

AGENDA

Committee of the Whole
to be held on September 12, 2017 in the Council Chambers
Municipal Hall, 977 South Maquinna Drive

Call to Order Mayor Schooner at 10:30 a.m.

**Introduction of
Late Items** None.

**Approval
of the
Agenda**

- New Business**
- 1 Fees & Charges Bylaw No. 594
 - 2 **UBCM Briefing Notes**
 - 1) **RCMP (Deputy Commissioner Brenda Butterworth-Carr)** Re: Tahsis Policing Model
 - 2) **Emergency Management BC (Staff)** Re: Community Emergency Preparedness Grants, Tsunami siren, FireSmart Program
 - 3) **Minister Adrian Dix, Health** Re: Rural Health care
 - 4) **Premier John Horgan** Re: Rural community economic development, old growth forest protection, rural health care
 - 5) **Minister Doug Donaldson, Forest, Lands, Natural Resource Operations and Rural Development** Re: Community forest agreement, multi-use trail project (Rural Dividend), off-road vehicle legislation, old growth forest protection policy, independent power project
 - 6) **Minister Claire Trevena, Transportation and Infrastructure** Re: Head Bay Forest Service Road
 - 7) **Minister Scott Fraser, Indigenous Relations and Reconciliation** Re: Community to Community Program: Tahsis' Relationship with Mowachaht/Muchalaht FN and Ehattesaht FN

3 Water Meter Project Status Update Re: Report to Council
(plus attached letter)

4 Explanatory Notes- Remedial Action Requirements

Adjournment

VILLAGE OF TAHSIS

FEES AND CHARGES BYLAW NO. 594

A BYLAW TO IMPOSE FEES PAYABLE FOR GOODS AND SERVICES AND USE OF MUNICIPAL PROPERTY

THE COUNCIL OF THE VILLAGE OF TAHSIS, in open meeting assembled, ENACTS AS FOLLOWS:

Citation and Definitions

1. This bylaw may be cited as the "Fees and Charges Bylaw No 594".

Schedules

- "A" Financial Services Fees and Charges
- "B" Administrative Fees and Charges
- "C" Parking Fees
- "D" Moorage Fees
- "E" Helipad Fees
- "F" Highway and Traffic Fees
- "G" Public Works Fees and Charges
- "H" Building and Related Permit Fees
- "I" Recreation Centre Fees and Charges
- "J" Animal Licensing Fees
- "K" Sign Permit Fees
- "L" Opening Burning Permit Fee
- "M" Website Advertising

Administration

2. Fees and Charges Amendment Bylaw No. 544-4, 2014 is hereby repealed
3. Village of Tahsis Fees Bylaw No. 544, 2008 is hereby repealed.

4. Village of Tahsis Building Bylaw No. 526, 2006 Schedule "A" is amended with Schedule "H" of this Bylaw
5. Animal Control and Licensing Bylaw No. 420, 1997 Schedule "A" is amended with Schedule "J" of this Bylaw
6. This bylaw shall come into effect upon its adoption.

READ for the first time this Xth day of XXXX, 2017

READ for the second time this Xth day of XXX, 2017

READ for the third time this Xth day of XXX, 2017

ADOPTED BY COUNCIL, SIGNED BY THE MAYOR AND THE CHIEF ADMINISTRATIVE OFFICER AND SEALED WITH THE SEAL OF THE VILLAGE OF TAHSIS.

Mayor

Chief Administrative Officer

I hereby certify that the foregoing is a true and correct copy of the original Bylaw No. XXX duly passed by the Council of the Village of Tahsis on the ____ day of _____, 201X

Chief Administrative Officer

SCHEDULE "A"

Financial Services

Late payment charges - unless otherwise stipulated in a Bylaw, late payment charges will be added to all fees that remain unpaid after their due dates

2% non-compounding monthly interest
Each
calculated daily will be added to all amounts that remain unpaid after the due date as

Dishonoured payment - where a payment received by the Village in payment of a bill is not honoured by a person's financial institution for any reason other than clerical error

\$30.00 Each

Overpayment - where a refund is requested for any reason

\$30.00 Each

SCHEDULE "B"

