



AGENDA

**Regular Meeting of the Tahsis Village Council
to be held on April 4, 2023 in the Council Chambers
Municipal Hall, 977 South Maquinna Drive and by electronic means**

Remote access: **To attend this meeting remotely via Microsoft Teams/ phone**
Join the Village of Tahsis Microsoft Teams Meeting
[Click here to join the meeting](#)
Or call in (audio only)
Toronto, Canada
+1 437-703-5480
Phone Conference ID: 693 613 527#

Microsoft Teams may be hosted on servers in the U.S., so the name you use with Microsoft Teams and metadata about how you use the application may be stored on servers outside of Canada. If you have privacy concerns: a) don't create your own account with Microsoft Teams, b) provide only your first name or a nickname when you join a session, c) keep your camera off and microphone muted, as much as you can, and d) try to avoid sharing any identifying information.

A. Call to Order **Mayor Davis will call the meeting to order.**

Land **Mayor Davis will acknowledge and respect that we are meeting upon**
Acknowledgement **Mowachaht/Muchalaht territory.**

**B. Introduction of
Late Items**

**C. Approval of the
Agenda**

**D. Petitions and
Delegations** None.

E. Public Input # 1

**F. Adoption of the
Minutes** **1 Minutes of the Regular Council Meeting held on March 21, 2023.**

G. Rise and Report

None.

H. Business Arising

Councillor Northcott's Resolution Re: The Village of Tahsis - as a living wage employer.

WHEREAS A living wage is the hourly amount a family needs to cover basic expenses (based on a two-parent family with 2 children and both parents working fulltime); and

WHEREAS the living wage for the Comox Valley, our nearest living wage region is \$20.26/hr (including benefits) and Village of Tahsis is already compensating most of its employees at that rate or better;

THEREFORE, BE IT RESOLVED that staff prepare a report on what would be required to certify the Village of Tahsis as a living wage employer.

J. Council Reports

- 1 Mayor Davis**
- 2 Councillor Joseph**
- 3 Councillor Fowler**
- 4 Councillor Northcott**
- 5 Councillor Elliott**

K. Bylaws

- 1 Fees and Charges Amendment Bylaw No. 654, 2023 Adoption**
- 2 Fees and Charges Amendment Bylaw No. 655, 2023 Adoption**

L. Correspondence

- 1 March 24, 2023 email to Local Governments Re: Land opportunities for housing**
- 2 March 20, 2023 email on behalf of Oceans Protection Plan Re: Renaming of the Oceans Protection Plan Newsletter.**

M. New Business

N. Public Input #2

O. Adjournment



Minutes

<u>Meeting</u>	Regular Council Meeting
<u>Date</u>	March 21, 2023
<u>Time</u>	7:00 PM
<u>Place</u>	Municipal Hall - Council Chambers and by electronic means

Present Deputy Mayor Sarah Fowler
Councillor Meggan Joseph
Councillor Cheryl Northcott
Councillor Douglas Elliott

Regrets Mayor Martin Davis

Staff Mark Tatchell, Chief Administrative Officer
Adia Mavrikos, CPA, CA (by video)
Janet St-Denis, Corporate Services Manager (by video)
Amanda Knibbs, IT Coordinator (by video)
Wanda Waksdale, Admin Assistant (by video)

Public 25 members of the public. (12 online)

A. Call to Order

Deputy Mayor Sarah Fowler called the meeting to order at 7:00 p.m.

Land Acknowledgement

Deputy Mayor Fowler acknowledged and respected that Council is meeting upon Mowachaht/ Muchalaht territory.

B. Introduction of Late Items

Under Correspondence as "L2" an email from Anne Kang, Minister of Municipal Affairs regarding the Growing Communities Fund (GCF) and under New Business as "M3" the April 14-16, 2023 AVICC conference in Nanaimo.

Northcott/ Joseph: VOT 0130/2023

THAT the adoption of the Fees and Charges Bylaws No. 654, 2023 and No. 655, 2023 be tabled until the April 4th, 2023 Regular Council meeting.

CARRIED

C. Approval of the Agenda

Northcott/ Joseph: VOT 0131/2023

THAT the Agenda for the March 21, 2023 Regular meeting of Council be adopted as amended.

CARRIED

D. Petitions and Delegations

None.

E. Public Input # 1

A member of the public spoke to the use of inappropriate language.

A member of the public spoke to the rules regarding information Council receives in a closed meeting.

A member of the public questioned Council about comments on Facebook.

Several members of the public commented on being named in the agenda in reference to excerpts from Councillor Elliott's February 8, 2023 email.

F. Adoption of the Minutes**1 Minutes of the Regular Council Meeting held on March 7, 2023.****Northcott/ Joseph: VOT 0132/2023**

THAT the Regular Council Meeting minutes of March 7, 2023 be adopted as presented

CARRIED

G. Rise and Report

At its March 10, 2023 in camera meeting, Council unanimously passed a motion of censure and related sanctions for Councillor Elliott's contraventions of s. 117 of the

- 1** Community Charter (disclosing confidential information) and contraventions of Council's Code of Conduct. The motion of censure and related sanctions, and the written reasons, are item G1 of this meeting's agenda.

At its March 10, 2023 in camera meeting, Council unanimously passed a motion to

- 2** not indemnify Councillor Elliott under the Village's Indemnity Bylaw, or on any other grounds, for legal fees.

At its March 10, 2023 in camera meeting, Council, in accordance with s. 113.1 of the

- 3** Community Charter, agreed to review its Code of Conduct, adopted on August 6, 2019, Policy No, 2015 and to amend it by adding a section on enforcement.

- 4** At its March 10, 2023 in camera meeting, Council approved a payment of \$3,324.90 in relation to Civil Resolution Tribunal matter SC-2022-002875.

H. Business Arising

None.

J. Council Reports**Mayor Davis**

No report.

Councillor Joseph

No report

Councillor Fowler

March 9th I received the following e-mail from Mayor Davis.

Hi Sarah. You may want to add this at the next council meeting. The Comox Strathcona Regional Hospital Board has increased annual payments for minor equipment purchases and projects from \$5000 to \$10,000. Martin.

submitted respectfully.

Councillor Fowler

Councillor Northcott

No report

Councillor Elliott

For the record, I did consider Councillor Fowler and Northcott to be in a Conflict of Interest concerning the fire hall plan due to pecuniary interest. It was abundantly clear that the public shared that view and that created high tensions when both Councillors engaged in a shouting match with members of the public and admitted that their spouses received incomes from the fire department. I put forth a motion to postpone and advised the councillors to seek legal advice concerning this matter. Giving advice is not attacking an individual. Indicating that I would bring this matter to a higher authority is merely letting the councillors be aware that this is a serious matter and it needs to be addressed. Putting forth a motion to postpone the decision concerning the fire hall gave the two councillors an opportunity to receive legal advice. Any hostilities that the councillors received at that point was a result of their refusal to seek legal counsel, however the CAO was correct in seeking a legal opinion and provided me with a copy of the advice from an attorney commissioned by the village on November 30, 2022. I agree with their attorney that pecuniary interest is so minuscule that the councillor's household income would not benefit to a degree that would deem them in conflict.

Since that time, the electors of this village put forth a petition that they still perceive the re-elected councillors in a Conflict of Interest since they are voting on a project that would benefit their spouse's work environment. I have stated that if my wife belonged to the fire department, I would declare myself in conflict and remove myself from the discussions. I also advised the two councillors that they should seek legal advice concerning the petition. This has not happened and the Mayor has refused to recognize the petition. I have referred to the two re-elected councillors in my January 24th 2023, mail out as the councillors perceived to be in conflict by the petitioners. A statement that is accurate and is a result of their refusal to seek legal advice concerning the petition. The previous legal advice did not cover the concerns of the petitioners. I have reminded the Mayor that he is not a lawyer and this matter needs to be taken seriously. I have relayed this information to the Ministry of Municipal Affairs however it is very clear from the recent reports in the media that the provincial government has a history of not interfering in local governments and it is up to an individual to take these matters to the Supreme Court for a ruling. It is very apparent that this council is moving forward with the fire hall plan despite opposition from the community that they serve. This is very disturbing and I am very disappointed how you, the taxpayers, are being ignored.

