<b>Other Funding Sources - Identify all sources of project funding and amounts. Both funds requested and received:</b> Requested: Area F \$500; Areas E and H; ViaSport \$3500 and will canvass local businesses for silent auction. Received: Katesnikoff Lumber \$300; Castlegar Dental Centre \$300.	
<b>Previous Discretionary Grants Received – Year and Amount:</b> December 2022: Area F \$500; Area H \$200; Area \$200	

By submitting this application for the Discretionary Fund Grant Program, I confirm I am an authorized signatory of the recipient organization and I agree to the Discretionary Fund Grant Program Recipient Obligations detailed on page two of this application.

**Signed at:**  
2023-10-02 09:51:06

---

Signature

Lisa Singer

---

Print Name

**Authorization**

Signature of Area Director	Signed by director	Total Grant Approved \$	\$250
Board Approved Date:		Resolution #	



# Discretionary Fund Grant Program Application Form

## REGIONAL DISTRICT OF CENTRAL KOOTENAY

202 Lakeside Drive, Box 590, Nelson, B.C. V1L 5R4  
Phone 250-352-6665 Fax 250-352-9300  
Toll Free in B.C. 1-800-268-7325

FILE NO. 1860-20-\_\_\_

**Contact Information:**

*Note: Applicants are encouraged to discuss their project with the applicable RDCK elected official prior to submitting their grant application.*

<b>Organization/Society Name:</b> Glade Community Hall	<b>Date of Application:</b> 10/11/2023
<b>Contact Name:</b> Andy Ozeroff	<b>RDCK Electoral Area/Member Municipality:</b> <input type="checkbox"/> RDCK Electoral Area: I <input type="checkbox"/> Municipality:
<b>Mailing Address:</b> 2096 Makonin Road  Castlegar BC V1N 4R2	<b>Payment Type:</b> <input type="checkbox"/> Electronic Fund Transfer <input checked="" type="checkbox"/> Mailed cheque
<b>Phone #:</b> (250) 399-4293	<b>Email:</b> andyozerooff@shaw.ca

**Project/Service Description**

Please provide an overview of the project and/or service and how the funds will be used. (600 characters max.) *Attach supporting project documentation, organization's list of directors and their respective executive position, plus overall number of members. Grant requests exceeding \$5,000 must be accompanied by the organization's most recently approved financial statements.*

Provide funds to assist the Glade Community Hall with its 2023 operations.

**Grant Application:**

Total Grant Requested: \$2000	Which funding criterial objective does this project meet? <input checked="" type="checkbox"/> Social <input type="checkbox"/> Economic <input checked="" type="checkbox"/> Cultural
Other Funding Sources - Identify all sources of project funding and amounts. Both funds requested and received: RDCK Area I Discretionary Grant \$2000-2022	
Previous Discretionary Grants Received – Year and Amount: 2022-Area I DG-\$2000	
By submitting this application for the Discretionary Fund Grant Program, I confirm I am an authorized signatory of the recipient organization and I agree to the Discretionary Fund Grant Program Recipient Obligations detailed on page two of this application.	
Signed at: 2023-10-11 13:46:28 _____ Signature	per "Andy Ozeroff" _____ Print Name

**Authorization**

Signature of Area Director    Signed by director	Total Grant Approved \$    \$2000
Board Approved Date:	Resolution #



# Discretionary Fund Grant Program Application Form

## REGIONAL DISTRICT OF CENTRAL KOOTENAY

202 Lakeside Drive, Box 590, Nelson, B.C. V1L 5R4  
Phone 250-352-6665 Fax 250-352-9300  
Toll Free in B.C. 1-800-268-7325

FILE NO. 1860-20-\_\_\_

### Contact Information:

*Note: Applicants are encouraged to discuss their project with the applicable RDCK elected official prior to submitting their grant application.*

<b>Organization/Society Name:</b> Kootenay Boundary Regional Hospital & Health Foundation Society	<b>Date of Application:</b> 09/25/2023
<b>Contact Name:</b> Lisa Pasin	<b>RDCK Electoral Area/Member Municipality:</b> <input type="checkbox"/> RDCK Electoral Area: I <input type="checkbox"/> Municipality:
<b>Mailing Address:</b> 1200 Hospital Bench  Trail BC V1R 4M1	<b>Payment Type:</b> <input checked="" type="radio"/> Electronic Fund Transfer <input type="checkbox"/> Mailed cheque
<b>Phone #:</b> (250) 364-3495	<b>Email:</b> lisa.pasin@interiorhealth.ca

### Project/Service Description

Please provide an overview of the project and/or service and how the funds will be used. (600 characters max.) *Attach supporting project documentation, organization's list of directors and their respective executive position, plus overall number of members. Grant requests exceeding \$5,000 must be accompanied by the organization's most recently approved financial statements.*

Light-Up the Hospitals! Pledge Day is a regional initiative that all 3 Hospital Foundations engage in to raise funds to improve our regional healthcare. Light-Up is always the first Friday in December annually and kicks off the charitable giving season. The KBRH Health Foundation is fundraising for the \$750,000 Orthopedic Enhancement Project which will support recruitment of 2 new Orthopedic Surgeons, increase access to care, reduce wait lists and support 2 new procedures: total ankle replacement & 1-day knee & hip surgery. This project ensures better care, closer to home.

### Grant Application:

Total Grant Requested: \$1000.00	Which funding criterial objective does this project meet? <input checked="" type="checkbox"/> Social <input type="checkbox"/> Economic <input type="checkbox"/> Cultural
----------------------------------	---

**Other Funding Sources - Identify all sources of project funding and amounts. Both funds requested and received:**  
 This project has just launched (Sept 5th) and \$60,000+ has been raised to date from businesses and individuals. An active grant ...

**Previous Discretionary Grants Received – Year and Amount:** \$1,000 in Area I in 2022

By submitting this application for the Discretionary Fund Grant Program, I confirm I am an authorized signatory of the recipient organization and I agree to the Discretionary Fund Grant Program Recipient Obligations detailed on page two of this application.

**Signed at:**  
2023-09-25 12:10:27

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Signature

Lisa Pasin

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Print Name

### Authorization

Signature of Area Director    Signed by director	Total Grant Approved \$    \$1000
Board Approved Date:	Resolution #





# Community Development Grant Application Form

## REGIONAL DISTRICT OF CENTRAL KOOTENAY

202 Lakeside Drive, Box 590, Nelson, B.C. V1L 5R4  
Phone 250-352-6665 Fax 250-352-9300  
Toll Free in B.C. 1-800-268-7325

FILE NO. 1865-20-\_\_\_

### Contact Information:

*Note: Applicants are encouraged to discuss their project with the applicable RDCK elected official prior to submitting their grant application.*

<b>Organization/Society Name:</b> Lardeau Valley Opportunity LINKS Society	<b>Date of Application:</b> 10/06/2023
<b>Contact Name:</b> Chelsey Jones	<b>RDCK Electoral Area/Member Municipality:</b> <input type="checkbox"/> RDCK Electoral Area: D <input type="checkbox"/> Municipality:
<b>Mailing Address:</b> 13429 Hwy 31 PO Box 194 Meadow Creek British Columbia V0G1N0	<b>Payment Type:</b> <input checked="" type="checkbox"/> Electronic Fund Transfer <input type="checkbox"/> Mailed cheque
<b>Phone #:</b> (250) 353-8675	<b>Email:</b> links@lardeauvalley.ca

### Project/Service Description

Please provide an overview of the project and/or service and how the funds will be used. (600 characters max.)  
*Attach any supporting documentation such as engineering reports, feasibility studies, and budget documents. All applicants must submit their organization's list of directors showing their respective executive positions, plus overall number of members. Grant requests exceeding \$5,000 must be accompanied by your organization's most recently approved financial statements..)*

10 generators that are made available to community members during prolonged power outages to mitigate losses to fridges and freezers, and to pump water for livestock and irrigation where needed. Storage of generators and wages for distribution and management are included in budget.