Administrative Services

Printed or photocopied document

8.5x11 black and white

8.5x14 black and white

8.5x11 colour

8.5x14 colour

Property tax certificate

Property tax search and statement

Bylaws - hard copy or electronic

Official Community Plan - hard copy or electronic

Maps and Plans - hard copy or electronic

Shipping and Handling

Facsimiles

Freedom of Information (FOIPPA) Applications

\$0.50	per page
\$0.75	per page
\$1.00	per page
\$1.50	per page
\$50.00	each
\$20.00	each
\$30.00	each
\$20.00	each
\$20.00	each
\$10.00	each
\$7.00	each (max. of 10 pages)

for locating and retrieving a record and all other billable costs under FOIPPA

\$10.00 per quarter hour

SCHEDULE "C"

Parking

Parking (S. Maquinna Parking Lot) - vehicle and/or trailer

\$5.00 per day

Immobilizer removal
Towing charges
Boat launch

\$25.00 week
\$50.00 month
\$150.00 Year
\$200.00 per occurrence
Full cost per occurrence
No Charge

SCHEDULE "D"

Moorage

Moorage (Municipal Dock and Airline Dock)

\$1.00/foot per day

SCHEDULE "E"

Helipad

Landing fee
Helicopter Parking fee
Storage fee
Gate access

No Charge
\$100.00 per day
\$50.00 per day
\$50.00 per occurrence

SCHEDULE "F"

Highway and Traffic

Application to amend street parking regulation
Permit to operate oversize or overweight vehicle
Temporary No Parking
Impoundment/Immobilizer Fee

\$100.00 per application
\$100.00 per occurrence/trip
\$100.00 per week or portion thereof
\$250.00 per occurrence
\$100.00 per occurrence

Construct, alter or perform any work on a municipal road

SCHEDULE "G"

Public Works

Labour

Hand tools/light equipment (used by public works employees only)

Heavy equipment

Non-emergency service call (after hours)

Temporary turn off/on of water service
Permanent turn off/on of water service

SCHEDULE "H"

Building and Related Permits

Building Permit Application

Demolition permit
Permit to move a building
Construction without a valid permit

SCHEDULE "I"

Recreation Centre

The following events are exempt from Recreation Centre room rental fees imposed by this bylaw
Christmas Dinner held by the Tahsis Senior's Centre
Tahsis Salmon Enhancement Derby held by the Tahsis Salmon Enhancement Society

	\$60.00	per hour (regular time)
	\$90.00	per hour (overtime)
	\$30.00	per hour (regular time)
	\$45.00	per hour (overtime)
	\$90.00	per hour (regular time)
	\$135.00	per hour (overtime)
	\$200.00	(in addition to the above rates)
	\$50.00	per one "on" and one "off"
	100%	of actual cost

	\$100.00	Value of works up to \$10,000
	\$500.00	Value of works between \$10,001 and \$50,000
	\$1,000.00	Value of works between \$50,001 and \$100,000
	\$2,000.00	Value of works over \$100,001
	\$50.00	
	\$250.00	
	Permit Fee x 2	

Tahsis Days events

The following organizations are exempt from Recreation

Centre room rental fees

Canadian Junior Rangers

Twang Gang

Ubedam Theatre

Child = 0-12 year of age, inclusive

Teen = 13-18 years of age, inclusive

Adult = 19-59 years of age, inclusive

Senior = 60 years of age and older

Family = up to 6 individuals that includes 1 adult and 1 child, youth or teen.

Pool, Weight Room, Gym and Shower

One-time drop in

\$4.00 Adult

\$2.00 Teen

\$3.00 Senior

Free Child

\$6.00 Family

10 VISIT PASSES ?

Monthly pass

\$40.00 Adult

\$20.00 Teen

\$30.00 Senior

Free Child

\$60.00 Family

Annual

\$400.00 Adult

\$200.00 Teen

\$300.00 Senior

Free Child

\$600.00 Family

Room Rental

Pool party		
Pool rental		\$75.00 2 hours
Meeting room		\$55.00 per hour
Kitchen		\$30.00 per hour
Gym		\$40.00 per hour (includes dishes, utensils, equipment, etc)
Community organizations		\$40.00 per hour
Bowling		\$5.00 per hour (all rooms)
Pool/Billiards		\$5.00 per game
		\$2.00 per game

SCHEDULE "J"

Animal Licensing

Dog licence		
	Male/Female	\$30.00
	Spayed/Neutered	\$10.00

SCHEDULE "K"

Sign Permit

\$30.00 per application

SCHEDULE "L"

Open Burning Permit

\$30.00 per application

SCHEDULE "M"

Website Advertising

\$60.00 per year or portion of year

All fees subject to applicable taxes. Other fees and charges are subject to cost.

