



Alberni-Clayoquot Regional District

SALMON BEACH COMMITTEE MEETING

THURSDAY, MAY 4, 2017, 2:30 PM

Regional District Board Room, 3008 5th Avenue, Port Alberni, BC

AGENDA

	PAGE #
1. <u>CALL TO ORDER</u>	
2. <u>APPROVAL OF AGENDA</u> <i>(motion to approve, including late items requires 2/3 majority vote)</i>	
3. <u>ADOPTION OF MINUTES</u>	
a. Salmon Beach Committee Meeting – February 28, 2017	3 - 6
<i>THAT the minutes of the Salmon Beach Committee meeting held on February 28, 2017 be received.</i>	
4. <u>REQUEST FOR DECISIONS & BYLAWS</u>	
a. REQUEST FOR DECISION Salmon Beach – Salmon Beach Public Water Supply Options	7-10
<i>THAT the Salmon Beach Committee support the sourcing of engineering services up to a cost of \$20,000 to begin an investigation of the potable water source in Salmon Beach.</i>	
b. REQUEST FOR DECISION Salmon Beach – Emergency Pump and Haul Contingency Plan & Fee Increase	11
<i>THAT the Salmon Beach Committee request that the Alberni-Clayoquot Regional District Board of Directors amend bylaw F1076 – Salmon Beach Sewage Disposal Service:</i>	
1. <i>The fees for the Regional District to pump a sewage holding tank or a pit privy shall be \$120.</i>	
c. REQUEST FOR DECISION Salmon Beach – Public Toilets	12 -13
<i>THAT the Salmon Beach Committee support the re-instatement of public toilets at the beach and Public Square for the Salmon Beach Community use.</i>	

5. **REPORTS**

- | | | |
|----|---|---------------|
| a. | STAFF REPORT | 14 -25 |
| | Salmon Beach - Local Community Commission Study | |
| b. | MEMORANDUM | 26 |
| | Salmon Beach - Other Updates | |
| c. | West Coast Assistant - Verbal Report – (A. McGifford) | |
| d. | Well #10 – 72 hour pump test – Verbal Report – (A. McGifford) | |

THAT the Salmon Beach Committee receive reports a-d.

6. **UNFINISHED BUSINESS**

7. **LATE BUSINESS**

8. **ADJOURN**



Alberni-Clayoquot Regional District

MINUTES OF THE SALMON BEACH COMMITTEE MEETING HELD ON TUESDAY, FEBRUARY 28, 2017, 2:00 PM

Regional District Board Room, 3008 Fifth Avenue, Port Alberni, BC

MEMBERS Tony Bennett, Director, Electoral Area "C" (Long Beach)

PRESENT: Kel Roberts
Mary Ellen Peet
Ken Lunde
Teri Graff

REGRETS: Jill Maibach

STAFF PRESENT: Russell Dyson, CAO
Andrew McGifford, Manager of Environmental Services
Wendy Thomson, Manager, of Administrative Services
Janice Hill, Environmental Services Coordinator

1. CALL TO ORDER

The CAO called the meeting to order at 2:00 pm.

The Chairperson recognized the meeting this afternoon is being held in the Tseshaht First Nation and the Hupacasath First Nation Traditional Territories.

2. APPROVAL OF AGENDA

MOVED: E. Peet
SECONDED: K. Lunde

THAT the agenda be approved as circulated.

CARRIED

3. ELECTION OF CHAIRPERSON FOR 2017

a. Election of Chairperson – 2017

The CAO requested nominations for the position of Chairperson of the Salmon Beach Committee for 2017.

Ellen Peet nominated Kel Roberts for the position of Chairperson of the Salmon Beach Committee for 2017. Kel Roberts accepted the nomination.

The CAO requested nominations for the position of Chairperson of the Salmon Beach Committee for 2017 for a second and third time.

There being no further nominations, the ACRD CAO declared Kel Roberts to the position of Chairperson of the Salmon Beach Committee for 2017.

Chairperson Roberts assumed the Chair.

4. ADOPTION OF MINUTES

a. Salmon Beach Committee Meeting held November 9, 2016

MOVED: K. Lunde
SECONDED: T. Bennett

THAT the minutes of the Salmon Beach Committee Meeting held on November 9, 2016 be received.

CARRIED

5. REQUEST FOR DECISIONS & BYLAWS

T. Graff entered the meeting at 2:21 pm.

a. Request for Decision regarding Administration of Salmon Beach Services

MOVED: E. Peet
SECONDED: K. Lunde

THAT the Salmon Beach Committee recommend that the ACRD Board of Directors allocate \$5,000 from General Government Services Studies and Reports to explore options for administering Salmon Beach Services.

CARRIED

b. Terms of Reference – Salmon Beach Committee

MOVED: E. Peet
SECONDED: K. Lunde

THAT the Terms of Reference for the Salmon Beach Committee be received.