As far as Councillor Fowler's request for a public apology from me concerning the mail out on January 24, 2023. It is my opinion that everything I stated concerning your conduct and the perception from the electors that you are in a Conflict of interest is true. This I suspect is having a negative impact on your reputation throughout the village. You accused the petitioners of using coercion in obtaining signatures for the petition without any evidence and it was my opinion that this was an attempt to discredit a member of the community that has brought legal action against you for your prior conduct. Mr. Peavoy, for whatever reason, changed his mind and wanted his name removed from the petition that contained 25 other signatures and wrote a letter to the council that stated he was by no means coerced and was disappointed with your statement. The council ignored this letter and discussions were never pursued concerning his correspondence. Your accusations were false. You also stated in your request that your record is not up for popular debate amongst the Tahsis residents. I disagree. Your conduct in public meetings is always up for debate. You are a public servant and if you choose to conduct yourself in a dishonest manner that will have a negative impact on your reputation. Your use of profanity and refusal to answer questions has created hostilities from the public. As a neighbour, I have stated that I will not tolerate any violence towards any member of this council from the public. I have also requested that the public present their questions in a calm and respectful manner. Any hostilities that you have experienced from your conduct as a councillor is your own fault. In my opinion, it is you that should apologise, not to me but to the taxpayers of this village for your recent conduct.

After reviewing the legal documentation that has been issued to me, it is shameful that the village is subsidizing legal action against me on your behalf and in my mind, this is a complete waste of taxpayer funds.

And for the record, the closed meeting on March 10, 2023, was not announced at the previous open meeting which is in violation of the Community Charter, section 92. Thus any decisions from that meeting would be invalid. Their legal counsel advised them to put for the motion to censor in an open meeting however that would allow discussions concerning the motion. If it is blatantly clear this council wishes to avoid that. Amending a bylaw that restricted my access to legal counsel and put me on the hook for any damages that may be a result from my opinions. Well, I'll let you decide for yourself concerning that amendment. A violation of the Community Charter Section 89. This decision is also the result of a number of meetings amongst the elected officials that have launched this illegal action against me, another violation of the Community Charter.

I am currently working on my next mail out and will address Councillor Northcott's request for an apology in the next public meeting.

I wish to make a statement concerning the sewage issue experienced by Ms. Aedan,

It is my opinion that the bylaw 645, 2021 was not adhered to and the village, under the direction of the CAO, failed to investigate and repair the defective infrastructure in a reasonable time that was located on an easement next to Ms. Aedan property.

It is the village's responsibility to investigate any sewer issues and repair the system as soon as possible in the interest of public safety. If the failure is located on private property, I believe the cost for the repair should be shared; however if the point of failure is located beyond the resident's property line, the village is solely responsible. We as taxpayers pay water and sewer fees every year to maintain these essential services and the level of service can be measured by actions of the staff of the village. In the case of Ms. Aedan, the level of service was a complete failure due to the intervention of the CAO. It has been my observation that the community is not treated equally by the CAO nor does he possess the qualifications to make decisions concerning the repairs of the infrastructure. These decisions should be made by the Superintendent of the Public Works department.

As a former employee of the village, it is my opinion that this matter should have been repaired by the village within two days and it was completely unnecessary for Ms. Aedan to hire a contractor to prove that the problem did not exist on her property. The CAO interference in this matter has led to legal dispute that is not in the best interest of the village and as a result, the administration of this village has lost credibility with the taxpayers of this community.

Ms. Aedan, a senior citizen and in the middle of winter, was without any sanitary service for over a month. This is a shameful event and another reason why I believe that this village needs to restructure the Public Works department and remove any interference from the CAO. Ms. Aedan was forced to take this matter to the Civil Resolution Tribunal to recover the cost for the repair from the village. The village claimed it cannot be found liable in nuisance, denies any negligence and that the failure point (not located on Ms. Aedan property) was her responsibility. Not only is this defamatory, it is completely false and in my opinion, Ms. Aedan should be entitled to additional compensation for the grief that she suffered due to the actions of the CAO.

The CRT has ruled in favour of Ms. Aedan and now it is my understanding that the CAO is delaying the settlement and seeking further legal advice concerning this matter. It is my opinion that the CAO is using the financial resources of the village to engage in further legal action and is clearly abusing his authority. This is rather disturbing behaviour and it is not an isolated event. We the taxpayers should not be subject to this blatant abuse of power nor should we be financing the legal costs that are incurred by the CAO. This council is allowing this type behaviour to exist and you the taxpayers are paying for it. I would be interested in knowing how much money has been spent on the legal actions against Ms. Aedan and Mr. Brown. Why is this information being withheld from the public?

In the name of decency, the village should pay Ms. Aedan the full amount of the CRT settlement and issue her an apology letter from the Mayor concerning the conduct of the CAO.

Northcott/ Joseph: VOT 0133/2023

THAT the Council Reports be received.

CARRIED

L. Correspondence

- 1 **Email from Ian Green Re: Greenheart Canopy Walkway**
- 2 **Email from Anne Kang, Ministry of Municipal Affairs Re: Growing Communities Fund (GCF)**

Northcott/ Joseph: VOT 0134/2023

THAT these correspondence items be received.

CARRIED

Northcott/ Joseph: VOT 0135/2023

THAT correspondence item #2 be pulled for discussion.

CARRIED

- 2 **Email from Anne Kang, Ministry of Municipal Affairs Re: Growing Communities Fund (GCF)**

Deputy Mayor Fowler spoke to this correspondence item.

M. New Business

- 1 **Report to Council Re: Regional Grant Opportunity - Emergency Operation Centre.**

Northcott/ Joseph: VOT 0136/2023

THAT this Report to Council be received.

CARRIED

The CAO spoke to this grant opportunity.

Joseph/Northcott: VOT 0137/2023

THAT as part of the Village of Tahsis ongoing work in relation to emergency planning that an application for financial assistance under the Community Emergency Preparedness Fund, 2023 Emergency Operation Centre grant be authorized for submission to the UBCM, in collaboration with the Strathcona Regional District (SRD); and

THAT the Village of Tahsis agrees to the Strathcona Regional District submitting an application on their behalf, and that if funded, agrees to the Strathcona Regional District managing the grant and being the recipient of all funding.

CARRIED

- 2 **Councillor Northcott's Notice of Motion Re: The Village of Tahsis - as a living wage employer.**

WHEREAS A living wage is the hourly amount a family needs to cover basic expenses (based on a two-parent family with 2 children and both parents working fulltime); and

WHEREAS the living wage for the Comox Valley, our nearest living wage region is \$20.26/hr (including benefits) and Village of Tahsis is already compensating most of its employees at that rate or better;

THEREFORE, BE IT RESOLVED that staff prepare a report on what would be required to certify the Village of Tahsis as a living wage employer.

Joseph/Northcott: VOT 0138/2023

THAT this resolution be received and considered.

CARRIED

1 "no vote"
registered to
Councillor Elliott.

3 AVICC Association of Vancouver Island and Coastal Communities Conference - April 14-16th, 2023 in Nanaimo.

Councillor Fowler spoke to this item. A discussion followed.

Fowler/Northcott: VOT 0139/2023

THAT WHEREAS the Association of Vancouver Island Coastal Communities Annual Conference is April 14-16th 2023 in Nanaimo;

THEREFORE BE IT RESOLVED THAT Tahsis Council send the following delegates Mayor Davis and Councillor Fowler to the AVICC conference being held in April 14-16, 2023 in Nanaimo.

CARRIED

Public Input #2

A member of the public spoke to the importance of Tahsis attending conferences such as the FCM, AVICC and UBCM.

A member of the public commented on the volume level of the council meeting.