VILLAGE OF TAHSIS
UBCM MEETINGS BRIEFING NOTE
SEPTEMBER 2017

MEETING: RCMP (Deputy Commissioner Brenda Butterworth-Carr)

DATE: September 27, 2017,

LOCATION: Pan-Pacific Hotel, "R" Level, Cypress Suite

ISSUES: Tahsis Policing Model

TAHSIS POLICING MODEL

- Council is very pleased with the service delivery under the current model. Community feedback has been positive.
- The NCO i/c, Sgt. Chris McGee, is very approachable and receptive to input and comments from Council and members of the community
- The Village has a letter agreement with the detachment which sets out commitments and policing priorities for the community.
- Members are responsive to calls for service and crime issues and are active in the school and community events like Tahsis Days
- Sgt. McGee and Cpl Douglas have been actively involved in the Tahsis emergency preparedness training and planning
- Sgt. McGee attends Council meetings and updates Council on police statistics

ISSUES

- Pleased with the joint forces operations conducted during the summer with enforcement partner agencies. Would be pleased to receive reports of the results of these operations.
- Anticipating road blocks by the Mowachaht/Muchalaht First Nation if the Synex independent power project proceeds in McKelvie Creek
- Pleased with the police presence from the Marine Section over the August 25-27 weekend.

VILLAGE OF TAHSIS

UBCM MEETINGS BRIEFING NOTE

SEPTEMBER 2016

MEETING: EMERGENCY MANAGEMENT BC (STAFF)

DATE: September 27, 2017,

LOCATION: Pan-Pacific Hotel, "R" Level, Cypress Suite

ISSUES: Community Emergency Preparedness Grants, Tsunami siren, FireSmart program

COMMUNITY EMERGENCY PREPAREDNESS GRANTS

- Pleased with the announcement of the community emergency preparedness grants.
- Would encourage the province to release the details and make the funding available to local governments as soon as possible.
- We would also encourage the province to set the funding parameters at 100% provincial funding.

TSUNAMI SIREN

- The Tahsis Tsunami siren cannot be heard in all quadrants of the municipality.
- We are seeking advice and funding from the province for replacing the siren.

FIRESMART FUNDING PROGRAM

- In 2011, the Strathcona Regional District commissioned a Community Wildfire Protection Plan for Tahsis as well as the Villages of Gold River, Zeballos, Sayward and Cortes and Quadra islands.
- The Tahsis CWPP has over 30 recommendations to improve wildfire prevention and responses to wildfires.
- The 2017 FireSmart funding is for mitigating the fire risk on privately held lands. WE believe this funding should be available to local governments to mitigate fire risks on municipal lands as well as private lands. This would be extremely useful for small local governments.

VILLAGE OF TAHSIS
UBCM CABINET MINISTERS' MEETINGS BRIEFING NOTE
SEPTEMBER 2017

MEETING: MINISTER ADRIAN DIX, HEALTH

DATE: September 27, 2017,

LOCATION:

ISSUES: Rural health care

RURAL HEALTH CARE

- Tahsis has an aging and increasingly vulnerable population which places significant demands on the local health services – health clinic and BC Ambulance.
- Pleased that Tahsis has been selected to participate in the paramedicine program.
- Recruiting and retaining highly trained health care professionals is vital to our community as is ensuring that services are provided consistently.
- VIHA recently reduced physician visits to the Tahsis clinic which was not well communicated to residents. A reduction in services is interpreted by some as a prelude to service elimination, so communication is paramount.
- The Village can be a valuable partner with Vancouver Island Health Authority. We would encourage them to work more closely with us in areas of common interest.
- We partnered closely with VIHA on an emergency operations training exercise in October 2016.
- The closest mental health services are in Comox, almost 4 hours away, which places a considerable burden on families and patients.