CARRIED

c. Request for Decision regarding Salmon Beach Sewage Field Upgrades – Request to Proceed to Toquaht Nation

MOVED: E. Peet

SECONDED: T. Graff

THAT the Salmon Beach Committee request that the Board of Directors write a letter to Toquaht Nation to permit the investigation of the costs and proceed with work to re-establish maximum capacity in the original sewage field and install additional feeder tank capacity within the License of occupation area.

CARRIED

d. Request for Decision regarding 2017-2021 Salmon Beach Service Budget

*MOVED: E. Peet
SECONDED: T. Lunde*

THAT the Salmon Beach Committee contact the Toquaht FN to request that they re-establish the (up to twice a year burning) of brush piles on the Toguah Nation lands.

CARRIED

*MOVED: E. Peet
SECONDED: K. Lunde*

THAT the Salmon Beach Committee amend the budget to include \$30,000 in capital to investigate options for a new administration building.

CARRIED

*MOVED: E. Peet
SECONDED: K. Lunde*

THAT the Salmon Beach Committee amend line 10 of the Recreation budget to \$8400 and our contribution to Capital will be \$38000 the budget to increase the Community Event fund to \$4000. Get from Andrew

CARRIED

*MOVED: E. Peet
SECONDED: K. Roberts*

THAT the Salmon Beach Committee request that staff review pump and haul coverage for truck breakdowns.

CARRIED

*MOVED: T. Graff
SECONDED: E. Peet*

THAT the Salmon Beach Committee amend the line 24 of the Transportation budget to read Professional services, rather than Paving of sensitive areas.

CARRIED

MOVED: K. Roberts
SECONDED: E. Peet

THAT the Salmon Beach Committee instruct staff to investigate cost of 72-hour pump testing.

CARRIED

MOVED: T. Graff
SECONDED: E. Peet

THAT the Salmon Beach Committee support the inclusion of the budget, as amended, in the 2017-2021 Alberni-Clayoquot Regional District Financial Plan.

CARRIED

6. ADJOURN

MOVED: Director
SECONDED: Director

THAT this meeting be adjourned at 3:32.

CARRIED

Certified Correct:

Chairperson

Andrew McGifford,
Manager of Environmental Services



REQUEST FOR DECISION

To: Salmon Beach Committee

From: John Thomas, Environmental Services Technician
Andrew McGifford, CPA, CGA, Manager of Environmental Services

Meeting Date: May 4, 2017

Subject: Salmon Beach - Salmon Beach Public Water Supply Options

Recommendation:

THAT the Salmon Beach Committee support the sourcing of engineering services up to a cost of \$20,000 to begin an investigation of the potable water source in Salmon Beach.

Desired Outcome:

To provide funding for a small-scale potable water supply in the Salmon Beach recreational community that would be a low impact to recognize septic field limitations.

Summary:

Source Water

Currently we are sampling Well #2 and Well #10 for potability. Well #2 has previously come back with good water quality with lower levels of arsenic. Well #10 has had many water tests that has consistently shown higher levels of arsenic. Well #10 is still favored by the committee due to its location, known well production rate and existing pumping system.

Treatment for Well #10

Due to the poor water quality of this source it will require treatment as well as disinfection. The best treatment option for the removal of arsenic is reverse osmosis (RO). RO can be thought of as filtration at a molecular level. It works by forcing water through a special, selective membrane. The membrane has microscopic holes that only let water molecules through while trapping the large molecules of arsenic. Water supplied from Well #10 would require RO treatment and UV disinfection.

Limiting the Supply

There is no current water distribution in the community of Salmon Beach nor any wastewater pumping system. Potable water is brought into the community individually and household wastewater tanks are pumped and hauled to the Salmon Beach septic system. Pump and haul capacity is limited due to the sani-field design as it is unable to accept a higher rate of liquid. This may be a consideration of how much water is made available to the community over a period of time. Limiting the amount of water available may be obtained by the cost of water, the cost of pump and haul and/or restricting the availability. Currently the community has the most restriction of potable water as there is no potable water available in Salmon Beach.

Supply Options

Manual Option

Install RO and UV system that may be purchased from from Corix Water Products. This quoted water treatment unit will provide 800 gallons of potable water per day. The treated water could be stored in the existing pressurized water tank and distributed through a tap. This could be used on an honour system to not take more water than needed or to leave the tap on. Alternately a person could “open” or “unlock” the tap during posted hours to supervise the water supply system. This option may create too much wastewater and cause problems with the septic field operation.

Automated Option

An automated option would require the use of a dispensing unit seen in local stores or self-serve vending store fronts offering preset water volumes. This option would free up any active supervision of the water supply system and create a restriction on the amount of water supplied due to cost and the time required to fill containers.