Two members of the public spoke about following/understanding the rules of conduct.

Adjournment

Northcott/Fowler: VOT 0140/2023

THAT the meeting be adjourned at 8:05 p.m.

CARRIED

Certified Correct this

the 4th Day of April, 2023

Chief Administrative Officer

For March 21, 2023 Regular Meeting – Rise and Report

Motion of Censure and Related Sanctions for Councillor Elliott's contravention of s. 117 of the *Community Charter*, SBC 2003, c. 26 including the February 7, 2023 letter, discussed on February 7, 2023 and sections 3.2, 5.1, 5.2 and 5.6 of the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct passed by Council at the March 10, 2023 *in camera* meeting

Whereas sections 4 and 114 of the *Community Charter* and the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct adopted under section 113.1 of the *Community Charter* provides the Village of Tahsis and the Village of Tahsis Council broad authority to control their processes. Courts, including in *Skakun v Prince George (City)*, 2011 BCSC 1796 (CanLII), *Dupont v. Port Coquitlam (City)* 2021 BCSC 728 (CanLII), *Anderson v. Strathcona (Regional District)* 2021 BCSC 1800 (CanLII) and *Barnett v. Cariboo Regional District*, 2009 BCSC 471 (CanLII), have confirmed that Councils are entitled to use the process of censure to express disapproval of a Council member's conduct and to respond to the conduct of Council members;

Whereas Councillor Elliott was informed on January 4, 2023 that *Community Charter* section 117 prohibits disclosure of information and records the Village of Tahsis holds in confidence unless authorized to do so;

Whereas Councillor admitted within his February 8, 2023 email ("February 8, 2023 email") that Councillor Elliott:

- received at an *in camera* Council meeting February 7, 2023 letters from the Village, Mayor Martin Davis, Mark Tatchell, Chief Administrative Officer ("February 7, 2023 Letters"); and
- disclosed those February 7, 2023 Letters with Councillor Elliott's February 18, 2023 email to 18 people and a supermarket,

which is in contravention of section 117 of the *Community Charter* and sections 3.2, 5.1 and 5.2 of the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct;

Whereas Councillor Elliott has made defamatory comments about Council, Councillor Sarah Fowler, Councillor Cheryl Northcott, Mayor Davis and Mark Tatchell, Chief Administrative Officer:

- within Councillor Elliott's November 15, 2022 Councillor Elliott report to Council;
- during the November 15, 2022 regular Council meeting;
- within Councillor Elliott's December 6, 2022 report (sought to be received) by Council;

- during the December 6, 2022 regular Council meeting;
 - within Councillor Elliott's December 8 and December 27, 2022 letters to Tahsis residents;
 - within Councillor Elliott's December 31, 2022 email to Councillor Sarah Fowler copied to Council;
 - during the January 3, 2023 regular Council meeting;
 - within Councillor Elliott's January 9, 2023 letter to Tahsis residents;
 - during the January 17, 2023 regular Council meeting;
 - within Councillor Elliott's January 24, 2023 letter to Tahsis residents;
 - within Councillor Elliott's February 7, 2023 email to Janet St. Denis; and
 - within Councillor Elliott's February 8, 2023 email to 18 people and a supermarket,
- which are contraventions of sections 4, 5.1, 5.5 and 5.6 of the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct and, where applicable, section 24(8)(a) of the *Village of Tahsis Council Procedure Bylaw No. 495, 2004*;

Whereas Councillor Elliott made an attempt of intimidation of Councillor Northcott during a November 15, 2022 regular Council meeting contrary to sections 4, 5.1 and 5.5 of the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct;

Whereas Councillor Elliott admitted within his February 8, 2023 email and also a February 6, 2023 email to Councillor Joseph that Councillor Elliott intends to proceed with further mail-outs to Tahsis residents;

Whereas Council considers Councillor Elliott's unlawful disclosure of confidential information, defamatory comments and attempt at intimidation to be conduct unbecoming a member of Village of Tahsis Council;

Whereas, and pursuant to the process outlined in the Village of Tahsis' February 21, 2023 letter, Councillor Elliott was given the opportunity to personally, or via Councillor Elliott's legal counsel, make submissions to the rest of Council regarding Councillor Elliott's conduct in this matter;

Whereas Council has unanimously agreed upon the appropriate action;

Whereas Council has provided written reasons, which are attached to this resolution as Appendix "A", so that Councillor Elliott understands the basis for Village of Tahsis Council's decision to pass a resolution of censure and related sanctions to address Councillor Elliott's conduct:

- Be it Resolved as Follows:

1. That Council considers Councillor Elliott's:
 - (a) breach of confidentiality;
 - (b) defamatory comments of Council, Mayor Davis, Councillors Fowler and Northcott, and Mark Tatchell, Chief Administrative Officer; and
 - (c) attempt of intimidation of Councillor Northcott,to be conduct unbecoming a member of Village of Tahsis Council;
2. That Council shall address what it believes to be conduct unbecoming a member of Village of Tahsis Council by way of:
 - (a) a motion of censure on Councillor Elliott that Village of Tahsis Council disapproves of Councillor Elliott's conduct in revealing confidential information, specifically the February 7, 2023 Letters, which are contraventions of section 117 of the *Community Charter* and sections 3.2 of the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct;
 - (b) alternate procedures for Councillor Elliott's access to confidential material as follows:
 - i. closed meeting agendas being available in paper form only, being read in the Village office, under supervision, and not being taken from the Village office;
 - ii. all notes and other documents made by Councillor Elliott in the course of reading closed meeting agendas being kept at the Village office;
 - iii. closed meeting agendas including a special watermark on all closed items to prevent copying of materials; and
 - iv. return of the closed meeting paper agendas and any notes made immediately after the closed meeting.
 - (c) Councillor Elliott be required to immediately issue a written apology:
 - i. To Village of Tahsis Council acknowledging his transgressions against the *Community Charter* and Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct with respect to maintaining confidentiality;
 - ii. To the following members of Village of Tahsis Council and Village of Tahsis staff acknowledging Councillor Elliott's

transgressions of the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct for the following comments :

- A. Mayor Davis, Mark Tatchell, Chief Administrative Officer, Councillor Fowler and Councillor Northcott that they are "unethical"¹, "irresponsible"² and "incompetent"³;
- B. Mark Tatchell that he is incompetent, the "most expensive nightmare this Village has ever experienced"⁴ and "is setting up the Village for financial disaster"⁵ and that "if we can't find a suitable replacement for our overpriced CAO and have this town properly managed while contributing to our cash reserves, we are better off dissolving the status of the village and having the regional district take control"⁶;
- C. Mark Tatchell that "he gets to choose, without the knowledge of council, which individuals are to be persecuted and which ones are not"⁷ in bylaw enforcement; and taxpayers should not "fear the wrath of one individual selectively choosing his victims"⁸;

¹ See Councillor Elliott's comments within Councillor Elliott's December 31, 2022 email to Sarah Fowler copied to Council, January 17, 2023 Regular Meeting, January 24, 2023 letter to Tahsis residents, excerpts of which are within Appendix "A" – written reasons.

² See Councillor Elliott's comments within his December 8, 2022 letter – What the Mayor Doesn't Want you to know, December 6, 2022 regular council meeting and January 24, 2023 letter to Tahsis residents, excerpts of which are within Appendix "A".

³ See Councillor Elliott's comments within his February 18, 2023 email to 18 people and a supermarket, excerpts of which are set out within Appendix "A".

⁴ See Councillor Elliott's comments within his February 8, 2023 email to 18 people and a supermarket, excerpts of which are set out within Appendix "A".

⁵ See Councillor Elliott's comments within his February 8, 2023 email to 18 people and a supermarket, excerpts of which are set out within Appendix "A".

⁶ See Councillor Elliott's comments within his December 27, 2022 letter to Tahsis residents, excerpts of which are within Appendix "A".