VILLAGE OF TAHSIS
UBCM CABINET MINISTERS' MEETINGS BRIEFING NOTE
SEPTEMBER 2017

MEETING: PREMIER JOHN HORGAN
DATE: September 27, 2017
LOCATION:
ISSUES: RURAL COMMUNITY ECONOMIC DEVELOPMENT, OLD GROWTH FOREST PROTECTION, RURAL HEALTH CARE

RURAL COMMUNITY ECONOMIC DEVELOPMENT

- Tahsis' economic recovery is directly dependent upon infrastructure improvements, particularly transportation and communication, and services.
- The Head Bay Forest Service Road, which is a shared responsibility between two ministries, requires a long term strategy and major capital investment to ensure it is safe and reliable.
- While cell service is unlikely in the near to mid-future, mobile communication could be greatly enhanced with a community-wide wireless network. With developments in mobile technology, a wireless network would allow all cell phone users to call, text or email from anywhere in Tahsis.
- Island Coastal Economic Trust and the Rural Dividend program have funded important economic development projects, most notably the Community Unity Trail linking Tahsis and Zeballos and our First Nations partners. We would encourage the province to continue funding ICET and continuing the Rural Dividend program.

OFF ROAD VEHICLE REGULATIONS

- The trail project and the Tahsis economy generally would benefit from permitting off-road vehicles to operate on municipal roads.
- Provincial statutes and regulations (e.g., the *Off-Road Vehicle Act*) do not enable local governments to adopt bylaws which allow these vehicles to operate.
- Local governments are adopting bylaws which are non-compliant because the provincial legislation does not accommodate their circumstances.

OLD GROWTH FOREST PROTECTION

- Tahsis Council recognizes the importance of protecting old growth forests for environmental and economic reasons.
- Western Forest Products has advised that it plans to proceed with a 15-year plan to log in three watersheds in the Tahsis area.
- The McKelvie Creek watershed is a community watershed which is a secondary drinking water source and which feeds the Tahsis aquifer, the primary drinking water source for Tahsis.
- McKelvie Creek watershed is all old growth forest and is located on the traditional unceded aboriginal title lands of the Mowachaht/Muchalaht First Nation.
- Tahsis Council has met with the Mowachaht/Muchalaht Council of Chiefs who have expressed their opposition to logging in McKelvie watershed.
- WFP has touted the economic benefits of this logging plan. Although there could be economic spin-off benefits, WFP has not produced any information which would support the proposition that there will be direct or indirect benefits to the local economy.
- The MMFN and Tahsis Council are skeptical that professional reliance model as practiced in the forest sector and, in particular, old growth forests protects watersheds and supports sustainable forest practices.
- We would encourage the province to re-evaluate the professional reliance model and reduce or eliminate logging in old growth forest watersheds and promote old growth forests for tourism.

RURAL HEALTH CARE

- Tahsis has an aging and increasingly vulnerable population which places significant demands on the local health services – health clinic and BC Ambulance.
- Pleased that Tahsis has been selected to participate in the paramedicine program.
- Recruiting and retaining highly trained health care professionals is vital to our community as is ensuring that services are provided consistently.
- The closest mental health services are in Comox, almost 4 hours away, which places a considerable burden on families and patients.
- We would encourage the province to continue to invest in rural health care, utilizing innovative approaches like paramedicine and modern communication.

VILLAGE OF TAHSIS

UBCM CABINET MINISTERS' MEETINGS BRIEFING NOTE

SEPTEMBER 2017

MEETING: MINISTER DOUG DONALDSON, FORESTS, LANDS, NATURAL RESOURCE OPERATIONS AND RURAL DEVELOPMENT

DATE: September 27, 2017

LOCATION:

ISSUES: COMMUNITY FOREST AGREEMENT, MULTI-USE TRAIL PROJECT (RURAL DIVIDEND), OFF-ROAD VEHICLE LEGISLATION, OLD GROWTH FOREST PROTECTION POLICY, INDEPENDENT POWER PROJECT

COMMUNITY FOREST AGREEMENT

- Following the dissolution of the Nootka Sound Economic Development Corporation in April 2017, Tahsis has been in discussions with Ministry staff and the Mowachaht/Muchalaht First Nation regarding a Community Forest Agreement.
- Tahsis, partnering with the Mowachaht/Muchalaht First Nation, is ready to move forward on a CFA. However, in order to proceed, the apportionment of the North Island Timber Supply needs to be made (by the Minister).
- Tahsis' summer intern conducted research on 5 CFAs involving local governments and First Nations and prepared a comprehensive report for Council which was also reviewed by Ministry staff.
- Council met with Ministry staff in August for a briefing on the application and approval process.
- We are lead to believe that Tahsis is in a strong position to move forward subject to the apportionment.
- Tahsis encourages the Minister to carry out the apportionment of the North Island Timber Supply, taking staff recommendations into account.
- Tahsis is hopeful that the Ministry will continue to work with the Village and the Mowachaht/Muchalaht as we initiate the application process.