### Grant Application:

Total Grant Requested: \$ 20,000	Which funding critical objective does this project meet? <input checked="" type="checkbox"/> Social <input checked="" type="checkbox"/> Economic <input type="checkbox"/> Environmental
Other Funding Sources - Identify all sources of project funding and amounts. Both funds requested and received: N/A. Funding request has been submitted to BC Hydro.	
Previous Community Development Grants Received – Year and Amount: \$15,025 (2022); \$12,000 (2021); \$35,000 (2021); \$4000 (2020)	
By submitting this application for the Community Development Grant, I confirm I am an authorized signatory of the recipient organization and I agree to the Community Development Grant Recipient Obligations detailed on page two of this application.	
Signed at: 2023-10-06 17:04:21	Chelsey Jones, ED
Signature	Print Name

### Authorization

Signature of Area Director    Signed by director	Total Grant Approved \$ 20,000
Board Approved Date:	Resolution #



# Community Development Grant Application Form

## REGIONAL DISTRICT OF CENTRAL KOOTENAY

202 Lakeside Drive, Box 590, Nelson, B.C. V1L 5R4  
Phone 250-352-6665 Fax 250-352-9300  
Toll Free in B.C. 1-800-268-7325

FILE NO. 1865-20-\_\_\_

**Contact Information:**

*Note: Applicants are encouraged to discuss their project with the applicable RDCK elected official prior to submitting their grant application.*

<b>Organization/Society Name:</b> Argenta Community Association	<b>Date of Application:</b> 09/15/2023
<b>Contact Name:</b> Chelsey Jones	<b>RDCK Electoral Area/Member Municipality:</b> <input type="checkbox"/> RDCK Electoral Area: D <input type="checkbox"/> Municipality:
<b>Mailing Address:</b> 1024 Argenta Road  Argenta BC V0G 1B0	<b>Payment Type:</b> <input checked="" type="checkbox"/> Electronic Fund Transfer <input type="checkbox"/> Mailed cheque
<b>Phone #:</b> (250) 366-0075	<b>Email:</b> argentaboard@gmail.com

**Project/Service Description**

Please provide an overview of the project and/or service and how the funds will be used. (600 characters max.)  
*Attach any supporting documentation such as engineering reports, feasibility studies, and budget documents. All applicants must submit their organization's list of directors showing their respective executive positions, plus overall number of members. Grant requests exceeding \$5,000 must be accompanied by your organization's most recently approved financial statements..)*

Funding for the expense of the emergency VoIP phone at the Argenta Hall, phone provided through Kaslo infoNet Society.  
Annual Zoom account for ACA board meetings and special community meetings.  
AED outdoor cabinet so it can be housed next to the emergency phone outside, and replacement electrodes to replace expired ones.  
New vacuum to ensure sanitary common areas.

**Grant Application:**

Total Grant Requested: \$ 2320	Which funding critical objective does this project meet? <input checked="" type="checkbox"/> Social <input type="checkbox"/> Economic <input type="checkbox"/> Environmental
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Other Funding Sources - Identify all sources of project funding and amounts. Both funds requested and received:  
ACA maintenance and installation of equipment and any additional costs, confirmed. Kaslo infoNet Society/Argenta Library - internet provision \$600/year in kind, confirmed.

Previous Community Development Grants Received – Year and Amount:  
2022: \$1155, 2021: \$7110

By submitting this application for the Community Development Grant, I confirm I am an authorized signatory of the recipient organization and I agree to the Community Development Grant Recipient Obligations detailed on page two of this application.

Signed at:  
2023-09-15 18:46:16

Chelsey Jones

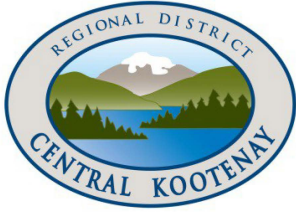
Signature

Print Name

**Authorization**

Signature of Area Director    Signed by director	Total Grant Approved \$    \$2320
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Board Approved Date:	Resolution #
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# Community Development Grant Application Form

## REGIONAL DISTRICT OF CENTRAL KOOTENAY

202 Lakeside Drive, Box 590, Nelson, B.C. V1L 5R4  
Phone 250-352-6665 Fax 250-352-9300  
Toll Free in B.C. 1-800-268-7325

FILE NO. 1865-20-\_\_\_

**Contact Information:**

*Note: Applicants are encouraged to discuss their project with the applicable RDCK elected official prior to submitting their grant application.*

<b>Organization/Society Name:</b> Balfour Recreation Commission	<b>Date of Application:</b> 10/05/2023
<b>Contact Name:</b> Craig Wilkinson	<b>RDCK Electoral Area/Member Municipality:</b> <input type="checkbox"/> RDCK Electoral Area: E <input type="checkbox"/> Municipality:
<b>Mailing Address:</b> 602 Queens Bay Rd  Balfour                      bc                                      V0G 1C0	<b>Payment Type:</b> <input checked="" type="checkbox"/> Electronic Fund Transfer <input type="checkbox"/> Mailed cheque
<b>Phone #:</b> (250) 229-5655	<b>Email:</b> gm@balfourgr.com

**Project/Service Description**

Please provide an overview of the project and/or service and how the funds will be used. (600 characters max.)  
 Attach any supporting documentation such as engineering reports, feasibility studies, and budget documents. All applicants must submit their organization's list of directors showing their respective executive positions, plus overall number of members. Grant requests exceeding \$5,000 must be accompanied by your organization's most recently approved financial statements..)

This project will be the initial step in determining feasibility of a child care facility in Balfour with a proposed location on Balfour Recreation Commission lands located at 7604 Upper Balfour Rd.

**Grant Application:**

Total Grant Requested: \$ \$24,500	Which funding critical objective does this project meet? <input checked="" type="checkbox"/> Social <input type="checkbox"/> Economic <input type="checkbox"/> Environmental
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Other Funding Sources - Identify all sources of project funding and amounts. Both funds requested and received:

Previous Community Development Grants Received – Year and Amount:  
 2021 - \$8,000

By submitting this application for the Community Development Grant, I confirm I am an authorized signatory of the recipient organization and I agree to the Community Development Grant Recipient Obligations detailed on page two of this application.

 Signed at: 2023-10-05 10:03:32 <hr/> Signature	Craig Wilkinson <hr/> Print Name
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**Authorization**

Signature of Area Director      Signed by director	Total Grant Approved \$      \$24,500
Board Approved Date:	Resolution #



# Community Development Grant Application Form

## REGIONAL DISTRICT OF CENTRAL KOOTENAY

202 Lakeside Drive, Box 590, Nelson, B.C. V1L 5R4

Phone 250-352-6665 Fax 250-352-9300

Toll Free in B.C. 1-800-268-7325

FILE NO. 1865-20-\_\_\_

### Contact Information:

*Note: Applicants are encouraged to discuss their project with the applicable RDCK elected official prior to submitting their grant application.*

<b>Organization/Society Name:</b> Corazon Vocal Ensemble	<b>Date of Application:</b> 09/24/2023
<b>Contact Name:</b> Bill Metcalfe	<b>RDCK Electoral Area/Member Municipality:</b> <input type="checkbox"/> RDCK Electoral Area: F <input type="checkbox"/> Municipality:
<b>Mailing Address:</b> 403-805 Nelson Ave.  Nelson BC V1L 0C5	<b>Payment Type:</b> <input checked="" type="checkbox"/> Electronic Fund Transfer <input type="checkbox"/> Mailed cheque
<b>Phone #:</b> (250) 352-7670	<b>Email:</b> choir.billkmetcalfe@gmail.com

### Project/Service Description

Please provide an overview of the project and/or service and how the funds will be used. (600 characters max.)  
*Attach any supporting documentation such as engineering reports, feasibility studies, and budget documents. All applicants must submit their organization's list of directors showing their respective executive positions, plus overall number of members. Grant requests exceeding \$5,000 must be accompanied by your organization's most recently approved financial statements..)*

Corazon, a 40-member auditioned youth choir that has been active since 2000 in Nelson and area, is planning to go to Edmonton in November for a festival of workshops and performances with other youth choirs. It will culminate in a mass choir concert on Remembrance Day in Edmonton's city hall. We have the funds to pay for this trip except for the \$6,000 bus rental. We are asking for a \$600 contribution to this cost.