It is conservatively estimated that it takes a person 3 minutes to complete a water transaction from a dispensing unit. This time can be estimated whereby a person waiting in line has to carry a plastic bottle to the unit, lift it into position, insert the money or token, fill the bottle and insert the lid and leave. If a vending machine was used from 6 am to 10 pm consistently there would be 320 transactions. If the maximum amount of water that could be dispensed was 3 gallons that would be a total of 960 gallons per day.

One vending system reviewed was a LA Window Unit that will accept tokens and provide a filling station. The unit is made with stainless steel that is easy to keep clean. This model requires a building or front to install into as can be seen in the photo. This system requires the water treatment system as mentioned in the manual option above.

LA Window Unit



Another option would be to use an existing water vending unit provided by an established company. These units are commonly seen in grocery stores as a self-standing unit as seen in the photo below. The company called Nimbus will provide a unit that includes a RO and UV water treatment and a 40-gallon storage. The Nimbus unit can also use coupons instead of cash. A similar product is provided by a company called Glacier Water that may be willing to enter into a rental agreement. This company has service technicians on the island and could be the service provider for the vending unit.



Water System Approval

Under the BC Drinking Water Protection Act and Regulation, operating permits are required for all drinking water systems serving anything other than a single-family dwelling. Drinking Water Officers (DWO) with Island Health work with prospective and existing water suppliers and monitor for compliance with this legislation.

Salmon Beach would require a qualified professional to work with Island Health to have a water supply approved for the community. An engineer would be required to investigate these next steps further and come up with a recommendation for the best alternate and then approach Island Health with a design for the water system based on the current water conditions.

Financial Implications:

The cost will be based on the scope of work requested from the engineer and an estimate of \$20,000 would be reasonable for this work. These expenditures cannot use Gas Tax funding. Once there is a clear path to construct all cost associated with the construction of the asset would be considered a Gas Tax expenditure. The operation cost of the service would be reviewed and taxation maximums may need to be increased for this service.

Time Requirements – Staff & Elected Officials:

Staff time for this initiative would be significant and would occur in the 2018 year.



Submitted by: _____
John Thomas, Environmental Service Technician



Submitted by: _____
Andrew McGifford, CPA, CGA, Manager of Environmental Services



Approved by: _____
Wendy Thomson, Acting Chief Administrative Officer



REQUEST FOR DECISION

To: Salmon Beach Committee

From: Andrew McGifford, CPA, CGA, Manager of Environmental Services

Meeting Date: May 4, 2017

Subject: Salmon Beach - Emergency pump and haul contingency plan & fee increase

Recommendation:

THAT the Salmon Beach Committee request that the Alberni-Clayoquot Regional District Board of Directors amend bylaw F1076 – Salmon Beach Sewage Disposal Service:

- 1. The fees for the Regional District to pump a sewage holding tank or a pit privy shall be \$120.***

Desired Outcome:

To provide funding to support the use of a contracted pump and haul service should the need arise during emergency maintenance periods for the Salmon Beach pump truck rather than delay the service until truck is repaired.

Summary:


In the summer months the pump and haul service provided by the ACRD to the Salmon Beach owners is in high demand. Interruption in service would prolong the waiting period which has seen up to three weeks of waiting between payment and service provided. The current tax requisition is approximately 65% of the annual operating costs. The tax requisition is currently near maximum limits for the service and the fee has remained \$100 for the last ten years. The outside contracted service ***if sourced*** by an owner costs approximately \$500 per pump.

Financial Implications:

There are approximately 200 pump and hauls every year and the increase in the fees would provide an additional \$4,000 per year to cover a week of emergency pump and haul service through a contractor. The cost is \$155 per hour for a contractor and the service is anticipated to be required for 8 hours per day; total cost per day would be \$1,240 or \$3,720 per week. If funds go unused they can be allocated as additional capital contribution in following year.

Time Requirements – Staff & Elected Officials:

There will be minimal time required for the change of fee in the bylaw and accounting system.

Submitted by: 
 Andrew McGifford, CPA, CGA, Manager of Environmental Services

Approved by: 
 Wendy Thomson, Acting Chief Administrative Officer



REQUEST FOR DECISION

To: Salmon Beach Committee

From: Andrew McGifford, CPA, CGA, Manager of Environmental Services

Meeting Date: May 4, 2017

Subject: Salmon Beach – public toilets

Recommendation:

THAT the Salmon Beach Committee support the re-instatement of public toilets at the beach and Public Square for the Salmon Beach community use.

Desired Outcome:

Provide Salmon Beach owners public toilets for use where children play and where other owners currently have no option because of distance to their property.

Summary:

The Salmon Beach community owners present at the Labour Day long weekend meeting voted to remove the public toilets from the two locations, the beach and the Public Square. Owners that relied on the units began to question why these were removed without any advance warning, and consider it a lack of consultation. Owners stated there is a need to have these public toilets in place for public health concerns.