MULTI-USE TRAIL PROJECT (COMMUNITY UNITY TRAIL)

- Tahsis, Zeballos, Mowachaht/Muchalaht First Nation and Ehattesaht FN have partnered to develop a multi-use trail network in the region.
- The trail envisages using deactivated logging roads in TFL 19 augmented with new trails to create a trail network which would appeal to ATV riders, mountain bikers and other trail enthusiasts.
- The trail is a key ingredient to the economic development of the two municipalities and the First Nations. Tourism in the region relies heavily on sport fishing which has a limited window. A trail has the potential to draw visitors up to 9 or more months of the year.
- A Rural Dividend grant coupled with an Island Coastal Economic Trust grant is being used this year to brush the first leg of the trail, carry out the stream crossing/bridge design, environmental assessments and support the application for a recreation site/trail under the Forest and Range Practices Act.
- Last year, the first leg of the trail was fully mapped and a business case developed with grants from ICET.
- We encourage the Ministry to work cooperatively with the 4 partners to see that the trail is approved under the FRPA.
- We also encourage the Ministry to continue the Rural Dividend Program (or an equivalent) so that we can seek funding next year for the trail construction. This would have the added benefit of employing Aboriginal persons.
- The project's ultimate success depends, to some degree, on the provincial government giving local governments more authority to regulate ATV use on local roads. The current policy framework does not take the economic development potential into account. We raised this issue with the previous government but were unable to gain any interest.

OFF ROAD VEHICLE REGULATIONS

- The trail project and the Tahsis economy generally would benefit from permitting off-road vehicles to operate on municipal roads.
- Provincial statutes and regulations (e.g., the *Off-Road Vehicle Act*) do not enable local governments to adopt bylaws which allow these vehicles to operate.
- Local governments are adopting bylaws which are non-compliant because the provincial legislation does not accommodate their circumstances.

OLD GROWTH FOREST PROTECTION

- Western Forest Products has advised that it plans to proceed with a 15-year plan to log in three watersheds in the Tahsis area.
- The McKelvie Creek watershed is a community watershed which is a secondary drinking water source and which feeds the Tahsis aquifer, the primary drinking water source for Tahsis.
- McKelvie Creek watershed is all old growth forest and is located on the traditional unceded aboriginal title lands of the Mowachaht/Muchalaht First Nation.
- Tahsis Council has met with the Mowachaht/Muchalaht Council of Chiefs who have expressed their opposition to logging in McKelvie watershed.
- The Council of Chiefs noted that WFP does not use sustainable practices in logging and logging this watershed would impact the extensive wildlife and other habitats in that ecosystem.
- WFP has touted the economic benefits of this logging plan. Although there could be economic spin-off benefits, WFP has not produced any information which would support the proposition that there will be direct or indirect benefits to the local economy.
- The MMFN and Tahsis Council are skeptical that professional reliance model as practiced in the forest sector and, in particular, old growth forests protects watersheds and supports sustainable forest practices.
- Tahsis Council has promoted a positive, professional working relationship with WFP staff which has resulted in mutual interest projects being realized.

INDEPENDENT POWER PROJECT

- Synex Energy Resources Ltd. has a water licence on McKelvie Creek for constructing and operating a hydroelectric power plant.
- Tahsis Council opposed the issuing of this licence.
- McKelvie Creek is located on the traditional unceded aboriginal title lands of the Mowachaht/Muchalaht First Nation.
- The Mowachaht/Muchalaht Council of Chiefs and Tahsis Council have strongly opposed this project.
- To access the site, Synex will need to cross MMFN's reserve lands. The MMFN have previously advised the provincial government that they will restrict Synex's access.
- Synex does not have an electricity purchase agreement with BC Hydro.
- We would encourage the Ministry to closely monitor Synex's use of this licence and ensure that Synex complies with all provincial statutes and regulations in relation to this project.