### Grant Application:

Total Grant Requested: \$ \$600	Which funding critical objective does this project meet? <input checked="" type="checkbox"/> Social <input checked="" type="checkbox"/> Economic <input type="checkbox"/> Environmental
<b>Other Funding Sources - Identify all sources of project funding and amounts. Both funds requested and received:</b> We have applied to the Nelson and District Credit Union and are applying to RDCK areas E and H and to the Osprey Foundation, with no response to any of these yet. Our singers are also fundraising now individually to contribute this cost.	
<b>Previous Community Development Grants Received – Year and Amount:</b> 2018: Area F \$300, H \$300, A \$100. 2019: Area F \$900 for a retreat and from Areas A, E, and F \$1000 each for a local event. 2022: Area F \$400	
By submitting this application for the Community Development Grant, I confirm I am an authorized signatory of the recipient organization and I agree to the Community Development Grant Recipient Obligations detailed on page two of this application.	
 Signed at: 2023-09-24 12:33:39 _____ Signature	Bill Metcalfe _____ Print Name
<b>Authorization</b>	
Signature of Area Director    Signed by director	Total Grant Approved \$ \$600
Board Approved Date:	Resolution #





# Community Development Grant Application Form

## REGIONAL DISTRICT OF CENTRAL KOOTENAY

202 Lakeside Drive, Box 590, Nelson, B.C. V1L 5R4  
Phone 250-352-6665 Fax 250-352-9300  
Toll Free in B.C. 1-800-268-7325

FILE NO. 1865-20-\_\_\_

**Contact Information:**

*Note: Applicants are encouraged to discuss their project with the applicable RDCK elected official prior to submitting their grant application.*

<b>Organization/Society Name:</b> Slocan Lake Arts Council	<b>Date of Application:</b> 09/30/2023
<b>Contact Name:</b> Linda Kalbun	<b>RDCK Electoral Area/Member Municipality:</b> <input type="checkbox"/> RDCK Electoral Area: H <input type="checkbox"/> Municipality:
<b>Mailing Address:</b> 408 4th Street  Silverton BC V0G 1S0	<b>Payment Type:</b> <input checked="" type="checkbox"/> Electronic Fund Transfer <input type="checkbox"/> Mailed cheque
<b>Phone #:</b> (250) 777-7075	<b>Email:</b> silverslac@gmail.com

**Project/Service Description**

Please provide an overview of the project and/or service and how the funds will be used. (600 characters max.)  
*Attach any supporting documentation such as engineering reports, feasibility studies, and budget documents. All applicants must submit their organization's list of directors showing their respective executive positions, plus overall number of members. Grant requests exceeding \$5,000 must be accompanied by your organization's most recently approved financial statements..)*

The Slocan Lake Arts Council (SLAC) knows that winters are long, dark and can be isolating in the Slocan Valley. Winterfest is designed to bring community together, to learn about what SLAC does and enjoy some of SLAC's offerings. Funding support provides artists, technicians and coordinators with an income source, food and craft supplies for participants as well as food and drink. Winterfest will feature indoor and outdoor events including a bonfire and hot chocolate, crafts, games and music. Both New Denver and Silverton will be sites for merriment.

**Grant Application:**

Total Grant Requested: \$ 2,000.00	Which funding criterial objective does this project meet? <input checked="" type="checkbox"/> Social <input type="checkbox"/> Economic <input type="checkbox"/> Environmental
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**Other Funding Sources - Identify all sources of project funding and amounts. Both funds requested and received:**  
Village of New Denver 1,000. requested  
RDCK Rec 6 1500. requested  
Donations 750. estimated.

**Previous Community Development Grants Received – Year and Amount:**

not aware of any

By submitting this application for the Community Development Grant, I confirm I am an authorized signatory of the recipient organization and I agree to the Community Development Grant Recipient Obligations detailed on page two of this application.

Signed at:  
2023-09-30 13:15:38

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Signature

Linda Kalbun

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Print Name

**Authorization**

Signature of Area Director    Signed by director	Total Grant Approved \$    \$2000
Board Approved Date:	Resolution #



# Community Development Grant Application Form

## REGIONAL DISTRICT OF CENTRAL KOOTENAY

202 Lakeside Drive, Box 590, Nelson, B.C. V1L 5R4  
Phone 250-352-6665 Fax 250-352-9300  
Toll Free in B.C. 1-800-268-7325

FILE NO. 1865-20-\_\_\_

**Contact Information:**

*Note: Applicants are encouraged to discuss their project with the applicable RDCK elected official prior to submitting their grant application.*

<b>Organization/Society Name:</b> Slocan Park Community Hall Society	<b>Date of Application:</b> 09/27/2023
<b>Contact Name:</b> Lorraine Podovelnikoff	<b>RDCK Electoral Area/Member Municipality:</b> <input type="checkbox"/> RDCK Electoral Area: H <input type="checkbox"/> Municipality:
<b>Mailing Address:</b> 3036 Hwy 6 P.O. Box 5 Slocan Park BC V0G 2E0	<b>Payment Type:</b> <input checked="" type="checkbox"/> Electronic Fund Transfer <input checked="" type="checkbox"/> Mailed cheque
<b>Phone #:</b> (250) 226-7301	<b>Email:</b> lorraine@columbiawireless.ca

**Project/Service Description**

Please provide an overview of the project and/or service and how the funds will be used. (600 characters max.)  
*Attach any supporting documentation such as engineering reports, feasibility studies, and budget documents. All applicants must submit their organization's list of directors showing their respective executive positions, plus overall number of members. Grant requests exceeding \$5,000 must be accompanied by your organization's most recently approved financial statements..)*

To purchase items noted below and build a community ice rink on the baseball field of the Slocan Park Community Hall grounds. This is the third year for the ice rink. Funds will be used to purchase the following items:

- \$200 Paint for existing rink boards
- \$200 Rink Rake Heads to smooth out ice surface \$300 Sturdy, proper signage to meet insurance requirements
- \$150 Rubber hose to flood ice surface
- \$250 Repairs to existing snowblower used to maintain pathways
- \$100 Scraping shovels for ice surface...

**Grant Application:**

Total Grant Requested: \$ <b>\$1200</b>	Which funding critical objective does this project meet? <input checked="" type="checkbox"/> Social <input checked="" type="checkbox"/> Economic <input type="checkbox"/> Environmental
---	--

**Other Funding Sources - Identify all sources of project funding and amounts. Both funds requested and received:**  
Our other funding source would be the in-kind donation of volunteer hours. Estimate of volunteer hours/wages to purchase supplies and paint boards as follows:

12 hours at \$16.75 per hour equals \$201 in-kind contribution  
**Previous Community Development Grants Received – Year and Amount:**  
\$5,000 in 2022 for Seniors Grant

By submitting this application for the Community Development Grant, I confirm I am an authorized signatory of the recipient organization and I agree to the Community Development Grant Recipient Obligations detailed on page two of this application.

*L Podoff* **Signed at:**  
2023-09-27 22:58:42

---

Signature

Lorraine Podovelnikoff

---

Print Name

**Authorization**

Signature of Area Director Signed by director	Total Grant Approved \$ <b>\$1200</b>
Board Approved Date:	Resolution #



# Community Development Grant Application Form

## REGIONAL DISTRICT OF CENTRAL KOOTENAY

202 Lakeside Drive, Box 590, Nelson, B.C. V1L 5R4  
 Phone 250-352-6665 Fax 250-352-9300  
 Toll Free in B.C. 1-800-268-7325

FILE NO. 1865-20-\_\_\_

**Contact Information:**

*Note: Applicants are encouraged to discuss their project with the applicable RDCK elected official prior to submitting their grant application.*

<b>Organization/Society Name:</b> Kootenay Gallery of Art, History and Science Society	<b>Date of Application:</b> 10/04/2023
<b>Contact Name:</b> Joleen Kinakin	<b>RDCK Electoral Area/Member Municipality:</b> <input type="checkbox"/> RDCK Electoral Area: I <input type="checkbox"/> Municipality:
<b>Mailing Address:</b> 120 Heritage Way  Castlegar BC V1N 4M5	<b>Payment Type:</b> <input checked="" type="checkbox"/> Electronic Fund Transfer <input type="checkbox"/> Mailed cheque
<b>Phone #:</b> (250) 365-3337	<b>Email:</b> kootenaygallery@telus.net

**Project/Service Description**

Please provide an overview of the project and/or service and how the funds will be used. (600 characters max.)  
 Attach any supporting documentation such as engineering reports, feasibility studies, and budget documents. All applicants must submit their organization's list of directors showing their respective executive positions, plus overall number of members. Grant requests exceeding \$5,000 must be accompanied by your organization's most recently approved financial statements..)

Dinner for the Cultured Soul 2023 is one of annual fundraising projects where we showcase arts and culture in our community and fundraise to support our Gallery relocation project.