There have been a several calls and emails from concerned property owners were received. The removal may have been a knee jerk reaction to an issue without proper public consultation. This email is a good summary of the message heard by staff:

"I own a lot at Salmon Beach and strongly disagree with the decision to remove the public toilets. The vote was extremely close at the fall meeting; many owners were opposed to the idea, and others (like me) were not consulted about this issue. We do not have toilet facilities on our lot yet and have relied on the public toilets when we are staying at SB. We have owned our lot for many years and have paid considerable taxes throughout this time period and the toilets were one amenity we have used and rely on. Now we can't use our lot because of this decision.

Even for owners who have toilet facilities on their lots, I believe removing the toilet at the beach is a mistake. Many people, especially children, used the toilet while playing and swimming there. Now people will be peeing in the ocean and everywhere else as many live too far away to walk home to go to the bathroom.

I appreciate the problem that some people have been throwing garbage in the toilets, and agree this needs to stop. However, these few should not ruin it for the rest of us.

I suggest putting back two toilets, one at the beach and the other at the playground. Put large signs on the doors educating users about the garbage disposal issue. Place solid bear-proof garbage cans next to the toilets so people can throw their garbage there instead of down the hole."

Staff is recommending that the reinstatement of the public toilets at the beach and Public Square for the Salmon Beach community be undertaken immediately. That there be signage made up and an installation of a garbage can outside the portable toilets to mitigate garbage ending up the toilets.

Financial Implications:

The funding is covered through the Salmon Beach Sewage service area.


Time Requirements – Staff & Elected Officials:

No increase in contractor or staff time from prior years.



Submitted by: _____

Andrew McGifford, CPA, CGA, Manager of Environmental Services



Approved by: _____

Wendy Thomson, Acting Chief Administrative Officer



Staff Report

To: Salmon Beach Committee

From: Wendy Thomson, Acting Chief Administrative Officer

Meeting Date: May 4, 2017

Subject: Local Community Commission Study – Salmon Beach

Summary:

This report is provided to the Salmon Beach Committee to be shared with the community of Salmon Beach at their May 21st meeting.

Background:

The Alberni-Clayoquot Regional District (ACRD) operates and administers the following services for the recreational community of Salmon Beach: transportation, garbage, recreation, power, security, sewage and water. The ACRD Board of Directors established the Salmon Beach Committee made up of property owners and the area "C" (Long Beach) Director to assist and advise the Regional District on matters relating to the services including providing direction on policies and budgets.

Property owners at Salmon Beach have expressed an interest in exploring other options for operating and administering the services provided by the ACRD to the community of Salmon Beach. There is an interest from the community for more local control and autonomy over the services provided.

Regional District staff has been exploring possible options with staff from the Ministry of Community, Sport and Cultural Development. One possible option that has been identified is the creation of a Local Community Commission (LCC). A LCC is an administrative body represented by commissioners who are elected to represent an unincorporated area of a regional district called a "local community". The LCC has a role in regards to the operation and administration of the regional district services that are being delivered in the local community.

Regional District staff and the Salmon Beach Committee recommend that a study be undertaken in 2017 to explore the option of creating a LCC. The study would include a cost benefit analysis as well as look at other possible options.

The ACRD Board of Directors allocated \$5,000 in 2017 towards undertaking a study on the LCC option. The Regional District also submitted a request for funding through the Ministry of Community, Sport and Cultural Development for a portion of the study. The Ministry has advised that no decisions on funding the study will be made until after the Provincial election. Further, the Ministry has requested a study proposal outlining the key questions, estimated total study cost and timeline. Regional District staff will work on a proposal for consideration by the Ministry with input from the Committee to support the funding application.

Prior to the Regional District establishing a Local Community Commission, the report would be presented to the community and a referendum would need to be conducted within the service area. Approvals would also be required through the Ministry of Community, Sport and Cultural Development.

Attached please find information provided by the Ministry regarding Local Community Commissions. Currently there are five Regional Districts in BC which have formed LCC's.



Submitted by: _____
Wendy Thomson, Acting Chief Administrative Officer

LOCAL COMMUNITY COMMISSIONS

Introduction

Local community commissions (LCC) are a component of the local government system in British Columbia. Located in unincorporated areas of the province, LCCs serve as advisory and administrative bodies to the regional district that created them. There are five LCCs in the province as of 2012, though the commissions differ in their level of activity. The five commissions and the regional districts in which they are located are:

- Bear Lake – Regional District of Fraser-Fort George
- Charlie Lake – Peace River Regional District
- Coal Harbour – Regional District of Mount Waddington
- Fort Fraser – Regional District of Bulkley-Nechako
- Olalla – Regional District of Okanagan-Similkameen

Further information about these LCC's can be found in Appendix A

Legislation

First introduced as a local government option in the *Municipal Act* of 1977, LCC's are now described by Section 838 of the *Local Government Act* (Act). This legislation gives regional district boards the authority to create a LCC and contains most other provisions that apply to their administration and operation.

What is a local community commission?