VILLAGE OF TAHSIS
UBCM CABINET MINISTERS' MEETINGS BRIEFING NOTE
SEPTEMBER 2017

MEETING: MINISTER CLAIRE TREVENA, TRANSPORTATION AND INFRASTRUCTURE

DATE: September 27, 2017

LOCATION:

ISSUES: Head Bay Forest Service Road

Head Bay Forest Service Road

- Council met with Ministry staff on August 24th
- Council is pleased with the Ministry's commitment to improve the road beginning with assessment work this fall and 5 km of new chip seal and approximately 6 km of rehabilitation of existing chip sealed surface next spring/summer.
- We also encourage the Ministry to improve signage, especially road conditions and road closure signage – supported by the RCMP.
- Council and staff have devoted considerable effort into understanding and critiquing the Ministry's contract management. Council continues to believe there is more the Ministry can do to extract value from the contractor, Emcon.
- We would like to work more closely with the Ministry and other stakeholders to develop a longer term strategy for the road. Ministry staff seem to be open to this prospect.
- Safe reliable transportation corridors are a necessary condition for economic development. Council sees our economic future well-being directly tied to road improvements.
- Please to see that the North Island maintenance contact is going to tender.

VILLAGE OF TAH SIS

UBCM CABINET MINISTERS' MEETINGS BRIEFING NOTE

SEPTEMBER 2017

MEETING: MINISTER SCOTT FRASER, INDIGENOUS RELATIONS AND RECONCILIATION

DATE: September 27, 2017

LOCATION:

ISSUES: Community to Community Program; Tahsis' Relationship with Mowachaht/Muchalaht FN and Ehattesaht FN

COMMUNITY TO COMMUNITY PROGRAM

- Villages of Tahsis and Gold River and Mowachaht/Muchalaht First Nations have held 5 Community to Community meetings resulting in A Vision Statement signed by the two Mayors and Chief Mike Maquinna
- The Vision Statement states in part – “We are progressive communities that share a desire to responsibly manage our natural resources in a manner that will stimulate new business opportunities and develop a diversified economy whilst always respecting each other”.
- The communities are committed to developing a regional tourism strategy – a meeting last Oct with a Vancouver Island University professor helped to cement that vision.
- Encourage the provincial government to continue funding this program and publicizing some of the positive results of the program.
- The C2C funding has led to strong relationships and excellent coordination with the MMFN and Gold River.

TAHSIS'S RELATIONSHIP WITH MOWACHAHT/MUCHALAHT FN AND EHATTESAHT FN

- Tahsis and the MMFN have a deeply respectful relationship that begins with the acknowledgement and recognition by the Village that Tahsis is situated on the traditional territory of the MMFN.
- The MMFN flag hangs in the Council Chamber and in the Village cenotaph next to the flags of BC, Canada and Tahsis.
- Both the MMFN and the Ehattesaht FN are partners with Tahsis and Zeballos on a multi-use trail project that is beginning by linking Tahsis and Zeballos by trail through traditional MMFN and EFN territories. Both FN has issued letters of support for the project.
- Looking to the future, Tahsis is exploring joint venture opportunities with the MMFN especially in the forest sector as Tahsis is anticipating approval of a Community Forest Agreement from MFLNRORD within the next year.
- To deepen this relationship, we are very keen to bring the "Understanding the Village" program to Tahsis.

VILLAGE OF TAHSIS

M3

Report to Council

To: Mayor and Council
From: Kristiansen and Associates
Date: August 31, 2017
Re: Water Meter Project Status Update

PURPOSE OF REPORT:

To brief Council on the current status of the water meter project and next steps.

OPTIONS / ALTERNATIVES

1. Receive the Report and approve proceeding with next steps as described
2. Receive the Report and do not approve proceeding with next steps as described
3. Other direction as Council deems appropriate.

CURRENT STATUS:

The contract negotiations between the Village and Corix, the sole proponent to submit a quote for the initial RFQ, have been unsuccessful,

The two parties were unable to arrive at a mutually agreeable set of prices for meters, meter installation, and project management.

The root cause of the pricing disagreement was due to the variability of the installation environment, and the small size of the project, These two factors unduly impacted Corix's costs for labour as well as crew and equipment deployment.

Curbstop access was investigated to better understand the installation environment.

The Tahsis residences on metered water rate were visited between August 21st and 23rd. Lisa Kristiansen and a public works employee visited all identifiable locations - missing house numbers was an issue in some cases.