**Grant Application:**

Total Grant Requested: \$ \$1500.00	Which funding critical objective does this project meet? <input checked="" type="checkbox"/> Social <input type="checkbox"/> Economic <input type="checkbox"/> Environmental
Other Funding Sources - Identify all sources of project funding and amounts. Both funds requested and received: StellerVista Credit Union - \$3000.00	
Previous Community Development Grants Received – Year and Amount: 2023 \$1500.00 Area I + previous years	
By submitting this application for the Community Development Grant, I confirm I am an authorized signatory of the recipient organization and I agree to the Community Development Grant Recipient Obligations detailed on page two of this application.	
 Signed at: 2023-10-05 12:47:37 _____ Signature	Joleen Kinakin _____ Print Name

**Authorization**

Signature of Area Director    Signed by director	Total Grant Approved \$ \$1500
Board Approved Date:	Resolution #





# Community Development Grant Application Form

## REGIONAL DISTRICT OF CENTRAL KOOTENAY

202 Lakeside Drive, Box 590, Nelson, B.C. V1L 5R4  
 Phone 250-352-6665 Fax 250-352-9300  
 Toll Free in B.C. 1-800-268-7325

FILE NO. 1865-20-\_\_\_

**Contact Information:**

*Note: Applicants are encouraged to discuss their project with the applicable RDCK elected official prior to submitting their grant application.*

<b>Organization/Society Name:</b> Castlegar & District Chamber of Commerce	<b>Date of Application:</b> 09/27/2023
<b>Contact Name:</b> Ashley Costa	<b>RDCK Electoral Area/Member Municipality:</b> <input type="checkbox"/> RDCK Electoral Area: I <input type="checkbox"/> Municipality:
<b>Mailing Address:</b> 1810 8th Avenue Unit A  Castlegar BC V1N 2Y2	<b>Payment Type:</b> <input checked="" type="checkbox"/> Electronic Fund Transfer <input type="checkbox"/> Mailed cheque
<b>Phone #:</b> (250) 365-6313	<b>Email:</b> cdcoc@castlegar.com

**Project/Service Description**

Please provide an overview of the project and/or service and how the funds will be used. (600 characters max.)  
 Attach any supporting documentation such as engineering reports, feasibility studies, and budget documents. All applicants must submit their organization's list of directors showing their respective executive positions, plus overall number of members. Grant requests exceeding \$5,000 must be accompanied by your organization's most recently approved financial statements..)

Castlegar & District Chamber of Commerce business awards is an annual event. The event in its entirety is a celebration of small businesses from the City of Castlegar and RDCK Areas I + J. We keep the tickets at an affordable price, recognizing that many businesses have financial challenges. Therefore, support via sponsorship allows us to keep the tickets affordable.

**Grant Application:**

Total Grant Requested: \$ \$500	Which funding critical objective does this project meet? <input checked="" type="checkbox"/> Social <input type="checkbox"/> Economic <input type="checkbox"/> Environmental
Other Funding Sources - Identify all sources of project funding and amounts. Both funds requested and received: - Ticket Sales - Award Sponsorship - Silent Auction	
Previous Community Development Grants Received – Year and Amount: 2019 - \$250	

By submitting this application for the Community Development Grant, I confirm I am an authorized signatory of the recipient organization and I agree to the Community Development Grant Recipient Obligations detailed on page two of this application.

Signed at:  
2023-09-27 10:44:46

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Signature

Ashley Costa

---

Print Name

**Authorization**

Signature of Area Director	Signed by director	Total Grant Approved \$	\$500
Board Approved Date:		Resolution #	



# Community Development Grant Application Form

## REGIONAL DISTRICT OF CENTRAL KOOTENAY

202 Lakeside Drive, Box 590, Nelson, B.C. V1L 5R4  
Phone 250-352-6665 Fax 250-352-9300  
Toll Free in B.C. 1-800-268-7325

FILE NO. 1865-20-\_\_\_

### Contact Information:

*Note: Applicants are encouraged to discuss their project with the applicable RDCK elected official prior to submitting their grant application.*

<b>Organization/Society Name:</b> Tarrys Fire Dept.	<b>Date of Application:</b> 09/18/2023
<b>Contact Name:</b> Greg Patterson	<b>RDCK Electoral Area/Member Municipality:</b> <input type="checkbox"/> RDCK Electoral Area: I <input type="checkbox"/> Municipality:
<b>Mailing Address:</b> 2103 Hwy 3A  Castlegar BC V1N4N1	<b>Payment Type:</b> <input checked="" type="checkbox"/> Electronic Fund Transfer <input type="checkbox"/> Mailed cheque
<b>Phone #:</b> (250) 551-4100	<b>Email:</b> gpatterson@rdck.bc.ca

### Project/Service Description

Please provide an overview of the project and/or service and how the funds will be used. (600 characters max.)  
*Attach any supporting documentation such as engineering reports, feasibility studies, and budget documents. All applicants must submit their organization's list of directors showing their respective executive positions, plus overall number of members. Grant requests exceeding \$5,000 must be accompanied by your organization's most recently approved financial statements..)*

At our Firefighter Appreciation Dinner on November 25th/23, I have 2 Firefighters being recognized for 20 years of service (Jagdev Uppal and Dave Laramée), 1 for 15 years of service (Peter Pereversoff) and 1 for 5 years of service (Jeremy Caron).

I would like to purchase each of them a gift to celebrate their commitment to our community.

### Grant Application:

Total Grant Requested: \$ 1,500.00	Which funding critical objective does this project meet? <input checked="" type="checkbox"/> Social <input type="checkbox"/> Economic <input type="checkbox"/> Environmental
------------------------------------	---

**Other Funding Sources - Identify all sources of project funding and amounts. Both funds requested and received:**  
RDCK Fire service budget, however have insufficient funds to cover off these gifts, as the remaining budget in line item 51060 - Member Incentives will be used to cover the cost of a catered dinner.

**Previous Community Development Grants Received – Year and Amount:**

Have received in previous years, however do not have dates and amounts.

By submitting this application for the Community Development Grant, I confirm I am an authorized signatory of the recipient organization and I agree to the Community Development Grant Recipient Obligations detailed on page two of this application.

Signed at:  
2023-09-18 14:33:06

Greg Patterson

Signature

Print Name

### Authorization

Signature of Area Director    Signed by director	Total Grant Approved \$    \$1500
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Board Approved Date:	Resolution #
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# Community Development Grant Application Form

## REGIONAL DISTRICT OF CENTRAL KOOTENAY

202 Lakeside Drive, Box 590, Nelson, B.C. V1L 5R4  
Phone 250-352-6665 Fax 250-352-9300  
Toll Free in B.C. 1-800-268-7325

FILE NO. 1865-20-\_\_\_

**Contact Information:**

*Note: Applicants are encouraged to discuss their project with the applicable RDCK elected official prior to submitting their grant application.*

<b>Organization/Society Name:</b> Deer Park and Area Communication Society	<b>Date of Application:</b> 08/24/2023
<b>Contact Name:</b> Wendy McKellar	<b>RDCK Electoral Area/Member Municipality:</b> <input type="checkbox"/> RDCK Electoral Area: J <input type="checkbox"/> Municipality:
<b>Mailing Address:</b> 107 Tamarac Ave  Fruitvale BC V0G 1L1	<b>Payment Type:</b> <input type="checkbox"/> Electronic Fund Transfer <input checked="" type="checkbox"/> Mailed cheque
<b>Phone #:</b> (250) 367-6350	<b>Email:</b> kellar11@telus.net

**Project/Service Description**

Please provide an overview of the project and/or service and how the funds will be used. (600 characters max.)  
 Attach any supporting documentation such as engineering reports, feasibility studies, and budget documents. All applicants must submit their organization's list of directors showing their respective executive positions, plus overall number of members. Grant requests exceeding \$5,000 must be accompanied by your organization's most recently approved financial statements..)

Crown Land Lease cost, liability insurance, annual report, and office supplies

**Grant Application:**

Total Grant Requested: \$ 4042.24	Which funding critical objective does this project meet? <input checked="" type="checkbox"/> Social <input checked="" type="checkbox"/> Economic <input checked="" type="checkbox"/> Environmental
Other Funding Sources - Identify all sources of project funding and amounts. Both funds requested and received: None	
Previous Community Development Grants Received – Year and Amount: 6165.15(2023) & 13050.00 (2023)	

By submitting this application for the Community Development Grant, I confirm I am an authorized signatory of the recipient organization and I agree to the Community Development Grant Recipient Obligations detailed on page two of this application.