A LCC is an administrative body represented by commissioners who are elected to represent an unincorporated area of a regional district called a local community. The LCC has a role in regard to the operation and administration of the regional district services that are being delivered in the local community. Landowners or residents who wish to be involved in decision-making processes at the local level can participate by becoming elected as a commissioner for the LCC. The boundary of a local community is decided by the regional district board and generally represents small, geographically independent and relatively high-density rural communities.

The number of commissioners for the LCC is either five or seven as determined by the regional district. One of the commissioners is always the regional district board director within whose electoral area the local community commission is located.

The board of the regional district establishes a LCC by adopting a bylaw after a public consultation process. The bylaw, establishes the local community—a geographic area with a defined boundary. The electors within the local community must assent, by referendum, to the establishment of the LCC. The approval of the Inspector of Municipalities (an executive staff member with the Ministry of Community, Sports and Cultural Development) is also required.

Overall responsibility for the LCC and its actions rests with the regional district board which is the legislative and corporate decision-maker for all the services that it delivers. The board owns any property associated with the services in a local community, and contracts made as part of the operation of these services can only be made in the name of the regional district.

What is the role of a local community commission?

A LCC is an administrative body of the regional district with commissioners who are elected by citizens to provide input into regional district services that are delivered to the community. Each service is created through the adoption of a regional district service area establishment bylaw. The LCC can provide advice to the regional district about these services and make administrative decisions where the board has delegated decision-making powers to the LCC. The advice could also relate to more general issues of importance to the local community. In this way, a LCC may act as a “quasi-council” by channeling issues from the community to the regional district board.

The LCC recommends or determines how regional district services will be managed in the local community, within the policy framework created by the regional board. If administrative powers have been delegated to the LCC, it can also make decisions about spending funds allocated by the regional district board in its budget. However, it is the staff of the regional district who carry out any action recommended or decided by the LCC. For example, a commission could approve an expenditure, but the regional district staff place the order with the supplier and ensure delivery.

Why might a regional district board decide to create a local community commission?

A LCC presents a unique method for a regional district to delegate decision-making powers for services to a local level with greater potential for community involvement. Unlike a standing or select committee whose members are appointed by the regional district chair or regional district board, the members of a LCC are elected locally by residents and non-resident property owners.

Although every community is unique, there are some general characteristics that may lead to the creation of a LCC. For example:

- The community is geographically independent. Whether the area is compact or dispersed, the boundary is fairly easy to define.
- Citizens within the area considering forming an LCC are receiving several local services from the regional district. These services typically include but are not limited to water, sewer, fire protection or parks and they can be in any combination.
- The citizens have a high interest in the services being delivered in the community.
- The community has some of the characteristics of a municipality but it is not ready for incorporation.

Some local communities may have certain services being delivered by a regional district and other services delivered by an improvement district. If there is local support for it, the improvement district could be dissolved by the Province and responsibility for its services could be transferred to the regional district. In that way, the citizens would still be able to have a local voice in the operation and administration of the services formerly delivered by the improvement district.

The transfer of administrative powers to an elected LCC may be a solution in cases where citizens of a community want more control over the governance of their services than a single electoral area director. A LCC could help to enhance community identity and promote a greater interest in community decision-making.

Steps to establishing a local community commission

- Citizens in a community approach the regional district electoral area director or regional district board with a request to investigate the implications for creating a LCC.
- The regional district creates a report to be discussed with the community at a public information meeting so they can determine the level of support for the concept. The report may discuss the level to which the regional board is willing to delegate its authority to the LCC.
- If there is general support for the creation of a LCC, the regional district board gives three readings to a local community commission establishment bylaw and sends it to the Inspector of Municipalities for approval.
- A vote of the electors is held by referendum under Part 4 of the Act to decide if they support the creation of a LCC.
- If the bylaw receives elector approval, the regional district adopts the LCC establishment bylaw.
- A vote is held to elect the commissioners for the LCC under Part 3 of the Act.

Considerations for the design of a local community commission

Establishing Bylaw

The local community commission establishment bylaw must include the following:

- the name of the LCC;
- the boundary of the LCC;
- the time and manner in which the annual general meeting will be held; and
- whether the commissioners are to be elected every 3 years (along with the general local election) or annually on a day specified in the bylaw.

Additional provisions that may be included in establishing bylaw include the following:

- the manner of holding elections for commissioners, if different from the normal local government election process;
- the number of commissioners. The default is four commissioners but the board can decide that there will be six commissioners;
- the delegation of administrative powers for specified services to the LCC;

- the terms, conditions and restrictions on activities of the LCC; and
- the amount of remuneration to be paid to the commissioners.

A map showing the boundary of the LCC is often attached to the bylaw as a schedule. The boundary of the LCC is usually the same as the boundaries established for the regional district services being delivered in the local community. If the service area boundaries are not co-terminus, the boundary of the LCC is usually the same boundary established for the service area with the largest geographic area.