⁷ See Councillor Elliott's comments within his December 8, 2023 letter – What the Mayor Doesn't Want You to Know, excerpts of which are within Appendix "A".

⁸ See Councillor Elliott's comments within his December 8, 2023 letter – What the Mayor Doesn't Want You to Know, excerpts of which are within Appendix "A".

- D. Councillors Fowler and Northcott and Mayor Davis that they are in a conflict of interest⁹ when it is not proven to be the case¹⁰;
 - E. Councillor Fowler in alleging that she "is dishonest"¹¹ "blatantly deceives the public"¹²;
 - F. Council as a whole in calling Council "foul bastards"¹³;
 - G. Council as a whole in alleging that the Village is "almost broke"¹⁴, and that the Village "should dissolve its status and negotiate transition into the Regional District and then let the Regional District look after water, sewer and garbage"¹⁵; and
- iii. for attempting to intimidate Councillor Northcott;
- (d) Councillor Elliott be required to take additional training for elected officials regarding the rules of confidentiality associated with Councillor Elliott's position as a Council member of the Village of Tahsis and expected conduct of an elected official;
- (e) public notification of sanctions; and

⁹ See Councillor Elliott's comments within: the November 15, 2022 regular council meeting; December 6, 2022 report (sought to be received) by Council; Councillor Elliott's December 8, 2022 letter – What the Mayor Doesn't Want You to Know; January 3, 2023 regular council meeting, Councillor Elliott's January 9, 2023 letter to Tahsis residents, January 17, 2023 regular council meeting, excerpts of which are within Appendix "A".

¹⁰ See the November 30, 2022 legal opinion, excerpts of which privileged legal advice are within Appendix "A", and also excerpts of the December 6, 2022 Regular meeting and January 3, 2023 regular council meeting, which are also set out within Appendix "A".

¹¹ See Councillor Elliott's comments within his January 24, 2023 letter to Tahsis residents, excerpts of which are set out within Appendix "A".

¹² See Councillor Elliott's comments within his January 24, 2023 letter to Tahsis residents, excerpts of which are set out within Appendix "A".

¹³ See Councillor Elliott's comments within his February 24, 2023 email to 18 people and a supermarket, excerpts of which are set out within Appendix "A".

¹⁴ See Councillor Elliott's comments within the November 15, 2022 regular council meeting, excerpts of which are set out within Appendix "A". See also Councillor Elliott's comments within the November 1, 2022 and December 6, 2022 regular council meeting and also Councillor Elliott's comments within his December 8, 2023 letter- What the Mayor Doesn't Want You To Know. In contrast see excerpts of the November 1, 2022 regular council meeting also within Appendix "A" and Adia Mavrikos explanation of the budget and noting that the Village's net surplus for the year is \$628,000.

¹⁵ See Councillor Elliott's comments within the November 15, 2022 regular meeting, Councillor Elliott's December 6, 2022 report to Council, Councillor Elliott's December 27, 2022 letter to Tahsis residents, and also the November 1, 2022 regular council meeting and December 6, 2022 regular council meeting, as excerpted in Appendix "A".

3. That the sanctions imposed on Councillor Elliott in sections 2(b) and (d) above remain in effect for a period of 12 months; and
4. That the above Resolution be released in open meeting.

Appendix "A" – Written Reasons for March 10, 2023 Motion of Censure and Related Sanctions for Councillor Douglas Elliott's Contravention of Section 117 of the *Community Charter* for Disclosure of Information Received and Discussed in an *In Camera* Council meeting and Contraventions of Sections 3.2, 4, 5.1, 5.2, 5.5 and 5.6 of the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct and, where applicable, Section 24(8)(a) of the *Village of Tahsis Council Procedure Bylaw No. 495, 2004*

The Village of Tahsis ("Village") is concerned that Councillor Elliott's behaviour and communications with Council members, Village staff and the public is eroding relationships and affecting the Village's ability to make collective decisions in the interests of the community and to provide good governance for the community.

The facts supporting the recitals within the censure resolution and related sanctions are set out within these written reasons.

On January 4, 2023 Mark Tatchell, Chief Administrative Officer ("CAO"), informed Councillor Elliott that *Community Charter* section 117 prohibits disclosure of information and records the Village of Tahsis holds in confidence unless authorized to do so. An excerpt of Mark Tatchell's January 4, 2023 email is set out below:

January 4, 2023	Mark Tatchell email to Councillor Elliott	The Community Charter in section 117 prescribes how a record (document, report, etc.) and information (written or oral) from a closed meeting (or any other confidential information held by the municipality) can legally be released to the public. As a matter of practice, in instances when Council wishes to publicly release information from a closed meeting to the public, that is done by Council passing a motion to rise and Report on the decision or other matter. ... Council would need to pass a motion prior to discussing and or releasing confidential information at an open meeting. ...
-----------------	---	---

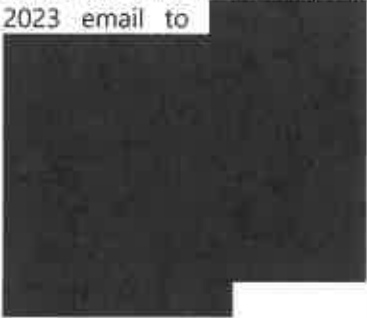
Appendix "A" – Written Reasons for March 10, 2023 Motion of Censure and Related Sanctions for Councillor Douglas Elliott's Contravention of Section 117 of the *Community Charter* for Disclosure of Information Received and Discussed in an *In Camera* Council meeting and Contraventions of Sections 3.2, 4, 5.1, 5.2, 5.5 and 5.6 of the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct and, where applicable, Section 24(8)(a) of the *Village of Tahsis Council Procedure Bylaw No. 495, 2004*

		Code of Conduct also addresses this issue in sections 3.2, 5.2 and 5.7
--	--	--

Unlawful Disclosure of Confidential Information

In contravention of *Community Charter* section 117 and sections 3.2, 5.1 and 5.2 of the Village of Tahsis August 6, 2023 Policy No. 2015 Code of Conduct, Councillor Elliott disclosed information discussed and received at an *in camera* Council meeting and admitted doing so within his February 8, 2023 email to 18 people and a supermarket.

Excerpts of Councillor Elliott's February 8, 2023 email are set out below:

February 8, 2023 email	Councillor Elliot February 8, 2023 email to 	<p>The council and CAO are not very pleased with my mail outs to the community and have served me with letters to demand public apologies and to seek legal advice concerning the information that I passed onto the community concerning their unethical conduct.</p> <p><u>I have attached the documents that were served to me in an unannounced closed meeting right after the regular meeting on Feb 7, 2023.</u></p> <p>I am here to inform you that I stand behind everything I have published and have no intentions of issuing any apologies. Everything I have stated has been an observation since I have been elected. The mayor whom I consider to be very dishonest, has stated that</p>
------------------------	--	--

Appendix "A" – Written Reasons for March 10, 2023 Motion of Censure and Related Sanctions for Councillor Douglas Elliott's Contravention of Section 117 of the *Community Charter* for Disclosure of Information Received and Discussed in an *In Camera* Council meeting and Contraventions of Sections 3.2, 4, 5.1, 5.2, 5.5 and 5.6 of the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct and, where applicable, Section 24(8)(a) of the *Village of Tahsis Council Procedure Bylaw No. 495, 2004*

		<p>I am lying conveying the information that I have published. This has been masterminded by our beloved CAO who is very threatened by my presence and disappointed that I am not a mindless conformist.</p> <p>I am informing you that my next mail outs will continue to expose their misconduct and that I will not stop until this village is properly managed.</p> <p>Our CAO is setting this village up for a financial disaster that will become very apparent once he announces his retirement in 2026-27. councillors lack the skills to foresee this and our mayor has lost all credibility in my mind.</p> <p>Our CAO loves to spend our money on lawyers, consultants and the engineers at McElhanney with no regards to our financial well-being. He is completely out of control and is the most expensive nightmare that this village has ever experienced.</p> <p>... Together, we will survive this storm and I look forward to sunny days when the foul smell of bastards has drifted away.</p>
--	--	--

Unbecoming Conduct – Defamation

Councillor Elliott has made defamatory comments about Council, Councillor Sarah Fowler, Councillor Cheryl Northcott, Mayor Martin Davis and Mark Tatchell, CAO, in

Appendix "A" – Written Reasons for March 10, 2023 Motion of Censure and Related Sanctions for Councillor Douglas Elliott's Contravention of Section 117 of the *Community Charter* for Disclosure of Information Received and Discussed in an *In Camera* Council meeting and Contraventions of Sections 3.2, 4, 5.1, 5.2, 5.5 and 5.6 of the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct and, where applicable, Section 24(8)(a) of the *Village of Tahsis Council Procedure Bylaw No. 495, 2004*

contravention of sections 4, 5.1, 5.5 and 5.6 of the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct and, where applicable, in contravention of section 24(8)(a) of the *Village of Tahsis Council Procedure Bylaw No. 495, 2004*.