Signed at:  
2023-08-24 14:06:02  
 \_\_\_\_\_  
 Signature

Wendy McKellar  
 \_\_\_\_\_  
 Print Name

**Authorization**

Signature of Area Director    Signed by director	Total Grant Approved \$    \$4042.24
Board Approved Date:	Resolution #



# Community Development Grant Application Form

## REGIONAL DISTRICT OF CENTRAL KOOTENAY

202 Lakeside Drive, Box 590, Nelson, B.C. V1L 5R4  
Phone 250-352-6665 Fax 250-352-9300  
Toll Free in B.C. 1-800-268-7325

FILE NO. 1865-20-\_\_\_

**Contact Information:**

*Note: Applicants are encouraged to discuss their project with the applicable RDCK elected official prior to submitting their grant application.*

<b>Organization/Society Name:</b> Burton Community Association	<b>Date of Application:</b> 09/26/2023
<b>Contact Name:</b> Liz Gillis	<b>RDCK Electoral Area/Member Municipality:</b> <input type="checkbox"/> RDCK Electoral Area: K <input type="checkbox"/> Municipality:
<b>Mailing Address:</b> 238 Clark Road  Burton British Columbia V0G 1R0	<b>Payment Type:</b> <input checked="" type="checkbox"/> Electronic Fund Transfer <input checked="" type="checkbox"/> Mailed cheque
<b>Phone #:</b> (250) 265-8583	<b>Email:</b> gillisgreig@gmail.com

**Project/Service Description**

Please provide an overview of the project and/or service and how the funds will be used. (600 characters max.)  
*Attach any supporting documentation such as engineering reports, feasibility studies, and budget documents. All applicants must submit their organization's list of directors showing their respective executive positions, plus overall number of members. Grant requests exceeding \$5,000 must be accompanied by your organization's most recently approved financial statements..)*

This project focuses on restoring the Burton Historical Cemeteries and Burton Walkway trail. In 2022, the Friends of the Burton Walkway received a Community Initiative Grant for \$5000 to cover historical research about the cemetery, community education, mapping the trail / cemetery and initial sign design concept. This grant has been completed, however, the costs to complete the mapping was more expensive than originally conceived. This grant request will cover the additional mapping costs that have incurred.

**Grant Application:**

Total Grant Requested: \$ 1291.50	Which funding critical objective does this project meet? <input checked="" type="checkbox"/> Social <input type="checkbox"/> Economic <input checked="" type="checkbox"/> Environmental
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Other Funding Sources - Identify all sources of project funding and amounts. Both funds requested and received:  
2022 CIP Grant (\$5000) from RDCK / CBT

2023 ReDI Grant \$2500 for professional design cemetery signage

Previous Community Development Grants Received – Year and Amount:

By submitting this application for the Community Development Grant, I confirm I am an authorized signatory of the recipient organization and I agree to the Community Development Grant Recipient Obligations detailed on page two of this application.

**Signed at:**  
2023-09-26 12:33:44

---

Signature

Liz Gillis

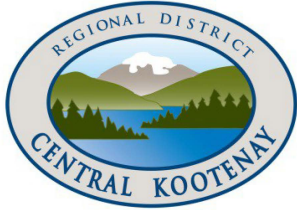
---

Print Name

**Authorization**

Signature of Area Director    Signed by director	Total Grant Approved \$    \$1291.50
Board Approved Date:	Resolution #





# Community Development Grant Application Form

## REGIONAL DISTRICT OF CENTRAL KOOTENAY

202 Lakeside Drive, Box 590, Nelson, B.C. V1L 5R4  
Phone 250-352-6665 Fax 250-352-9300  
Toll Free in B.C. 1-800-268-7325

FILE NO. 1865-20-\_\_\_

**Contact Information:**

*Note: Applicants are encouraged to discuss their project with the applicable RDCK elected official prior to submitting their grant application.*

<b>Organization/Society Name:</b> The Corporation of The Village Of New Denver	<b>Date of Application:</b> 09/18/2023
<b>Contact Name:</b> Taylor Attwood	<b>RDCK Electoral Area/Member Municipality:</b> <input type="checkbox"/> RDCK Electoral Area: K <input type="checkbox"/> Municipality:
<b>Mailing Address:</b> 115 slocan Avenue Po box 40 New Denver British Columbia V0G1S0	<b>Payment Type:</b> <input checked="" type="checkbox"/> Electronic Fund Transfer <input type="checkbox"/> Mailed cheque
<b>Phone #:</b> (250) 358-2316	<b>Email:</b> accounting@newdenver.ca

**Project/Service Description**

Please provide an overview of the project and/or service and how the funds will be used. (600 characters max.)  
 Attach any supporting documentation such as engineering reports, feasibility studies, and budget documents. All applicants must submit their organization's list of directors showing their respective executive positions, plus overall number of members. Grant requests exceeding \$5,000 must be accompanied by your organization's most recently approved financial statements..)

WildSafeBC has been the provincial leader in preventing conflict with wildlife through collaboration, education and community solutions. In 2020, the WildSafeBC Program hired 25 Community Coordinators to deliver 29 Programs to over 150 communities, First Nations and regional districts throughout BC.

Communities apply in the month of January of every year with a minimum of \$4,000 in community funds in order to have a local Community Coordinator deliver the WildSafeBC Program.

The WildSafeBC Community Program typically runs April/May to November.

**Grant Application:**

Total Grant Requested: \$ 1000	Which funding critical objective does this project meet? <input type="checkbox"/> Social <input type="checkbox"/> Economic <input checked="" type="checkbox"/> Environmental
--------------------------------	---

**Other Funding Sources - Identify all sources of project funding and amounts. Both funds requested and received:**  
 All participating municipality's contribute the same grant amount of \$1000.00 for a total grant project of \$4,000.00.

Background: The Village of New Denver has partnered with WildSafe BC for the delivery of public education to reduce human-wildlife conflict in our community since 2013. In order to meet the...  
**Previous Community Development Grants Received – Year and Amount:**

1,000.00 - every year since 2020.

By submitting this application for the Community Development Grant, I confirm I am an authorized signatory of the recipient organization and I agree to the Community Development Grant Recipient Obligations detailed on page two of this application.

Signed at:  
2023-09-18 12:02:11

Taylor Attwood

Signature

Print Name

**Authorization**

Signature of Area Director    Signed by director	Total Grant Approved \$    \$1000
Board Approved Date:	Resolution #



# Community Development Grant Application Form

## REGIONAL DISTRICT OF CENTRAL KOOTENAY

202 Lakeside Drive, Box 590, Nelson, B.C. V1L 5R4

Phone 250-352-6665 Fax 250-352-9300

Toll Free in B.C. 1-800-268-7325

FILE NO. 1865-20-\_\_\_

**Contact Information:**

*Note: Applicants are encouraged to discuss their project with the applicable RDCK elected official prior to submitting their grant application.*

<b>Organization/Society Name:</b> Village of Salmo	<b>Date of Application:</b> 10/04/2023
<b>Contact Name:</b> Ange Qualizza	<b>RDCK Electoral Area/Member Municipality:</b> <input type="checkbox"/> RDCK Electoral Area: <input type="checkbox"/> Municipality: Salmo
<b>Mailing Address:</b> 423 Davies Avenue  Salmo BC V0G1Z0	<b>Payment Type:</b> <input checked="" type="checkbox"/> Electronic Fund Transfer <input type="checkbox"/> Mailed cheque
<b>Phone #:</b> (250) 357-9433	<b>Email:</b> cao@salmo.ca

**Project/Service Description**

Please provide an overview of the project and/or service and how the funds will be used. (600 characters max.)  
*Attach any supporting documentation such as engineering reports, feasibility studies, and budget documents. All applicants must submit their organization's list of directors showing their respective executive positions, plus overall number of members. Grant requests exceeding \$5,000 must be accompanied by your organization's most recently approved financial statements..)*

By installing and maintaining a flow measuring device, and by recording effluent volume discharged over a 24 - hour period, we will be able to maintain flow measurement data in a form suitable for inspection by the Regional Waste Manager.  
 This flow meter will support the Village of Salmo to meet our continual improvements and service delivery at our Wastewater Treatment Plant.

**Grant Application:**

Total Grant Requested: \$ 13,000	Which funding critical objective does this project meet? <input type="checkbox"/> Social <input type="checkbox"/> Economic <input checked="" type="checkbox"/> Environmental
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Other Funding Sources - Identify all sources of project funding and amounts. Both funds requested and received:

Previous Community Development Grants Received – Year and Amount:

2023 \$10,574

By submitting this application for the Community Development Grant, I confirm I am an authorized signatory of the recipient organization and I agree to the Community Development Grant Recipient Obligations detailed on page two of this application.

**Signed at:**  
2023-10-04 15:20:56

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Signature

Ange Qualizza

---

Print Name

**Authorization**

Signature of Area Director    Signed by director	Total Grant Approved \$    \$13,000
Board Approved Date:	Resolution #





# The Corporation of the Village of Salmo

P.O. Box 1000  
Salmo, BC V0G 1Z0  
[www.salmo.ca](http://www.salmo.ca)

Phone: (250) 357-9433  
Fax: (250) 357-9633  
Email: [info@salmo.ca](mailto:info@salmo.ca)

October 4, 2023

Regional District of Central Kootenay  
PO Box 590, 202 Lakeside Drive  
Nelson, BC V1L 5R4

**RE: COMMUNITY DEVELOPMENT FUNDS – FLO METER**

Dear Sir/Madam,

In support of using community development funds to purchase a Flo Meter, Council passed the following resolution #20-16-23 at the Regular Council Meeting of September 26, 2023:

*“Moved and seconded, that Council approve using the Community Development fund to cover the expense for the Flo Meter project at our Wastewater Treatment Plant for an amount not exceeding \$13,000 plus applicable taxes”.*

If you require further information, don't hesitate to contact me at (250) 357-9433 or by email [cao@salmo.ca](mailto:cao@salmo.ca).

