



AGENDA

Committee of the Whole
to be held on February 21st , 2017 in the Council Chambers
Municipal Hall, 977 South Maquinna Drive

- Call to Order** Mayor Schooner at 11:00 a.m.
- Mayor Schooner would like to acknowledge and respect that we are upon Mowachaht/Muchalaht traditional territory.
- Introduction of Late Items** None.
- Approval of the Agenda**
- New Business** **1** Response from Ministry of Transportation and Infrastructure to previous correspondence from the Village regarding maintenance and future plans for the Head Bay Forest Service Road.
- Adjournment**



Village of Tahsis

Our File No.

January 16, 2017

Ministry of Transportation and Infrastructure
Courtenay Area Office
550 Comox Road
Courtenay, BC
V9N 3P6

Attention: Kevin Carter, Operations Manager

Re: Winter Stakeholder Survey

On behalf of Tahsis Village Council, I am writing to thank you for including the Village in the stakeholder survey. This is the first time Council has been asked to participate in the survey. Council devoted a Committee of the Whole meeting on January 5, 2017 to discuss and develop this response and to review and approve the response to your December 5, 2016 email to staff.

Both documents articulate Council's dissatisfaction with the operation and management of the road maintenance service on the Head Bay Forest Service Road in 2016. In previous years, improvements were made to the road such as chip sealing, bridge replacement and dust control. The inattention to the maintenance of HBFSR in 2016 is clearly evident by the deteriorating condition of the road.

Council is equally frustrated with the Ministry of Transportation and Infrastructure's inadequate response to our requests for information about Emcon's contract performance. As you will recall from the November 8, 2016 meeting in Tahsis, it was stressed to you that it would greatly assist Members of Council in performing their duties if they could have more and better information about contract performance. Furthermore, Council members will benefit in knowing the Ministry's operational and capital budget commitments to ensure the HBFSR is not only safe but also maintained to a level that facilitates, rather than deters, economic development. The absence of this information hampers Council in having informed conversations with the Ministry, Emcon, road users and most importantly, local residents. The inference we are forced to conclude is that the Ministry is not prepared to share the information we have requested or it does not have it. Either result is unsatisfactory.

Village of Tahsis
977 South Maquinna Drive
P.O. Box 219, Tahsis, BC V0P 1X0
TEL: (250) 934-6344 FAX: (250) 934-6622
www.villageoftahsis.com

We hope that the Ministry takes this opportunity to respond in a more forthright and comprehensive manner and engage with the Village in a proactive fashion and not as an afterthought as our recent experience has shown. We look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Schooner', written in a cursive style.

Mayor Jude Schooner

cc: Ashok Bhatti, Regional Director
Claire Trevena, MLA, North Island
Rachel Blaney, MP, North Island-Powell River

Encl.

VILLAGE OF TAHSIS RESPONSE TO MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE
STAKEHOLDER SURVEY

JANUARY 2017

In your opinion:

- **Does the contractor effectively communicate winter road and driving conditions to the public and stakeholders such as yourself?**

Response:

Communication from the contractor to the Village and Tahsis residents is inadequate. The contractor does not consider the Village of Tahsis and its residents as stakeholders as evidenced by the contractor's opposition to holding a stakeholder's meeting in Tahsis. Only after raising the issue with the Ministry of Transportation and Infrastructure ("MOTI") was a meeting arranged for Tahsis. Going forward, the Village of Tahsis seeks and expects stakeholder meetings to be held in Tahsis.

The contractor's lack of interest in communicating is further exemplified by the following: After the November 8th stakeholder meeting in Tahsis the contractor's managers drove out on the Head Bay Forest Service Road ("HBFSR"). At that time a section of the HBFSR was flooded and only passable by vehicles with high clearance. The contractor and Ministry staff failed to communicate the flooding to the Village and/or local residents.

Neither the Village nor local residents receive regular updates – other than the generic Drive BC information – from the contractor. When equipment is not operating or other factors affecting road maintenance occur, the Village is not informed. Moreover, while the DriveBC information is updated regularly it is not accurate as the information is not based on the road conditions of the entire length of the road. Furthermore, the webcam at Crest Lake on Highway 28 has not functioned for months. The reporting is biased toward the Gold River section of the HBFSR.