Councillor Elliott made comments which cast aspersions on Mayor Davis, Mark Tatchell, CAO, Councillor Fowler and Councillor Northcott, that they are "unethical", "irresponsible" and "incompetent" within Councillor Elliott's December 31, 2022 email to Councillor Fowler.

Excerpts of Councillor Elliott's comments within his December 31, 2022 email to Councillor Fowler, the January 17, 2023 regular Council meeting, his January 24, 2023 letter to Tahsis residents and his February 7, 2023 email to Janet St. Denis, Finance and Corporate Services Manager for the Village are as follows:

December 31, 2022	Councillor Elliot email to Sarah Fowler with copies to Council	<p>... Your motion for a recess was not unanimously agreed upon by council and no time limit was specified. Your shameful behaviour violated my constitutional rights to address the public. ...</p> <p>It is unethical when the mayor and councillors violate the rules to censor an elected official from addressing the public. ... I will continue to expose the problems until you come to your senses.</p>
January 17, 2023	Audio of Regular Council Meeting	<p>Councillor Elliott- 38:30 –... When Chair maintains positive disposition and fairness, they ensure that the opposing views.</p> <p>Councillor Elliot - 38:55 -they do not use phrase point of order as a weapon to censure</p>

Appendix "A" – Written Reasons for March 10, 2023 Motion of Censure and Related Sanctions for Councillor Douglas Elliott's Contravention of Section 117 of the *Community Charter* for Disclosure of Information Received and Discussed in an *In Camera* Council meeting and Contraventions of Sections 3.2, 4, 5.1, 5.2, 5.5 and 5.6 of the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct and, where applicable, Section 24(8)(a) of the *Village of Tahsis Council Procedure Bylaw No. 495, 2004*

		<p>an individual .. to discriminate against any member of the public or Council to censure an opposing view or violate Community Charter is to conduct oneself in an unethical.. (muted/cut off)</p> <p>I hope to see improvements in this matter...</p> <p>Councillor Elliott- 39:34</p> <p>However how we measure our mistakes measures our integrity.</p> <p>Councillor Elliott- 41:56 – concerning the budget – I still have not received the information I requested. I have contacted the authorities concerning this matter and will update the community on my next mail out.</p> <p>Councillor Elliott-42:32 – I have received a petition from the electors concerning their perception of a conflict of interest of re-elected Councillors</p> <p>Councillor Elliot – 42:37 – since I was expecting the motion for the referendum to be on tonight's agenda, I can only speculate that the two councillors are seeking legal advice before this motion be put forward.</p>
January 24, 2023	Councillor Elliot January 24, 2023 Letter to Tahsis residents	<p>[Councillor Fowler] out right lied to the public and claimed that this resident was coerced into signing the petition.</p> <p>I tried to confront the dishonest re-elected councillor</p>

Appendix "A" – Written Reasons for March 10, 2023 Motion of Censure and Related Sanctions for Councillor Douglas Elliott's Contravention of Section 117 of the *Community Charter* for Disclosure of Information Received and Discussed in an *In Camera* Council meeting and Contraventions of Sections 3.2, 4, 5.1, 5.2, 5.5 and 5.6 of the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct and, where applicable, Section 24(8)(a) of the *Village of Tahsis Council Procedure Bylaw No. 495, 2004*

		<p>[Fowler] concerning the coercion however, I received a blank stare of hostility with no intelligent reply. It is absolutely shameful when a member of council blatantly deceives the public I have spoken with the Deputy Minister concerning the unethical conduct from the CAO, mayor and the re-elected councillors (Fowler and Northcott].</p> <p>The mayor and the re-elected councillors, (considered to be in conflict by the residents that presented the petition) are acting irresponsible and in violation of the Community Charter and the Code of Conduct. They choose to exclude the public input. ...</p> <p>In 7 years, our well compensated CAO still lacks the skills to run our village within our budget while providing contributions to our cash reserves. There is only one way to describe this as it looks to me that he is the problem. I believe that there is no way to resolve this until we hire an individual that understands the concepts of living within our means.</p>
February 7, 2023	Councillor Elliott email to Janet St. Denis	In response to Village's February 7, 2023 letter that Councillor Elliott attend the LGLA training scheduled for the week of February 13, 2023

Appendix "A" – Written Reasons for March 10, 2023 Motion of Censure and Related Sanctions for Councillor Douglas Elliott's Contravention of Section 117 of the *Community Charter* for Disclosure of Information Received and Discussed in an *In Camera* Council meeting and Contraventions of Sections 3.2, 4, 5.1, 5.2, 5.5 and 5.6 of the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct and, where applicable, Section 24(8)(a) of the *Village of Tahsis Council Procedure Bylaw No. 495, 2004*

		<p>Since it is very apparent that the councillors and mayor require some training concerning the concepts of democracy, there is no need to waste any taxpayers dollars sending me. Hopefully they will return having some skills concerning their roles and I won't need to send out as many mailouts concerning their behaviour.</p> <p>Please cancel my hotel reservations as I have more important issues to address. Perhaps Mr. Tatchell might find this training useful and utilize my hotel reservation.</p>
--	--	--

See also Councillor Elliott's February 18, 2023 email to 18 people and a supermarket (set out earlier within the written reasons).

Councillor Elliott made comments about Mark Tatchell, CAO, that:

- Mark Tatchell is incompetent, the "most expensive nightmare this Village has ever experienced" and "is setting up the Village for financial disaster " and that "if we can't find a suitable replacement for our overpriced CAO and have this town properly managed while contributing to our cash reserves, we are better off dissolving the status of the Village and having the regional District take control"; and
- Mark Tatchell "gets to choose, without the knowledge of council, which individuals are to be persecuted and which ones are not" in bylaw enforcement; and taxpayers should not "fear the wrath of one individual selectively choosing his victims".

Appendix "A" – Written Reasons for March 10, 2023 Motion of Censure and Related Sanctions for Councillor Douglas Elliott's Contravention of Section 117 of the *Community Charter* for Disclosure of Information Received and Discussed in an *In Camera* Council meeting and Contraventions of Sections 3.2, 4, 5.1, 5.2, 5.5 and 5.6 of the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct and, where applicable, Section 24(8)(a) of the *Village of Tahsis Council Procedure Bylaw No. 495, 2004*

Councillor Elliott made such comments within his December 8, 2022 Letter -What the Mayor Does Not Want You to Know-to Tahsis residents and his December 27, 2022 letter to Tahsis residents, his January 24, 2023 letter (see excerpts earlier in the written submissions) and his February 8, 2023 email to 18 people and a supermarket (see excerpts earlier in the written submissions).