There may be two components for the establishing bylaw: the actual establishment of the local community (which requires a majority of affirmative votes at the regional district board to pass) and the delegation of administrative powers to the LCC by the board (which requires a 2/3 majority of affirmative votes to pass). Given the different voting requirements, a regional board may wish to pass a delegation bylaw separately. A sample local community commission establishment bylaw is attached as Appendix B.

The commissioners have the same immunity against legal prosecution as the directors of the regional district board. This means that they are immune from personal liability unless the cause of action is dishonesty, gross negligence or malicious or willful misconduct, libel or slander. The members of a LCC can be also indemnified by the regional district board under Section 287.2 of the Act should a commissioner be involved in a legal action or prosecution.

The Ministry of Community and Rural Development annually provides a grant of \$5,000 for each local community established by a regional district. The purpose of the grant is to help offset the regional district's costs associated with the administration of the LCC.

Elections

There are either five or seven commissioners for a LCC and all but one of them is directly elected by residents and non-resident property owners within the local community. The candidates are not required to be residents or land owners within the local community and must meet the same requirements as those for a candidate for electoral area director. The regional district director within whose electoral area the local community is located is automatically a member of the LCC.

The election of commissioners will occur in one of two ways: either every three years at the same time as the general local election, or once annually in a separate election held solely for local community commissioners.

If the LCC election occurs at the same time as the general local election, the provisions of Part 3 of the *Local Government Act* apply. This means that elections for local community commissioners will occur on the third Saturday of November every three years. The five existing local community commissions in British Columbia hold their elections in this way. If the election of commissioners is to be held at a different time, the regional district must adopt a bylaw with this provision in it at least eight weeks before general voting day.

In all cases, general proceedings for the election of local community commissioners must be the same as those for the general local election. Both resident electors and non-resident property electors are eligible to vote for local community commissioners.

Day-to-Day Operations

At each annual general meeting of the commission, the commissioners must elect a chair and vice-chair from among themselves. The procedures to be followed by the commissioners at their meetings are established by the regional district board in its meeting procedure bylaw. The frequency and location of LCC meetings are typically decided by the commission itself. Meetings must be open to the public unless the commissioners are discussing issues for which the meeting may be closed to the public. These issues are listed in Section 90 of the *Community Charter*. All decisions made by a LCC must be made by a majority vote of the commissioners at a properly convened meeting.

The commissioners pass resolutions related to the LCC's areas of responsibility, which are recorded in the minutes of their meetings and forwarded to the regional district board as a record of its decision or opinion. The LCC cannot pass bylaws; rather, its opinion is taken into account by the regional board when it makes a decision regarding the services being delivered by the regional district to the local community. The level of decision-making by the LCC will vary depending on the delegation of authority from the regional district board.

Further information about the ability of a regional district board to delegate its authority can be found at on the website for the Ministry of Community and Rural Development: http://www.cd.gov.bc.ca/lgd/regional/regional_district_governance.htm

The Current Local Community Commission Situation

2008 Election Results

Local community commissioners are elected by acclamation about half the time. Turnover among commissioners vary between LCCs – some reported little turnover from election to election, while others had elected an entirely new set of members. The LCC's all held elections for their commissioners concurrently with the general local election in 2008. Bear Lake elected four commissioners from a field of six candidates. Fort Fraser and Coal Harbour each elected four commissioners by acclamation. Olalla had three commissioners elected by acclamation and one commissioner was appointed by the board of the Regional District of Okanagan-Similkameen as there were only three candidates. Charlie Lake did not hold a vote for commissioners as the LCC has been inactive for a few years.

Role and Function

The number of services administered by the LCC's in British Columbia varies from six in Bear Lake to one in Olalla. Charlie Lake also administered only one service while it was active (this responsibility is now managed by staff of the Peace River Regional District). None of the regional districts are increasing the number of services administered by their LCC at this time.

In some cases, the LCC does not solely administer the day-to-day operation of services. Several LCCs function as a “community council” dealing with issues such as animal control, beautification and “neighbourly disputes.” The LCC in this case is a local forum where residents can voice their concerns and discuss potential solutions. This function of the LCC may reduce the amount of resources needed by the regional district to deal with issues arising in the local community. In addition, the LCC serves as some assurance that citizen's opinions are being heard.

LCC - Regional District Relations

Most communications between the LCC and the regional district is centred around the electoral area director as they are a member of both bodies. However, other situations exist such as in the case of the Regional District of Bulkley-Nechako whose staff attend the monthly meetings of the LCC. In the Fraser-Fort George Regional District, there is regular communication by email, phone and written letter.

The most common issue related by regional districts about their LCC is the lack of understanding of the roles and responsibilities for regional board members, commissioners and regional district staff. In some cases, commissioners have tried to do too much—taking over staff duties—with too few resources.