Road conditions on the HBFSR make vehicle travel inadvisable at times. Local residents rely on word of mouth, social media and other subjective and potentially unreliable sources to make travel plans. Even when the road is impassable due to downed trees, flooding (as noted above), snow, ice or other hazards, the Village is not informed even though the contractor has this information and could share it.

- **Does the contractor respond quickly and appropriately to incidents and emergencies?**

Response:

The Village recommends speaking with Nootka Sound RCMP, the BC Ambulance Service and the Tahsis Medical Clinic to obtain this information. As noted above, even if the contractor does

respond appropriately to incidents and emergencies, there is no communication from the contractor to advise the Village when it has responded.

- **Does the contractor respond to winter storm events quickly and appropriately, are major routes and bus routes plowed first?**

Response:

Due to the HBFSR classification, the road maintenance response on the HBFSR is delayed if equipment and resources are needed to plow and sand other higher classification highways during winter storm events. So the HBFSR, which is the major route for this community, is not plowed first necessarily. The Village has little or no information regarding the road maintenance standards the contractor is expected to meet, as the Village has underscored to MOTI previously. Terms like “quickly” and “appropriately” are subjective and, therefore, vague. The Village expects the contractor to meet its road maintenance standards, which remain elusive. To this point, the Village would welcome MOTI to engage with the Village to establish a Local Area Service Agreement to govern the road maintenance on the HBFSR.

- **Are the contractor’s efforts to keep roads in safe winter driving condition throughout the season effective, do they implement sufficient resources, for plowing, anti-icing application, and applying abrasive?**

Response:

The general impression is that maintenance has deteriorated on the Tahsis section of the HBFSR. Of particular note, the failure to clear/remove trees and remediate potholes prior to winter resulted in further degradation of the road. Moreover, as noted above, the lack of information from MOTI regarding the road maintenance standards makes it problematic for the Village to respond in a meaningful way. The Village’s request for more information from the Ministry and the Village’s expectations are contained in a separate email.

Janet St. Denis

To: Carter, Kevin TRAN:EX
Cc: Molony, Anne TRAN:EX
Subject: RE: Emcon stakeholder meeting - Tahsis, Nov 8 2016

Hello Kevin and Anne,

Thank you for your response and for meeting with me on December 5th at your Courtenay offices.

Below are follow up questions and comments (below) which Tahsis Council has reviewed and directed me to send to you.

1. Emcon produces and submits inspection and/or activity reports which the Ministry reviews through an audit process. The activity and inspection reports are the property of Emcon, based on your email below. Does this mean that the activity and inspection reports are not available to the public? If so, can you please provide the contractual or statutory authority for this position? Moreover, can you please provide the Village of Tahsis with copies of all audit reports of the inspection and/or activity reports pertaining to the Head Bay Forest Service Road (HBFSR) over the past 5 years?
2. Further to the MOTI audits of the inspection and/or activity reports, can you please provide to the Village of Tahsis the audit program employed by MOTI in conducting these audits? (This document was requested earlier. If MOTI is not willing to provide the audit program, please advise.)
3. Tahsis Council is grateful for the opportunity to participate in the Winter Stakeholder Survey. Can you kindly advise why the Village of Tahsis has not been asked to complete the stakeholder questionnaire prior to 2016, as per your email? Moreover, can you advise if Tahsis has participated in the Ministry's Annual Customer Satisfaction Survey and if not, why not? The Ministry states that maintenance and rehabilitation related data are extracted from the survey and analyzed by managers to ascertain whether road maintenance practices require changes.
4. Regarding the incomplete cost/benefit analysis, to be clear there was no indication from Ministry staff that it was intended for a "local conversation" only. Can you advise of the basis for this statement? Moreover, the Village has requested a cost/benefit analysis of chip sealing the entire length of the HBFSR. Will the Ministry complete a full C/B analysis in response to this request?
5. You state that Emcon is doing a "reasonable" job on maintaining the HBFSR. Can you please provide the information and criteria you are relying on to draw this conclusion? The Village is seeking the same information and criteria used by the Ministry so that we may reach our own assessment of the contractor performance.
6. Please provide the kilometer by kilometer road maintenance expenditures for the HBFSR that demonstrate that expenditures have exceeded the annual budgeted level.
7. Please provide a description of the options for improvements referred to in your email and how the Ministry intends to implement those improvements. Will the Village of Tahsis be consulted on proposed improvements? Naturally the Village is seeking improvements to the HBFSR. However, the lack of both specifics and Ministry commitment need to be pointed out. Moreover, efforts to improve the road through base stabilization or other means does not preclude holding the contractor accountable for meeting its contractual performance standards for road maintenance.