Excerpts of Councillor Elliott's December 8 and 27, 2022 letters are as follows:

December 8, 2023 Letter	Councillor Elliott letter – What the Mayor Doesn't Want You to Know	<p>This town is now facing a rather dismal future if our administration is unable to put our financial house in order. ... I am not opposed to good ideas but I will not support bad mismanagement, secrecy, deceit and irresponsible financial decisions. ...</p> <p>Our options are the direct consequence of twenty five years of poor leadership and management. ...</p> <p>At the recent planning session, the mayor and council were informed by our CAO that if we wish to have local bylaws enforced, we need to employ the services, at the village's expense, from the by-law enforcement officer employed with the Regional District. The service would be complaint driven and subject to legal cost. ... This is rather disturbing that our CAO has created a two tier justice system concerning our by-law enforcement. He gets to choose, without the knowledge of council, which</p>
-------------------------	---	--

Appendix "A" – Written Reasons for March 10, 2023 Motion of Censure and Related Sanctions for Councillor Douglas Elliott's Contravention of Section 117 of the *Community Charter* for Disclosure of Information Received and Discussed in an *In Camera* Council meeting and Contraventions of Sections 3.2, 4, 5.1, 5.2, 5.5 and 5.6 of the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct and, where applicable, Section 24(8)(a) of the *Village of Tahsis Council Procedure Bylaw No. 495, 2004*

		individuals are persecuted and which ones are not. This does not seem like a fair and just system. We as taxpayers should all be treated equally and not fear the wrath of one individual selectively choosing his victims. This is rather disturbing and creates the opportunity of improprieties that can lead to an abuse of power by a member of this village.
December 27, 2022	Councillor Elliott letter to Tahsis residents	If we can't find a suitable replacement for our overpriced CAO and have this town properly managed while contributing to our cash reserves, we are better off dissolving the status of the village and having the regional district take control.

Appendix "A" – Written Reasons for March 10, 2023 Motion of Censure and Related Sanctions for Councillor Douglas Elliott's Contravention of Section 117 of the *Community Charter* for Disclosure of Information Received and Discussed in an *In Camera* Council meeting and Contraventions of Sections 3.2, 4, 5.1, 5.2, 5.5 and 5.6 of the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct and, where applicable, Section 24(8)(a) of the *Village of Tahsis Council Procedure Bylaw No. 495, 2004*

Councillor Elliott made comments that Councillors Fowler and Northcott and Mayor Davis that they are in a conflict of interest, when it is not proven to be the case. See Councillor Elliott's comments within the November 15, 2022 regular Council meeting, Councillor Elliott's December 6, 2022 report (sought to be received by Council), Councillor Elliott's December 8, 2022 letter – What the Mayor Doesn't Want You to Know (see excerpts set out earlier within the written reasons), Councillor Elliott's January 9, 2023 letter to Tahsis residents and the January 17, 2023 regular Council meeting.

Excerpts of the November 15, 2022 regular Council meeting, December 6, 2022 report (sought to be received by Council), Councillor Elliott's December 8, 2022 letter – What the Mayor Doesn't Want You to Know, the January 3, 2023 regular Council meeting, Councillor Elliott's January 9, 2023 letter to Tahsis residents and the January 17, 2023 regular Council meeting are set out below:

November 15, 2022	Regular Council Meeting - Audio recording	Councillor Elliot motion: 34:06 – I also make a move to have Councillor Fowler and Councillor Northcott, who are clearly in conflict of interest concerning the Firehall plan. Both their husbands work for the fire department and have served as acting chiefs. ... If they do not agree, I remind them that they should not question this motion and leave the room and seek legal advice on this matter. Failing to do so could disqualify them from serving as councillor.
December 6, 2022	Councillor Elliot Report sought to be received by Council	It is of my opinion that the public witnessed and participated in discussions recognizing a Conflict of Interest concerning Councillor


Appendix "A" – Written Reasons for March 10, 2023 Motion of Censure and Related Sanctions for Councillor Douglas Elliott's Contravention of Section 117 of the *Community Charter* for Disclosure of Information Received and Discussed in an *In Camera* Council meeting and Contraventions of Sections 3.2, 4, 5.1, 5.2, 5.5 and 5.6 of the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct and, where applicable, Section 24(8)(a) of the *Village of Tahsis Council Procedure Bylaw No. 495, 2004*

		<p>Fowler and Councillor Northcott.</p> <p>I had asked them to step aside and seek legal advice... They have been informed that I have contacted the Ministry of Municipal Affairs concerning this matter.</p>
December 6, 2022	Regular meeting	<p>At the December 6, 2022 closed Committee of the Whole meeting Council received and accepted a legal opinion which concludes that neither Councillor Fowler nor Councillor Northcott are in a conflict of interest by voting on matters relating to the Fire Hall Relocation Project.</p>
December 8, 2022 Letter	Councillor Elliott – What the Mayor doesn't want you to know	<p>It is of my opinion that the public witnessed and participated in discussions recognizing a conflict of interest concerning Councillor Fowler and Northcott. I had asked them to step aside and seek legal advice concerning this matter. They have been informed that I have contacted the Ministry of Municipal Affairs concerning this matter. I have received a response that the following information from the Community Charter needs to be adhered to.</p> <p>I am not convinced that the lawyer representing the two councillors has received all the necessary information. I have requested that the attorney be informed that the two</p>

Appendix "A" – Written Reasons for March 10, 2023 Motion of Censure and Related Sanctions for Councillor Douglas Elliott's Contravention of Section 117 of the *Community Charter* for Disclosure of Information Received and Discussed in an *In Camera* Council meeting and Contraventions of Sections 3.2, 4, 5.1, 5.2, 5.5 and 5.6 of the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct and, where applicable, Section 24(8)(a) of the *Village of Tahsis Council Procedure Bylaw No. 495, 2004*

		councillor's husbands would benefit by having an improved work environment. This in my mind still constitutes a conflict and is the reason why I would disqualify myself if my wife belonged to the fire department. It has been made clear to them this community intends to pursue this matter and that they risk being disqualified from holding office, in the entire province of British Columbia, if they make the wrong decision ...
January 3, 2023	Regular Council Meeting	Mayor Davis Report Regarding the conflict of interest by Councillor Elliott of two of our councillors, I had stated at the time I believed they were not in conflict. However, to put this to rest, council did ask for and received the legal opinion that confirmed that they are not in conflict. This opinion cost Tahsis taxpayers \$1,350. In future, attacks on other councillors or our staff by any councillor will cause us to move immediately to a closed meeting as this is where these types of challenges are normally resolved.
January 9, 2023	Councillor Elliott letter to Tahsis Residents	A petition was handed to the mayor. ... I advised him that we were not lawyers and this needs to be taken seriously. ... This petition states that the

Appendix "A" – Written Reasons for March 10, 2023 Motion of Censure and Related Sanctions for Councillor Douglas Elliott's Contravention of Section 117 of the *Community Charter* for Disclosure of Information Received and Discussed in an *In Camera* Council meeting and Contraventions of Sections 3.2, 4, 5.1, 5.2, 5.5 and 5.6 of the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct and, where applicable, Section 24(8)(a) of the *Village of Tahsis Council Procedure Bylaw No. 495, 2004*

		<p>members of our community perceive that the two re-elected councillor (sic) are possibly in a state of Conflict of Interest. The most startling aspect of the meeting was the motion that we compensate the transportation cost for the Good Food Boxes that amounts to \$2400.00 per year. I questioned the Councillor concerning the involvement with the organisation and how this constituted a Conflict of Interest.... The councillor did not declare a conflict and voted on this motion. In my complete disbelief, the mayor broke the tie and this motion was passed. I will include this scenario in my next correspondence with the Inspector of Municipal Affairs. This motion needs to be overturned by the authorities. I will keep you posted concerning the outcome and wish to extend my apologies to the businesses that are being treated unfairly by the village.</p>
January 17, 2023	Minutes of Regular Council Meeting	<p>Failed Motion: Councillor Elliott voted That the Petition Re: Alleged Conflict of Interest be received</p> 

Appendix "A" – Written Reasons for March 10, 2023 Motion of Censure and Related Sanctions for Councillor Douglas Elliott's Contravention of Section 117 of the *Community Charter* for Disclosure of Information Received and Discussed in an *In Camera* Council meeting and Contraventions of Sections 3.2, 4, 5.1, 5.2, 5.5 and 5.6 of the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct and, where applicable, Section 24(8)(a) of the *Village of Tahsis Council Procedure Bylaw No. 495, 2004*

--	--	--

Councillor Elliott stated within his January 24, 2023 letter to Tahsis residents (see excerpts earlier in the written reasons) that Councillor Fowler "is dishonest" and "blatantly deceives the public".