Kind Regards,

Ange Qualizza  
Chief Administrative Officer

FILE NO.: 0400-60/0550-40/1850-30



# Chair's Report

Aimee Watson – Board Chair

**Report Date:** October 2023

## Chairs UBCM Report

1. Minister Meetings
2. Conference activities
  - a. UNDRIP
  - b. Rural Strategy
  - c. Fire Safety Act
  - d. Legislative Reform
  - e. Emergency Management Modernization

---

Minister Meetings at UBCM are a check in, chance to discuss issues, in 15 minutes. The RDCK board requested 5 meetings, noted below. We do not get commitments out of these meetings, generally, within the next few months, we will see a response that highlights options for solutions or next steps.

The specifics:

1. Minister of Agriculture: Irrigation for Agriculture in Creston Valley

Drought-like conditions in the Creston Valley are on the rise. In the 2021 drought year, Valley cherry producers suffered losses in the 14-million-dollar range. The agriculture industry is critical in the Valley and needs to be protected. There is a need for a more sustainable and resilient source for the agricultural irrigation needs in the Creston Valley.

We requested the Ministry aid with financial support to design and implement a solution for a more sustainable and resilient source for the agricultural irrigation needs in the Creston Valley.

Actions: We have applied for the feasibility of a new water source. The meeting focused on support for the grant application and an outline of the complimentary and future plans we will be focused on for implementation. The Minister and the ALC were present, indicated strong support and appreciation for all our work. The watershed work is being led by Yaqaan Nukiy and will need coordination as to our role.

**For more information**

[info@rdck.bc.ca](mailto:info@rdck.bc.ca) | 250.352.6665 | 1.800.268.7325 (BC) | or visit [rdck.ca](http://rdck.ca)

2. Borrowing for Fire Apparatus: Premier/Ministry of Finance- Moved to Municipal Affairs with Minister Conroy (MLA West Kootenay and Minister of Finance)

Regional District fire services are made up of small communities without the ability to pay in the way larger communities do. Fire apparatus are required to be replaced after 25 years in service and without a costly referendum we are unable to borrow over 25 years to reduce the annual cost to taxpayers.

The RDCK requested the Ministry of Finance suggest a change in legislation that would allow regional districts to borrow for the replacement of fire apparatus over a period of 25 years without going to voter approval, subject to that service having been established by referendum. Outcome: CAO Horn provided the financial costs to each service and total amount of \$48,000 just to go to referendum. If this fails, the only option to meet the requirement of regulations is for a fire service to borrow short term which is a sharp increase to taxation. Options for Alternative Approval Process to be a viable option when over \$.50/\$1000, which is much less expensive, was suggested.

3. Small Water System Proposal: Ministry of Municipal Affairs (this meeting was combined with the one above on fire apparatus, we had a total of 15 minutes for both topic)

Small water systems (SWS) attempting to meet compliance face immense hurdles with many stone walled in the inertia of regulatory and governance complexion. While they have been attempting to implement a system for decades, there is very little support to assist them in doing so. The twice annual infrastructure planning grant program, while helpful in its own right, is simply not enough for the thousands of SWS attempting to meet requirements of potable water.

We requested the Ministry provide guidance on the best process to bring this proposal forward to the appropriate agencies for review and hopefully, move into implementation of the proposed pilot project.

Action/Outcome: we will be forwarding a copy of the Small Water System proposal to staff and revisit with the relevant partners who were initially interested. If supported, this will see supports for the creation of feasibility assessments for small water systems that would include governance, system, budget including asset management considerations. Akin to a business plan, these will provide the foundational details to build, manage and operate their small water system.

4. Increased Funding for the Residential Tenancy Branch: Ministry of Housing

The recent revisions (2018) to the Act generally tip the needle in favour of tenants and away from landlords. The rationale behind such protections for tenants are well intentioned and are likely effective in markets such as Vancouver and Victoria, but the effect can be counterintuitive in more rural and remote places, like much of the RDCK. By disincentivizing landlords with these protections for tenants (and having an under-funded tribunal--the RTB--that can takes several months to reach

decisions), the prospect of creating secondary suites on existing properties or investing in purpose-built rental properties becomes even less attractive for landlords.

We requested the Ministry of Housing to look into increasing funding to the Residential Tenancy Branch to support the tribunal to speed up decisions to support landlords in the Province of BC. Action/Outcome: we had 30 minutes for this meeting. McLaren Caux lead the discussion with further examples of the challenges in our rural communities to enable rentals, with a focus on the landlord and builder components to having affordable housing. BC Housing indicated they have seen increased funding for processing of decisions on complaints, simplifying the process and increased staff. Director Weatherhead provided examples of landlords being held up in court despite a decision being with their favor and the cost of both the repairs and the court decision was upon them, which desensitizes them to rent again. Director Vandenberg asked about prefab homes and the ability to have them fast tracked as an approved housing unit with engineer sign off. Much simpler and easier to create housing.

#### 5. Recycling Regulation shortfalls, including HHW, ICI and the Recycle BC: Ministry of Environment and Climate Change

The EPR action plan falls short of including many household hazardous wastes; HHW events & depots cost the RDCK \$320k/yr. Industrial, Commercial, and Institutional programs continue to be a gap in the recycling regulation, forcing local government to use tax dollars to fund these programs, or for this material to end up in the landfill. The RDCK contributes approx. \$1.7M/yr in taxation to support our recycling program, RBC incentives only contribute \$336K. Communities with fewer than 5,000 population are very much viable for curbside Recycle BC service. The RDCK has 6 municipalities with population under this level and many dense rural communities that could support curbside programs.

The RDCK requests that the Ministry strongly consider amendments to the Recycling Regulation addresses issues in rural and remote communities and moves the cost from residents to producers. Actions/Outcomes: CAO Horn provided the financials of our current level of subsidization to the EPR and ICI programs. Director Jackman provided an overview of the issues, rural context. We suggested a rural pilot to see supports for ICI and rural recycling that is much better supported by Recycle BC.

---

Conference Activities:

#### a. UNDRIP Implementation

United Nations Declaration on the Rights of Indigenous People (UNDRIP) was adopted by the province of BC into law in November 2019 as the Declaration on the Rights of Indigenous Peoples Act (DRIPA). Since then, we have consistently seen sessions and webinars on how this will be enacted. UBCM 2023 included several sessions, my notes are:

- Will non-treaty nations eventually have a seat at Regional District tables? The DRIPA action plan does include provisions for how a local government can work with non-treaty nations. It has not been lost on the province that treaties themselves are a colonial tool

and requiring them to enable participating with local governments is a barrier. Some regional governments have started this work and received funding to support capacity building on both sides.

- How DRIPA will apply to the Local Government Act is outlined in the action plan. It was amended to identify that every provincial act must be aligned with DRIPA and puts the onus on all orders of government to ensure our bylaws, projects, actions are upholding DRIPA. As we are a delegated authority of the province, we are just as responsible.
- Method to establish this work is to first develop a shared understating of values and interests.
- There are, at least, 205 distinct knowledge systems (First Nations) in BC.
- Here is the Action Plan: [https://www2.gov.bc.ca/assets/gov/government/ministries-organizations/ministries/indigenous-relations-reconciliation/declaration\\_act\\_action\\_plan.pdf](https://www2.gov.bc.ca/assets/gov/government/ministries-organizations/ministries/indigenous-relations-reconciliation/declaration_act_action_plan.pdf)

## **b. Fire Safety Act**

It has been several years to advocate for an appropriate expectation of rural areas who will be tasked with more responsibilities under the new Fire Safety Act. CAO Horn has been in a working group to address the disparities in the original expectation that our fire departments would be responsible for all public building fire inspections. As many of our rural areas do not have fire service due to the inability to meet the regulations for a fire hall in rural sparse communities, the RDCK quickly highlighted that this was not an achievable outcome. Here are the proposed resolutions that the Office of the Fire Commissioner (OFC) presented at UBCM:

- Regional Districts do not retain an authority on fire inspections in rural areas, we would be a monitoring agency. We will not be required to do risk-based assessments.
- Regionals Districts would however be required to designate investigators for inspections which will be on a request basis, not a mandatory basis.
- We asked if we would be required to create a new service to manage this expectation, they were unsure.
- We also asked if the rural Fire Smart/Wildfire mitigation staff we have could be trained and tasked, so we do not have to create a new service, this is a possible solution. The OFC confirmed the province would create and manage the training program.
- This will not be punitive but a compliance-based process. Regional Districts will not be responsible for compliance, the Office of the Fire Commissioner (OFC) will retain that responsibility.
- In terms of the response over the summer to fires and the lack of access to local knowledge and skills, specifically in rural areas, the OFC noted that they are looking at an integrated dashboard that would include all risk based data that emergency response

- agencies can access in an event. This would assist with knowing who in rural areas has S100 fire training, where water standpipes are, staging grounds for various crews and other local assets that are not known to BCWS or other response agencies.
- Interesting to note that 78% of fire services in BC are volunteer or paid on call. Hats off to all those who train and dedicate their time to be ready to help us

### **c. Rural Strategy.**

As many have heard, the province released a Rural Strategy, announced at the Premiers annual address of UBCM. The strategy is linked below.