It is acknowledged that the Village is requesting information and documents that the Ministry does not regularly disclose. This fact alone does not prevent the Ministry from disclosing these documents and information. Public money is used to pay for the road maintenance on the HBFSR so a reasonable expectation is that the contractor, through the Ministry, demonstrate accountability for its activity and the Ministry be satisfied that the province is getting value for money.

You will likely be familiar with the 2010 performance audit conducted by OAGBC on the MOTI's upkeep of the provincial roads network. Some recommendations from the Auditor General's report seem germane to the Village's concerns, namely,

- Revise the stakeholder consultation part of its contractor assessment program to ensure that judging of contractor performance by ministry staff is done in a way that is clearly fair and objective
- Analyze customer complaints and enquiries, and use this information to identify areas for making improvements in the road upkeep programs and in results reporting
- Create a set of service-related objectives and performance measures to assess its own contributions to the success of contracted routine maintenance services
- Provide the results of network-wide assessments of road and bridge condition, and options for future funding, to personnel responsible for planning and overseeing upkeep work at the district and regional levels. In addition, a summary of those results and the funding options provided should be presented to Legislators and to the public as a report card on ministry efforts at network upkeep

To date, the Village is not satisfied with the stakeholder consultation process, results reporting by the Ministry on contractor performance, and the Ministry reporting on its assessment of the condition of the HBFSR and future funding options. Village Council would like more engagement with the Ministry which includes the information requested above.

Thank you for your attention to this and for your time.

Regards,

Mark Tatchell
CAO/CFO
Village of Tahsis
(250)934-6344
mtatchell@villageoftahsis.com

From: Carter, Kevin TRAN:EX [mailto:Kevin.Carter@gov.bc.ca]
Sent: Monday, December 05, 2016 1:57 PM
To: Mark Tatchell
Cc: Molony, Anne TRAN:EX
Subject: RE: Emcon stakeholder meeting - Tahsis, Nov 8 2016

Mark,

I understand what you are requesting and have provided some answers to individual questions below. I'm am unsure however that this is the best way to achieve improvements on the HBFSR. I will start by saying that Emcon and staff are doing a reasonable job with the infrastructure they have been given. I am not saying that there isn't room for improvement, and I will work with Emcon on this, however I believe that MoTI and the Village of Tahsis need to explore what other options are available. I have looked at what is available and has been done for maintenance and the values that have been expended exceed the maintenance allocation on a road classification and kilometer by kilometer basis

on a consistent basis for the past three years. As stated, some of my answers are still incomplete, and if following our discussion you feel the information you are requesting is relevant, I will continue to seek accurate answers, however I believe it best to put our collective energies into options for improvements that are beyond maintenance, to make maintenance more cost effective.

Link to Maintenance Specification www2.gov.bc.ca/gov/content/transportation/transportation-infrastructure/contracting-to-transportation/highway-bridge-maintenance/highway-maintenance/agreement/specifications

Kevin

From: Mark Tatchell [mailto:MTatchell@villageoftahsis.com]
Sent: Tuesday, November 8, 2016 5:15 PM
To: Carter, Kevin TRAN:EX
Cc: Jude Schooner; Randy Taylor; waterls@conumacable.com; satan-z-angel@cablerocket.com; Brenda
Subject: Emcon stakeholder meeting - Tahsis, Nov 8 2016

Hi Kevin,

Thanks again for attending the Emcon stakeholders meeting in Tahsis today. I know Mayor and Councillors were grateful that Emcon and Ministry staff included Tahsis in the winter stakeholder meeting schedule.

The Village sees value in relying on the service standards in the general service agreement (contract) between the Province and Emcon as well as the associated assessment tools in grounding the Village's evaluation of Emcon's performance. To that end, the questions posed today were aimed at furthering our understanding of the operation of the contract. Moreover, it would greatly assist Members of Council in performing their duties if they could have more and better information about Emcon's contract performance. They will also benefit by knowing the Ministry's operational and capital commitments to ensure the Head Bay FSR is not only safe but also maintained to a level that facilitates, rather than deters, economic development. The absence of information about the above items hampers Council in having informed conversations with the Ministry, Emcon, road users and, most importantly, local residents.