APPENDICES

Appendix A: Local Community Commissions in British Columbia			
NAME	REGIONAL DISTRICT AND LOCATION	DATE CREATED/ BYLAW NUMBERS	SERVICES MANAGED
Fort Fraser Local Community Box 820 Burns Lake, BC VOJ 1E0	Bulkley-Nechako Portion of EA 'D' - approx. 20 km east of Fraser Lake	1979 Bylaw reference numbers: 223/642/685/935/963	Water System Sewer System Street Lighting
Bear Lake Local Community 155 George Street Prince George, BC V2L 1P8	Fraser-Fort George Portion of EA 'G' - approx. 66 km north of Prince George	1986 Bylaw reference numbers: 899/1116/1153/1162/ 1292/1331/1445/1655/ 1794	Water System Street Lighting Cemetery Fire Protection Recreation Facilities Ambulance Station
Coal Harbour Local Community Box 729 Port McNeill, BC V0N 2R0	Mount Waddington Portion of EA 'C' - approx. 20 km SW of Port Hardy	July 18, 1984 Bylaw reference numbers: 219/320/354/592/611/691	Water System Sewer System Street Lighting Garbage collection
Charlie Lake Local Community Box 810 Dawson Creek, BC V1G 4H8	Peace River Portion of EA 'C' = approx. 5 km west of Fort St. John	September 27, 1990 Bylaw reference numbers: 683/861/884	Sewage System
Olalla Local Community 101 Martin Street Penticton BC V2A 5J9	Okanagan-Similkameen Portion of EA 'G' - approx. 5 km north of Keremeos	April 17, 1997 Bylaw reference numbers: 1609/1771	Water System

Appendix B: Sample local community commission establishing bylaw

[Regional District]
BYLAW No.____

A bylaw to establish a local community at [*name of community*].

WHEREAS the Regional District may, within an electoral area, establish a local community to be administered by a local community commission.

AND WHEREAS the assent of the electors for the establishment of a local community commission was obtained in the area of the proposed local community;

NOW THEREFORE the Regional Board of the [*name of regional district*], in open meeting enacts as follows:

GENERAL

- 1 There is hereby established within Electoral Area “[x]” a local community to be known as the [*name*] Local Community.
- 2 The boundary of the [*name*] Local Community is outlined in bold on the map attached to and forming part of this bylaw as Schedule ‘A’.
- 3 The [*name*] Local Community shall be administered by a local community commission, to be known as the [*name*] Local Community Commission.
- 4 In this bylaw, unless the context otherwise requires,

‘Board’	means the board of directors for the Regional District.
‘Commission’	means the [<i>name</i>] Local Community Commission.
‘Commissioner’	means a person elected to or otherwise entitled to sit as a member of the Commission in accordance with the <i>Local Government Act</i> .
‘Local Community’	means the [<i>name</i>] Local Community.
‘Regular meeting’	means a regularly scheduled meeting of the Commission called in accordance with the Commission’s procedures at which the general and usual business of the Commission is to be conducted.
‘Special meeting’	means a meeting, other than a regular meeting, at which an item or items requiring special or immediate attention is to be discussed by the Commission.

THE COMMISSION

- 5 The Commission shall consist of:
 - (a) [*four/six*] [(4)/(6)] elected commissioners all of whom have the qualifications to hold office pursuant to Part 3 of the *Local Government Act* as a director of the Board, and

- (b) the director (or alternate director in his/her absence) for the Electoral Area in which Commission is located.
- 6 Elections for the Commissioners under section 5(a) shall be held [*every three (3) years at the time of the general local government election OR annually on (date)*] and shall be governed by Part 3 of the *Local Government Act*.
- 7 The term of office for elected commissioners shall be [*three (3) years OR one (1) year*] or until their successors are elected, whichever is later.

PROCEEDINGS OF THE COMMISSION

- 8 The Commission shall hold an annual general meeting, to be open to the public on the [*day and month*] of each year at a location in the Local Community, notice of which shall be given at least one month prior to the annual general meeting by:
- (a) delivering a copy of the notice to each Commissioner at the place to which each has directed notices to be sent;
 - (b) posting a copy of the notice on a public bulletin board in the Local Community and such other places as directed by the Commission; and
 - (c) publication of the notice in a newspaper circulating in the Local Community.
- 9 At each annual general meeting, the Commission shall elect from among themselves a Chair and Vice-Chair.
- 10 The Commission shall hold meetings on a regular basis of at least one (1) every month at a time and day set by resolution of the Commission.
- 11 Special meetings may be called by the Chair or Vice-Chair.
- 12 A quorum for both regular and special meetings of the Commission shall be a majority of the Commissioners.
- 13 Meetings of the Commission, except those meetings closed to the public as identified in Section 90 of the *Community Charter*, shall be open to the public and shall be conducted in accordance with the Regional District's Procedure Bylaw where applicable.