I did get a preview of the strategy and provided comments on the initial paper. Overall, it was great to read- to finally see the Provincial government recognize the need to have a rural lens across so much of what impacts, good or bad, our communities. This strategy is a fantastic start to what we, as representatives of rural communities, have been raising for years. I salute MLA Anderson and MLA Russel for their efforts to capture our unique rural character and how to start adjusting the dial. The strategy can be found here:

[Good-Lives-Strong-Communities-2023.pdf \(gov.bc.ca\)](#)

### **d. Legislative Reform**

At our Chair and CAO forum in March 2022, the topic of legislative reform was explored as an option to update both the Local Government Act and the Community Charter to better reflect the responsibilities, duties and rural context.

Since 1990, there have been 180 downloads to local government from the federal and provincial governments. A list of challenges:

- Limits on legislative authority no longer supported by policy rationales.
- Demographic and population growth/increased development/sparsely populated areas
- Business licensing, subdivisions, fireworks, parking and tree management
- Is such a distinction between authority of regional districts and municipalities still supportable?
- Revenue generation, models of taxation, funding for services and overall lack of flexibility.

While the work to reform legislation is lengthy and can be expensive, there continues to be ample opportunities to highlight where we are asked to do is limited by the acts that govern local government. Fire Safety Act, the needs to enable affordable housing and DRIPA are prime examples. There is a strong interest in continuing the discussions with next steps to investigate a UBCM working group.



## e. Emergency Management Modernization

Currently out on consultation, please do take a review.

From EMCR: two discussion papers that provide in-depth summaries of the objectives for the development of regulations for comprehensive post-emergency financial assistance and local authority emergency management, which are currently targeted for completion in 2024. The discussion papers are posted on the [govTogetherBC site](#) and written submissions will be accepted until December 31<sup>st</sup>, 2023.

You can subscribe to receive updates on the [modernized emergency management legislation page](#).

The biggest impacts to local government in the modernization of the emergency act will be mitigation and recovery plans. This greatly increases responsibility, especially when we have such a large rural context with a significantly high number of watersheds and forests compared to a geographically dense municipality. I was able to raise in this session that water systems (thousands) and orphaned dikes (20+) alone in the RDCK are not within our assets and to do so will be multi millions in ownership, management, and operations. While the principle of mitigating in advance of an emergency is ideal, cost effectiveness and of course preventing tragedy, is the goal- the cost of doing so as a local government where predominant operating funds are derived through local land taxation creates a disparity in the impacts of crown land that private own land will need pay for. There are many grants and other avenues, but we also need to address the regulatory expectations that are not conducive to the rural context and local government responsibility. We need all land managers at the table in this policy and subsequent regulations.



## Regional District of Central Kootenay

### RURAL AFFAIRS COMMITTEE MEETING

### Open Meeting Minutes

Wednesday, October 18, 2023

9:00 a.m.

Hybrid Model - In-person and Remote

RDCK Board Room, 202 Lakeside Dr., Nelson, BC

#### COMMITTEE MEMBERS

##### PRESENT

Chair G. Jackman	Electoral Area A - In-person
Director R. Tierney	Electoral Area B - In-person
Director K. Vandenberghe	Electoral Area C - In-person
Director A. Watson	Electoral Area D - In-person
Director C. Graham	Electoral Area E
Director T. Newell	Electoral Area F - In-person
Director H. Cunningham	Electoral Area G - In-person
Director W. Popoff	Electoral Area H – In-person
Director A. Davidoff	Electoral Area I
Director H. Hanegraaf	Electoral Area J - In-person
Director T. Weatherhead	Electoral Area K - In-person

##### STAFF PRESENT

S. Horn	Chief Administrative Officer
S. Sudan	General Manager of Development and Community Sustainability Initiatives
N. Wight	Planning Manager
C. Gainham	Building Manager
Z. Giacomazzo	Planner
J. Dupuis	Bylaw Enforcement Supervisor
M. Nakonechny	Grants Coordinator
A. Fletcher	Bylaw Officer
M. Morrison	Corporate Administrative Coordinator –
C. Hopkyns	Meeting Coordinator

**1. WEBEX REMOTE MEETING INFO**

To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings in-person or remote.

**Join by Video:**

<https://nelsonho.webex.com/nelsonho/j.php?MTID=mef1f4eac7990f902998ba18261df6270>

**Join by Phone:**

1-844-426-4405 Canada Toll Free

+1-604-449-3026 Canada Toll (Vancouver)

**Meeting Number (access code):** 2770 744 5399

**Meeting Password:** HPywJMjJ285

**In-Person Location:** Boardroom - 202 Lakeside Drive, Nelson B.C.

**2. CALL TO ORDER**

Board Chair Jackman called the meeting to order at 9:01 a.m.

**3. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT**

We acknowledge and respect the indigenous peoples within whose traditional lands we are meeting today.

**4. ADOPTION OF THE AGENDA**

Moved and seconded,

And resolved:

The agenda for the October 18, 2023 Rural Affairs Committee meeting be adopted as circulated.

**Carried**

**5. DELEGATIONS**

Item 6.5 – Tara Pejski & Christopher Hallam

**6. PLANNING & BUILDING****6.1 CANCEL - BUILDING BYLAW CONTRAVENTION - PIUZE**

**File No.: 3130-20-E-707.02052.200 BP25426, BP25427 and BP25428**

**2206 South Sheppard Road**

**(Matt Piuze)**

**Electoral Area E**

The Committee Report dated September 16, 2023 from Chris Gainham, Building Manager, re: Cancel - Building Bylaw Contravention - Piuze, has been received.

- No delegation was present.
- Chris Gainham, Building Manager, had no additional information.
- Chair Jackman thanked staff and referred the recommendation to Committee for consideration.

Moved and seconded,  
And Resolved:

That the Corporate Officer be authorized to remove the Notice on Title relating to 2206 South Sheppard Road, Electoral Area E, currently owned by Matt Piuze, property legally described as LOT 1, DISTRICT LOT 304, KOOTENAY DISTRICT, PLAN 12530, the RDCK Building Department has confirmed that a building permit has been obtained and the deficiencies associated with the construction have been rectified.

**Carried**

## **6.2 BUILDING BYLAW CONTRAVENTION - NATURE'S GALLERY LIMITED**

**File No.: 3135-20-G-707.05662.200-BP21819**

**3838 Highway 3B – Manufactured Home**

**(Nature's Gallery Limited, Inc.# 0814650)**

**Electoral Area G**

The Committee Report dated March 31, 2023 from, re: Building Bylaw Contravention – Nature's Gallery Limited, has been received.

***Rural Affairs Committee***

***Referred July 19, 2023 to August 16, 2023***

***Referred August 16, 2023 to October 18, 2023***

- No delegation was present.
- Chris Gainham, Building Manager, had no additional information.
- Chair Jackman thanked staff and referred the recommendation to Committee for consideration.

Moved and seconded,  
And Resolved:

That the Corporate Officer of the Regional District of Central Kootenay be directed to file a Notice with the Land Title and Survey Authority of British Columbia, stating that a resolution has been made under Section 57 of the *Community Charter* by the Regional District Board relating to land at 3838 Highway 3B, Electoral Area G, and legally described as LOT 2, PLAN NEP13779, DISTRICT LOT 1237, KOOTENAY LAND DISTRICT MANUFACTURED HOME REG. # 98880., and further, if an active Building permit or Building application is in place, that it be cancelled; and finally, that information

respecting the resolution may be inspected at the office of the Regional District of Central Kootenay on normal working days during regular office hours.