To reiterate, the questions today were:

- 1) Does Emcon report to the Ministry on its performance under the contract, e.g., on meeting the Short Response Time standards? If so, how does it report and is there specific reporting on its contract performance on the HBFSR?
None specific to HBFSR and SRT standards, Emcon will complete work inspection forms that will show that the work completed meets the contract standard. We can ask to view these reports in our auditing process. These are the property of the contractor.
- 2) If Emcon does report on its contractual performance on the HBFSR, please provide those reports for the last 5 years (2010-2015) to the Village of Tahsis.
As stated above these are the property of the contractor.
- 3) What measures and tools does MOTI use to assess whether Emcon is meeting its contractual service standards, e.g., the Short Response Time standards, on the HBFSR?
We do a variety of audits, in the case of the HBFSF, we usually focus on in process work for grading and base stabilization(dust control), and monitoring of the general surface condition.
- 4) You advised that Emcon is subject to regional audits on a seasonal basis. Please provide the audit program and the results of these regional and seasonal audits for the past 5 years as they pertain to the HBFSR to the Village of Tahsis.

I have not confirmed that the regional audits have focused on HBFSR. Locally we strive to complete in process audits of the main activities completed on the HBFSR, which includes two to three audits annually, approximately sixty audits are completed in the service area for the year. Included in this number are process audits which include how work is prioritized and winter preparedness, which considers work on HBFSR

5) As noted at the meeting, the Village has not been asked by MOTI to complete a stakeholder assessment guide, questions and summary. Assuming that MOTI considers the Village of Tahsis to be a stakeholder, does MOTI intend to ask the Village to complete the stakeholder assessment guide, questions and summary?

The Village and others were asked an abbreviated set of questions to determine the stakeholder ranking for the summer of 2016. I presented these verbally during a phone conversation with yourself and Mayor Schooner in October. I intend to send the stakeholder form out to a broad range of stakeholders for this season to get a larger cross section of replies.

6) To what end does MOTI seek to use the data from the stakeholder assessment guide, questions and summary? Where are these data held? Can you please provide to the Village of Tahsis a summary of the stakeholder assessment guides, questions and summaries from stakeholders that pertain to the HBFSR?

The stakeholder guide and ranking makes up 20% of the contractor assessment program ranking used to determine contractor performance and proactivity. I am unsure if the Village of Tahsis has been asked to participate in past years. I can follow up on this.

7) In May 2016 MOTI staff advised the Village of Tahsis that the annual maintenance budget for the HBFSR is \$903,000. Please confirm this is accurate for 2015/16 FY. Does MOTI expect this amount to change in the 2016/17 MOTI budget.

This is accurate and will not change significantly in 2016/17.

8) Please provide the Village with the operational and capital expenditures on the HBFSR for the past 5 years. Maintenance has exceeded \$903,000 per year, for the past three years, and exceeded \$1million in 2014/15. FLNRO has completed six bridge replacements and road relocation projects over the past five years at a cost of over \$2.75 million. WFP has also completed some improvements.

9) You advised that the cost/benefit analysis regarding chip sealing the HBFSR prepared by MOTI in January 2016 is incomplete. Please advise which information is missing and when MOTI will provide the Village with a complete C/B analysis.

I don't believe this report was intended to provide more than a high level view of base costs for local conversation. Many factors need to be considered and require engineering evaluation outside the scope of practice of local staff. As stated, chip seal is not suited on steep grades with heavy industrial traffic that is present on sections of HBFSR. Chip seal in the higher elevations would require transportation, storage and application of salt or other de-icing chemicals, not provided for in current maintenance contracts. Speed increases would result in the need for barrier installation in many areas.

10) Appendix "M" (Contractor Assessment Report) includes 4 categories of contractors ranging from "fair" to "excellent". Please advise which category MOTI rates Emcon.

Good trending to satisfactory.

11) The suggestion of a local area service agreement pertaining to the HBFSR may be of potential interest to Council. Are you able to elaborate on what that agreement would entail and how the Village could support the development of such an agreement?

This would require more research. I believe we need to discuss locally the expectations of the Village to determine next steps.

Thanks again Kevin for your willingness to follow up with these inquiries. Please feel free to contact me if you need clarification regarding any of the above. We look forward to hearing from you.

Best regards,

Mark

Mark Tatchell

CAO/CFO
Village of Tahsis
(250)934-6344
mtatchell@villageoftahsis.com