The survey results indicated that, depending on the neighbourhood, 20 to 30 percent of residential properties have a visible curb stop. The remainder have many barriers to locating the curbstop and access due to the paving, concrete, landscaping, fencing, rock walls etc. which exist in many locations between the front of the house and the property line.

The variability and uncertainty of front yard curbstop installs has made it clear that the cost of such line water meter installations is too high. Installing the water meters downstream of the shut-off valve located inside the house would mitigate some of these costs. It will also alleviate the impact of shifting ground damaging the water meter assets in the future.

Providing fulsome site information for each property will decrease the need for, and size of contingency costs and provide for more accurate pricing from vendors.

With better information up front, the small numbers and uncertainty problem will be addressed by proceeding with a two-stage project implementation. This will allow the time for one on one communication with residential property owners to coordinate, schedule, and carry out necessary pre-install and installation site visits.

The goal is to have installation appointments well planned by the Village to minimize the project management costs on the proponent side.

PROPOSED NEXT STEPS:

1. Update and explain our approach to the to the residents of Tahsis
2. Carry out a site survey of the interior water shut off and surrounding area for each of the residential properties requesting a meter
3. Summarize the site visit information and prepare it for inclusion in a second RFQ
4. Subject to Council's approval, re-issue the project RFQ to Neptune, Corix and FourStar Waterworks with the revised scope as described above.

POLICY/LEGISLATIVE REQUIREMENTS:

Water Regulations and Rates Bylaw No 581, 2016

FINANCIAL IMPLICATIONS:

Project costs are covered under the Clean Water and Wastewater grant total (\$339,388) and the Village contribution (\$69,615).


RECOMMENDATION:

Option 1.

Respectfully submitted:

Lisa Kristiansen

Approved for submission:



Mark Tatchell, CAO

Attachment

Don Beamin
631 Cardiac Climb
Tahsis, BC V0P 1X0
Tel: 250-934-7925
Email: twinnerp@conumacable.com

September 5, 2017

Village of Tahsis
977 South Maquinna Drive
PO Box 219
Tahsis, BC V0P 1X0

To the Honourable Mayor of Tahsis, Council and of course Mark:

I am signed up for a water meter, but there are a few things that I would like to clear up. I would like the option to change it up to unlimited water and the reason is that if and when I sell our home, the new buyers might want to change it to an unlimited water supply. It would be nice if we had some options.

I know that we are having trouble getting the curbside waterlines dug up and located to put in the meters. I also know that you are thinking of putting the meters inside the houses. This creates problems with some people not wanting the meters inside their homes (for whatever reasons).

I know that we have about 75% of the town that are willing to pay \$108.00 a year. Why don't you suggest getting everyone to pay \$108 a year and do away with the meters altogether? Look at the pain of finding all those water lines, plus how is that going to find any leaks when the meters are inside the houses. What a savings it would be! Surely there has to be a way to convince the Grant providers to change their way of thinking. They have to be a little flexible when applying common sense to this issue. It is not adding up.

I suggest you should halt all the payments of \$108.00 per year until we get this water crisis solved. You might say that we are in "hot water" over this water thing. On the positive side, you have almost got all the leaks stopped, so what do you need the meters for?

Could you please revisit this issue and refine to a WIN, WIN, WIN solution. Thank you very much.

Sincerely,



Don Beamin

EXPLANATORY NOTES
REMEDIAL ACTION REQUIREMENTS
Community Charter, Part 3, Division 12

Municipal Authority

In 2004, Division 12 of Part 3 of the *Community Charter* (the "**Community Charter**") replaced (for municipalities) the remedial actions or self-help procedures under sections 533 [wires, poles and structures on highways], 698 [demolition or repair of unsafe buildings, structures and excavations], 711 [hazardous trees and shrubs] and 727 [removal of dangerous buildings and other structures] of the former *Local Government Act* in force at that time.

Currently, sections 72 to 80 of the *Community Charter* contain authority for a municipality to deal with hazardous conditions, declared nuisances and harm to drainage or dikes. Councils are permitted to impose requirements on owners or lessees or occupiers of the land on which the matter is located or in relationship to the matter or thing in question. Councils are authorized to require those persons to remove or demolish the matter or thing, fill it in, cover it over, alter it, bring it up to a standard specified in the bylaw or otherwise deal with it in accordance with the directions of council or a person authorized by council.