EXPENSES OF COMMISSIONERS

- 14 Commissioners shall receive no remuneration for their services but shall be reimbursed according to the policy of the Board for expenditures made and expenses incurred by them when they are travelling outside the Local Community and:
- (a) representing the Local Community;
 - (b) engaging in Local Community business; or
 - (c) attending a meeting, course or convention related to the administration of the Local Community.
- 15 Notwithstanding Section 14, expenses made or expenditures incurred by a Commissioner will not exceed the Commission's annual budgetary allocation for expenses and expenditures of the Commissioner, as approved by the Board.
- 16 All expenses and expenditures for which reimbursement is claimed must be supported by proper receipts given to the Financial Officer of the Regional District promptly after the expenditure was made or the expense was incurred. No expense or expenditure will be reimbursed by the Regional District if it is not claimed within three (3) months of the time after the expenditure was made of the expense was incurred.

POWERS AND DUTIES OF THE COMMISSION

17 The powers and duties of the Commission shall include:

- (1) the responsibility for the day-to-day administration of [*services to be administered by the LCC*] including, without limiting the generality of the foregoing:
 - (a) supervising the maintenance and operation of the said services;
 - (b) recommending to the Board the letting of such contracts as may be necessary for the operation, maintenance, and improvement of the said services;
 - (c) authorizing the expenditure of such funds as may be provided in the annual budget of the Regional District in respect of the said services, or as may be lawfully expended for capital purposes, subject to the provisions of paragraph (b);
 - (d) recommending to the Board the provision of funds for capital purposes, or the undertaking of capital projects or the contracting of debt for the said services.
- (2) providing such other recommendations and advice to the Board as the Commission deems desirable regarding the provision of services or matters affecting the local community generally.

18 In addition to the powers, duties and responsibilities set forth in this part. The Commission will:

- (a) cause to be prepared on or before [*date*] in each year a provisional budget for the following year;
- (b) prepare a proposed budget for the current year on or before [*date*] of each year and submit it to the Board for approval;
- (c) in the provisional budget and proposed annual budget:
 - (i) set out the anticipated expenditure for each service;
 - (ii) set out expenditures of the Commission;
 - (iii) show separate revenues obtained from all sources.
- (d) not make an expenditure before the proposed annual budget is prepared by the Commission and approved by the Board and unless the expenditure is authorized in the approved budget.
- (e) keep minutes of the proceedings of the Commission legibly recorded in a minute book. Such minutes are to be certified as correct at the next meeting at which the minutes are adopted.
- (f) advise the Board about the services listed in Section 17(1).
- (g) permit any person to inspect the minutes and permit any person to make copies and extracts at all reasonable times, except minutes of closed meetings as provided in Section 90 of the *Community Charter*.
- (h) consider matters relating to the services referred to it by the Board.

CITATION

19 This Bylaw may be cited as “[*bylaw citation*].”

READ A FIRST TIME THIS *date*
READ A SECOND TIME THIS *date*
READ A THIRD TIME THIS *date*

APPROVED BY THE INSPECTOR OF MUNICIPALITIES ON *date*
RECEIVED ASSENT OF THE ELECTORS WITHIN THE LOCAL COMMUNITY ON *date*
RECONSIDERED AND ADOPTED [*with two-thirds vote depending on whether the bylaw delegates authority to the LCC*] THIS *date*



MEMORANDUM

To: Salmon Beach Committee

From: Andrew McGifford, CPA, CGA, Manager of Environmental Services

Meeting Date: May 4, 2017

Subject: Salmon Beach – other updates

Administration building

Requested quotes from a demolition company and have yet to be provided a quote for the work. The issue is finding equipment operators that are will to go to the Salmon Beach community and concern around maintaining the infrastructure around the building. Staff will follow up with additional information at meeting if provided.

Clearing trees on road rights of way

There is a request from 2016 that the Salmon Beach community clear the rights of way on Saratoga Avenue and Third Avenue. The issue the residents have brought forth is safety because of wildlife. These are not roads and the responsibility would be with the Ministry of Transportation and Infrastructure (MOTI). If the committee desires to complete this work, the committee could make a motion to ask staff to investigate any works in this area and follow up with MOTI for their position on this request.

Letter to Toquaht Nation – Burn pile and sewage field upgrades

No updates has been provided at time of writing the memo, will update hopefully verbally at our meeting.

Dust control

Discussion with the contractor to provide the service on May 1st could not provide a specific date as the work requires the weather to improve. He asked that I follow up at the end of May and he hopes to complete by June 15th.

Kayaker's path

The contractor will work with Deer bay to provide a path for the kayaker to access the beach more easily.

MOTI request for maintenance – Toquaht Bay Road

Update requested will follow up with committee if information received at meeting.

Submitted by: _____
Andrew McGifford, CPA, CGA, Manager of Environmental Services

Approved by: _____
Wendy Thomson, Acting Chief Administrative Officer