**Carried**

**6.3 BUILDING BYLAW CONTRAVENTION - NATURE'S GALLERY LIMITED**

**File No.: File No.: 3135-20-G-707.05662.200-BP21819**

**3838 Highway 3B - Two Accessory Buildings**

**(Nature's Gallery Limited, Inc. #0814650)**

**Electoral Area G**

The Committee Report dated March 31, 2023, re: Building Bylaw Contravention - Nature's Gallery Limited, has been received.

***Rural Affairs Committee***

***Referred July 19, 2023 to August 16, 2023***

***Referred August 16, 2023 to October 18, 2023***

- No delegation was present.
- Chris Gainham, Building Manager, had no additional information.
- Chair Jackman thanked staff and referred the recommendation to Committee for consideration.

Moved and seconded,

And Resolved:

That the Corporate Officer of the Regional District of Central Kootenay be directed to file a Notice with the Land Title and Survey Authority of British Columbia, stating that a resolution has been made under Section 57 of the *Community Charter* by the Regional District Board relating to land at 3838 Highway 3B, Electoral Area G, and legally described as LOT 2, PLAN NEP13779, DISTRICT LOT 1237, KOOTENAY LAND DISTRICT MANUFACTURED HOME REG. # 98880., and further, if an active Building permit or Building application is in place, that it be cancelled; and finally, that information respecting the resolution may be inspected at the office of the Regional District of Central Kootenay on normal working days during regular office hours.

**Carried**

**6.4 BUILDING BYLAW CONTRAVENTION - DOMBROWSKI**

**File No.: 3135-20-I-709.08960.000-22475and25333**

**1696 Pass Creek Road**

**(Joachim & Joy Dombrowski)**

**Electoral Area I**

The Committee Report dated June 8, 2023, re: Building Bylaw Contravention - Dombrowski, has been received.

***Rural Affairs Committee******Referred August 16, 2023 to October 18, 2023***

- No delegation was present.
- Chris Gainham, Building Manager, had no additional information
- Chair Jackman thanked staff and referred the recommendation to Committee for consideration.

Moved and seconded,  
And resolved:

That the Corporate Officer of the Regional District of Central Kootenay be directed to file a Notice with the Land Title and Survey Authority of British Columbia, stating that a resolution has been made under Section 57 of the *Community Charter* by the Regional District Board relating to land at 1696 Pass Creek Road, Electoral Area I, and legally described as LOT E, PLAN NEP2116, DISTRICT LOT 7455, KOOTENAY LAND DISTRICT FOR MHR #4937 SEE 709-08960.001, and further, if an active Building permit or Building application is in place, that it be cancelled; and finally, that information respecting the resolution may be inspected at the office of the Regional District of Central Kootenay on normal working days during regular office hours.

**Carried**

**6.5 BYLAW AMENDMENT AND DEVELOPMENT VARIANCE PERMIT - HALLAM & PEJSKI**  
**File No.: Z2210J & V2210J**  
**5383 Allendale Crescent**  
**(Christopher Hallam & Tara Pejski)**  
**Electoral Area J**

The Committee Report dated September 27, 2023 from Zachari Giacomazzo, Planner, re: Bylaw Amendment And Development Variance Permit - Hallam & Pejski, has been received.

Tara Pejski and Christopher Hallam, property owners, provided background to the Committee regarding their application process for the dog kennel business. Ms. Pejski provided an overview of the business and answered the Committee's questions.

Moved and seconded,  
And resolved that it be recommended to the Board:



That *Regional District of Central Kootenay Zoning Amendment Bylaw No. 2872, 2023* being a bylaw to amend the *Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004* is hereby given FIRST and SECOND reading by content and referred to a PUBLIC HEARING.

**Carried**

Moved and seconded,  
And resolved that it be recommended to the Board:

That in accordance with *Regional District of Central Kootenay Planning Procedures and Fees Bylaw No. 2457, 2015*, Electoral Area J Director Henny Hanegraaf is hereby delegated the authority to chair the Public Hearing on behalf of the Regional District Board.

**Carried**

**6.6 UNSIGHTLY PROPERTY BYLAW NO. 1687, 2004 – REMEDIAL ACTION REQUIREMENT - SHEREMETO**

**File No.: 3310-20-23-K-710.02983.000**

**221 Maple Street**

**(Joseph Sheremeto)**

**Electoral Area K**

The Committee Report dated October 1, 2023 from Charmaine Daoust, Bylaw Department, re: Unsightly Property Bylaw No. 1687, 2004 – Remedial Action Requirement - Sheremeto, has been received.

Jordan Dupuis, Bylaw Enforcement Supervisor, provided an update to the Committee regarding the file and shared staff is seeking the Board's authority to enter onto and clean up the unsightly property. Jordan answered the Committee's questions.

Moved and seconded,  
That it be recommended to the Board:

The Regional Board order Joseph D. Sheremeto to meet compliance with the Unsightly Property Bylaw No. 1687, 2004 within thirty (30) days, as per the *Community Charter*. If the work is not completed within the thirty (30) day timeline, the Board authorize Bylaw Enforcement Officers and their Agents to enter onto the property located at 221 Maple Street, Electoral Area K and legally described as LOT 23, PLAN NEP6172, DISTRICT LOT 9156, KOOTENAY LAND DISTRICT, PID 014-220-989 with a contractor to remove all offending matter such as rubbish, garbage, bottles, building materials, broken glass or other discarded materials or unwholesome materials or ashes, not properly stored or piled in a neat and organized manner, as well as all or part of any machinery such as a

tractor, backhoe or similar construction equipment, or equipment which is not capable of performing the task it was originally intended to perform, all wrecked vehicles; and demolish any structure deemed unsafe with all cost incurred by the RDCK being billed to the owner of the property, identified as Mr. Joseph D. Sheremeto; AND FURTHER, the interim costs be paid from Rural Administration Service S101.

**Carried**

Moved and seconded,  
That it be recommended to the Board:

All cost incurred be added to the property tax as “taxes in arrears” should the property owner identified as Joseph D. Sheremeto not pay the bill by December 31st of the year the cleanup occurs at the property located at 221 Maple Street, Electoral Area K and legally described LOT 23, PLAN NEP6172, DISTRICT LOT 9156, KOOTENAY LAND DISTRICT, PID 014-220-989.

**Carried**

## **7. ENVIRONMENTAL SERVICES**

No items.

## **8. RURAL ADMINISTRATION**

### **8.1 COMMUNITY WORKS FUND APPLICATION – OOTISCHENIA FIRE HALL**

**File No.:1850-20-CW-293**

**Electoral Area J**

The Committee Report dated October 12, 2023 from Micah Nakonechny, Grants Coordinator, re: Community Works Fund Application – Regional District Of Central Kootenay “Ootischnia Fire Hall”, has been received.

Moved and seconded,  
That it be recommended to the Board:

THAT the Community Works Fund application submitted by the Regional District of Central Kootenay for the project titled “Ootischnia Fire Hall Bay Addition” in the amount of \$413,377.82 be approved and that funds be disbursed from Community Works Funds allocated to Electoral Area J.

**Carried**

### **8.2 DIRECTOR DAVIDOFF: POLICY GUIDELINES FOR HOME-BASED BUSINESSES EXPANDING INTO COMMERCIAL ENTERPRISES REQUIRING REZONING**

Director Davidoff requested a discussion regarding situations where home-based businesses expand into commercial enterprises and require rezoning.

The Committee had a lengthy discussion regarding circumstances where home-based businesses expand into commercial enterprises and require rezoning. Staff answered the Committee's questions regarding zoning, development permits, and Official Community Plans.

## 9. PUBLIC TIME

The Chair called for questions from the public and members of the media at 10:21 a.m.

No questions from the media or public.

## 10. IN CAMERA

### 10.1 MEETING CLOSED TO THE PUBLIC

Moved and seconded,  
And resolved:

In the opinion of the Board and, in accordance with Section 90 of the *Community Charter* the public interest so requires that persons other than DIRECTORS, ALTERNATE DIRECTORS, DELEGATIONS AND STAFF be excluded from the meeting; AND FURTHER, in accordance with Section 90 of the *Community Charter*, the meeting is to be closed on the basis(es) identified in the following Subsections:

90 (1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

- (g) litigation or potential litigation affecting the municipality;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

**Carried**

### 10.2 RECESS OF OPEN MEETING

Moved and seconded,  
And resolved:

The Open Meeting be recessed in order to conduct the Closed In Camera meeting.

**Carried**

## RECESS/ RECONVENE

The meeting recessed at 10:22 a.m for a break and reconvened at 10:32a.m.

**11. ADJOURNMENT**

Moved and seconded,

And resolved:

The meeting be adjourned at 11:16 a.m.

**Carried**

Digitally approved by

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Chair Jackman, Chair