An examination of sections 72 to 80 of the *Community Charter* reveal that they incorporate the authority to impose remedial action orders in relation to all of the matters contained in the sections of the former *Local Government Act* mentioned above with certain clarifications and additions. For example, a council may now declare natural openings in the ground a nuisance. Otherwise, councils continue to have the authority to make remedial action orders in relation to buildings, structures and similar matters or things, natural or artificial openings in the ground or similar matters or things, drains, ditches, watercourses, ponds, surface water or similar matters or things, trees and wires, cables or similar matters or things in, over, under or along highways. Further, council may declare things it considers are so dilapidated or unclean as to be offensive to the community.

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Regional District Authority

Regional Districts, under sections 305 and 309 of the current *Local Government Act*, R.S.B.C. 2015 c.1 (“LGA”) are given authority under Division 12 for the matters referred to in section 73(1)(a) and (b) of the *Community Charter* [*excavations and similar matters or things that are unsafe or that contravene building bylaws*] and section 75 [*harm to drainage or dike*]. Regional Districts do not have authority to take remedial action under section 74 [*declared nuisance*] of the *Community Charter* unless they have been given this power by supplementary letters patent or by regulation.

Sections 72 to 80 Do Not Apply to Unsightly Premises and Other Nuisances and Disturbances

Please note that unsightly premises and other nuisances and disturbances are dealt with under other sections of the local government legislation and not the remedial action sections in the *Community Charter*. For example, unsightly premises and other nuisances and disturbances in municipalities are regulated under the authority of section 64 of the *Community Charter*. In regional districts they are regulated under section 325 [*nuisances and disturbances*] of the *Local Government Act* and the bylaws adopted under these sections.

Hearing

Under the former self-help sections, conventional legal advice required councils and boards to provide to the person subject to the self-help orders an opportunity to be heard before the local government made a decision. The current remedial action sections do not include a requirement for a hearing prior to the council or board making the decision, however, councils and boards must provide a right of reconsideration to the person subject to the order.

Reconsideration of a decision made under Division 12 of Part 3 of the *Community Charter* by a council or board must be offered to the affected person under section 78 of the *Community Charter*. There is some question as to whether it is necessary for a council or board to provide those subject to the remedial action an opportunity to be heard prior to passing the resolution

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and imposing the remedial action requirement. On one account, the right to have the decision reconsidered is enough to satisfy the natural justice and procedural fairness requirements associated with this quasi-judicial decision. There is one BC Supreme Court case that suggests this without answering it directly. If the remedial action contemplated is serious, such as the demolition of a residence, it may be prudent to provide a hearing opportunity to the owner or occupier before the council or board makes a decision.

Time for Compliance

The minimum time that a board or council may set for having persons subject to the order comply with it is 30 days. A council or board may establish a greater time period if they consider it appropriate. And, under section 79 of the *Community Charter*, a council or board may require that the remedial action take place in less than 30 days if the council or board considers there is a significant risk to health or safety if the remedial action is not taken earlier.

Reconsideration

Once the person who is subject to the remedial action order receives notice of it, that person has 14 days to provide the local government with written notice of their intent to seek reconsideration of the remedial action order. However, under section 79 of the *Community Charter*, the Council or Board may set a time limit that is shorter than 14 days for receiving the written notice requesting reconsideration if the Council or Board considers there is a significant risk to health or safety if the action does not take place earlier.

Default Action and Collection of Costs

If a municipality or regional district has to take remedial action because the person subject to the remedial action order does not carry out the required work, there are three main courses of action. The local government can do the work at the expense of the person subject to the remedial action order and:

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1. treat the costs incurred as a debt in accordance with section 17 of the *Community Charter* (for municipalities) or s. 418 of the LGA (for regional districts) and sue to recover the costs; or
2. treat the costs incurred as a special fee under section 258 of the *Community Charter* (for municipalities) or section 399 of the LGA (for regional districts), if the costs are for work done or services provided to the land or improvements and, if they remain unpaid by December 31st in the year they were incurred, add add the costs to the taxes payable on the property and collect them in the same manner as taxes; or
3. under section 80 of the *Community Charter*, the local government may sell the matter or thing in relation to which the requirement was imposed or any part or material of it, subject to the time limits and procedures set out in section 80 of the *Community Charter*.

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