Within Councillor Elliott's January 24, 2023, 2023 letter to Tahsis residents (see excerpts earlier in the written reasons) Councillor Elliott stated that Council and CAO were "foul bastards".

Councillor Elliott also alleged that the Village is "almost broke", and commented that the Village "should dissolve its status and negotiate transition into the Regional District and then let the Regional District look after water, sewer and garbage".

Excerpts of such allegation and comments within the November 1, 2022 regular Council meeting, November 15, 2022 regular Council meeting and December 6, 2022 regular Council meeting, Councillor Elliott's December 6, 2022 report to Council, Councillor Elliott's December 8 letter – What the Mayor Does Not Want You to Know (set out earlier in the written submissions). In contrast see excerpts of the November 1, 2022 regular Council meeting and the explanation of Adia Mavrikos, Director of Finance of the Village, about the budget and noting that the Village's net surplus for the year as of September 30, 2022 is \$628,000.

What follows are excerpts of the November 1, 2022 regular Council meeting, November 15, 2022 regular Council meeting, December 6, 2022 regular Council meeting and Councillor Elliott's December 6, 2022 Report sought to be received by Council:

Appendix "A" – Written Reasons for March 10, 2023 Motion of Censure and Related Sanctions for Councillor Douglas Elliott's Contravention of Section 117 of the *Community Charter* for Disclosure of Information Received and Discussed in an *In Camera* Council meeting and Contraventions of Sections 3.2, 4, 5.1, 5.2, 5.5 and 5.6 of the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct and, where applicable, Section 24(8)(a) of the *Village of Tahsis Council Procedure Bylaw No. 495, 2004*

November 1, 2022	Audio of November 1, 2022 Regular Council meeting	<p>Adia Mavrikos- 28:13 – 32:01 So, ending September 30, 2022- overall our financial results are healthy and on target for year end. Revenues are projected to be ahead of budget with the exception being on the investment income. And our federal grants, we're still waiting approval on a couple of those. ...</p> <p>The main contributor to our positive operating trend is due to lower staffing and associated benefit costs. ... Additionally, legal costs are less than budget due to fewer bylaw issues. ... Another very notable item is the investment income. Se we are \$24,000 under budget due to the rising interest rate environment that we are in as the village has a large bond holding. So, we saw negative returns to the village bond holdings in the first two quarters with a slight improvement for Q3.</p> <p>Adia Mavrikos- 35:11 – 35:38 September 30... net surplus for the year is \$628,000. 25% of our expenditures have not yet been incurred.</p> <p>50:32 - 51:28 Councillor Elliott- I am not in favour of borrowing</p>
------------------	---	---

Appendix "A" – Written Reasons for March 10, 2023 Motion of Censure and Related Sanctions for Councillor Douglas Elliott's Contravention of Section 117 of the *Community Charter* for Disclosure of Information Received and Discussed in an *In Camera* Council meeting and Contraventions of Sections 3.2, 4, 5.1, 5.2, 5.5 and 5.6 of the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct and, where applicable, Section 24(8)(a) of the *Village of Tahsis Council Procedure Bylaw No. 495, 2004*

		<p>any money towards our new firehall.</p> <p>Councillor Elliott- 51:37 to 51:40 - Borrowing money at higher interest rates to hide a dismal financial state of the Village is unethical if we doesn't have the funds to pay our share of the grant then quite obviously we cannot afford that grant.</p>
November 15, 2022	Audio of November 15, 2022 Regular Meeting	<p>Loan authorization bylaw for sewage treatment plant</p> <p>Adia Mavrikos: 58:43 – Based on our 2021 financial statements we have reserve funds up to \$821,000.</p> <p>Councillor Elliott-1:00:45 - Hey so we're almost broke and we wana take maybe our last half \$1,000,000 and blow it on our sewer plant.</p> <p>Councillor Elliott- 1:02:27- But to just go out and blatantly borrow, we're living above our means. And it that being the case, then maybe we should just go in the regional district and then at that point let them look after water, sewer, garbage for us with reasonable taxes.</p> <p>Mayor Davis-1:03:28- I mean, you talk about subsuming ourselves into the regional district. That's not a good place to start.</p>

Appendix "A" – Written Reasons for March 10, 2023 Motion of Censure and Related Sanctions for Councillor Douglas Elliott's Contravention of Section 117 of the *Community Charter* for Disclosure of Information Received and Discussed in an *In Camera* Council meeting and Contraventions of Sections 3.2, 4, 5.1, 5.2, 5.5 and 5.6 of the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct and, where applicable, Section 24(8)(a) of the *Village of Tahsis Council Procedure Bylaw No. 495, 2004*

		<p>Councillor Elliott-1:03:55 – If we're broke, then I think should just go into the regional district and do a transition. If we haven't been able to manage our financial house for 20 years, then borrowing money to hide that fact, I think is unavoidable and fraudulent. .. This should be just postponed indefinitely and forgotten about. We go in the Regional District, they will look after water, sewer, garbage for us. ..</p> <p>Motion for loan authorization bylaw 6532020 (for the sewage treatment plant) receive a second reading on November 15, 2022</p> <p>Motion carried</p> <p>Motion for loan authorization bylaw 6532022 receive the third reading.</p> <p>Councillor Northcott seconded</p> <p>Councillor Elliot -1:06:27- We don't seem to be discussed any plan to raise the money to proceed with this project. We just seem to be discussing borrowing more money to hide the fact we are broke. I really think that this is unethical. I vote no. ...</p>
December 6, 2022	Audio of Regular Council Meeting	<p>Councillor Elliott -1:10:49 – Now the Grim part, upcoming taxes after the third meeting concerning the budget, I have reached the conclusion that our villages is in a rather dismal financial state, for the past 25</p>

Appendix "A" – Written Reasons for March 10, 2023 Motion of Censure and Related Sanctions for Councillor Douglas Elliott's Contravention of Section 117 of the *Community Charter* for Disclosure of Information Received and Discussed in an *In Camera* Council meeting and Contraventions of Sections 3.2, 4, 5.1, 5.2, 5.5 and 5.6 of the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct and, where applicable, Section 24(8)(a) of the *Village of Tahsis Council Procedure Bylaw No. 495, 2004*

		<p>years since the closure of the mill, not one administration has put us on a sustainable financial path. ...</p> <p>If we cannot operate within the operational budget, borrowing money will complicate our ability to balance future budgets. This is clearly irresponsible.</p>
December 6, 2022	Councillor Elliott report to Council (not received by Council)	It is of my opinion that this village should dissolve its status and negotiate the transition to the control of the regional district

Conduct – Intimidation

In contravention of sections 4, 5.1 and 5.5 of the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct, Councillor Elliott has also attempted to intimidate Councillor Northcott during the November 15, 2022 regular Council meeting by threatening to inform the Ministry of Municipal Affairs if Councillor Northcott did not declare a conflict of interest:

November 15, 2022	Regular Council Meeting - Audio recording	<p>Councillor Elliott motion: 34:06</p> <p>– I also make a move to have Councillor Fowler and Councillor Northcott, who are clearly in conflict of interest concerning the Firehall plan. Both their husbands work for the fire department and have served as acting chiefs. ... If they do not agree, I remind them that they should not question this motion and leave the room and seek legal advice on this matter. Failing to do so</p>
-------------------	---	--

Appendix "A" – Written Reasons for March 10, 2023 Motion of Censure and Related Sanctions for Councillor Douglas Elliott's Contravention of Section 117 of the *Community Charter* for Disclosure of Information Received and Discussed in an *In Camera* Council meeting and Contraventions of Sections 3.2, 4, 5.1, 5.2, 5.5 and 5.6 of the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct and, where applicable, Section 24(8)(a) of the *Village of Tahsis Council Procedure Bylaw No. 495, 2004*

		<p>could disqualify them from serving as councillor.</p> <p>CAO reminded Councillor Elliott that a motion needs to be put forward to Council that requires support by a majority of Council.</p> <p>Councillor Elliot -36:25- They cannot vote on any of the proceedings involving the Firehall project, including the loan authorization bylaw number 6522022 at the meeting agenda of this date, November 15, 2022</p> <p>Councillor Northcott - 37:24- I have no conflict. I am interested in fire service in this community. As every resident is public interest.</p> <p>Councillor Fowler- 33:39- I'm not in conflict the same thing as with Sarah. Financially it works out to be about \$200.</p> <p>Councillor Elliott-38:16- Admitted that you got a household income.</p> <p>Councillor Elliott-38:26-That is a conflict of interest. Yeah, you will get in trouble and lose your job as a councillor over this. This is ridiculous. Cheryl, please step down and do the right thing.</p> <p>Councillor Elliott -38:44 – This is going to go to municipal affairs and then you're going to lose your job, councillor.</p>
--	--	--

Appendix "A" – Written Reasons for March 10, 2023 Motion of Censure and Related Sanctions for Councillor Douglas Elliott's Contravention of Section 117 of the *Community Charter* for Disclosure of Information Received and Discussed in an *In Camera* Council meeting and Contraventions of Sections 3.2, 4, 5.1, 5.2, 5.5 and 5.6 of the Village of Tahsis August 6, 2019 Policy No. 2015 Code of Conduct and, where applicable, Section 24(8)(a) of the *Village of Tahsis Council Procedure Bylaw No. 495, 2004*

Intention to Continue with Unbecoming Conduct

Councillor Elliott admitted within the January 17, 2023 regular Council meeting (see excerpt earlier in the written reasons), his February 8, 2023 email (see excerpts earlier within the written reasons) and also a February 6, 2023 email to Councillor Joseph that Councillor Elliott intends to proceed with further mail-outs to Tahsis residents if Mayor Davis did not allegedly agree to put forward a motion related to the community dock. An excerpt of Councillor Elliott's February 6, 2023 email to Councillor Joseph is set out below:

February 6 and February 7, 2023 emails	Councillor Elliott emails to Councillor Joseph	<p>February 6, 2023:</p> <p>Martin and I had a chat concerning the community dock plan. I have convince (SIC) him to put forward a motion to reconsider</p> <p>If one of us seconds the motion, I am confident it will pass and I hope to move it to a committee. Martin has agreed to give me an opportunity to have an improved design put forth for an engineer to finalize. It will dramatically improve the project and the three of us will greatly benefit for fixing this colossal mistake.</p> <p>If Martin lives up to his word, I hope this moves forward ...</p> <p>If he doesn't, I'll have plenty of ammo for my next mailout.</p> <p>February 7, 2023:</p> <p>Hi Meggan</p> <p>I did go through my village emails and did not receive your response.</p>
--	--	---



VILLAGE OF TAHSIS

BYLAW NO. 654, 2023

BEING A BYLAW TO AMEND THE VILLAGE OF TAHSIS FEES AND CHARGES BYLAW NO. 594, 2017

WHEREAS the Council of the Village of Tahsis wishes to amend the *Fees and Charges Bylaw No. 594, 2017* to update the Puddle Ducks Daycare fees;

NOW THEREFORE, the Council of the Village of Tahsis, in open meeting assembled, enacts the following amendments to Fees and Charges Bylaw No. 594, 2017 as follows:

1. The *Fees and Charges Amendment Bylaw No. 594, 2017* is hereby amended:

a) by deleting Schedule “N” to *Fees and Charges Amendment Bylaw No. 629, 2020* and replacing it with the Schedule “N” to this Bylaw.

Citation

This bylaw may be cited for all purposes as the “Fees and Charges Amendment Bylaw No. 654, 2023.”

Effective Date

This bylaw comes into force upon adoption.

READ a first time this 7th day of March, 2023

READ a second time this 7th day of March, 2023

READ a third time this 7th day of March, 2023

Reconsidered, Finally Passed and adopted this 4th day of April, 2023

MAYOR

CORPORATE OFFICER

I hereby certify that the foregoing is a true and correct copy of the original Bylaw No. 654, 2023 duly passed by the Council of the Village of Tahsis on this 4th day of April, 2023.

CORPORATE OFFICER

Schedule “N”

Puddle Ducks Daycare Fees

Enrollment	Maximum Fee
Full days (4 hours or more), 5 days a week*	\$200/month**
Full days (4 hours or more), 1 to 4 days a week	\$10/day to a maximum of \$200/month
Half days (less than 4 hours), 5 days a week	\$140/month
Half days (less than 4 hours), 1 to 4 days a week	\$7/day to a maximum of \$140/month

*Full time as per existing hours of service; does not include extended hours (before 6 am, after 7 pm, or overnight service. Full days and half days include before school and after school care.

** Additional fees may be charged for extended hours or optional services, such extra-curricular lessons/programming for your child (see below).

Other Child Care Services

Per child	Daily	Hourly
Pro D Day	\$20.00	
Other times not listed		\$10.00



VILLAGE OF TAHSIS

BYLAW NO. 655, 2023

BEING A BYLAW TO AMEND THE VILLAGE OF TAHSIS FEES AND CHARGES BYLAW NO. 594, 2017

WHEREAS the Council of the Village of Tahsis wishes to amend the *Fees and Charges Bylaw No. 594, 2017* to update the annual fees under the *Water System Regulation Bylaw No. 644, 2021*.

NOW THEREFORE, the Council of the Village of Tahsis, in open meeting assembled, enacts the following amendments to Fees and Charges Bylaw No. 594, 2017 as follows:

1. The *Fees and Charges Amendment Bylaw No. 594, 2017* is hereby amended:
 - a) by deleting Schedule "P" to *Fees and Charges Amendment Bylaw No. 646, 2021* and replacing it with the Schedule "P" to this Bylaw.

Citation

This bylaw may be cited for all purposes as the "Fees and Charges Amendment Bylaw No. 655, 2023."

Effective Date

This bylaw comes into force upon adoption.

READ a first time this 7th day of March, 2023

READ a second time this 7th day of March, 2023

READ a third time this 7th day of March, 2023

Reconsidered, Finally Passed and adopted this 4th day of April, 2023

MAYOR

CORPORATE OFFICER

I hereby certify that the foregoing is a true and correct copy of the original Bylaw No. 654, 2023 duly passed by the Council of the Village of Tahsis on this 4th day of April 2023.

CORPORATE OFFICER

Schedule “P”

Water System Service Fees

Use of Land or Real Property	Annual Rate
Residential (single family dwelling, apartment suite, guesthouse, condominium, short term rental accommodation unit, mobile home. Rooming House, Bed and Breakfast unit)	\$400.00
Mobile Home Park per serviced pad	\$400.00
Hotels and Motels	\$400.00
plus each room to rent located on the property whether or not it is always available for rent	\$190.30
Restaurants, cafes, dining rooms, pubs	
up to 60 seats	\$1,300.40
Over 60 seats	\$1,554.14
Churches	\$400.00
Industrial	\$1,554.14
Schools	\$400.00
Plus each classroom	\$190.30
Retail premises	\$444.04
Plus for each square foot of gross area	\$0.14
Other commercial premises	\$1,554.14
Campground/RV Park (per site)	\$68.72

From:
Sent:
To:
Subject: FW: UBCM letter to local governments re: land opportunities

From: Raelene Adamson <radamson@ubcm.ca>
Sent: Friday, March 24, 2023 11:50 AM
Subject: UBCM letter to local governments re: land opportunities

Good morning,

Please find attached a letter to Mayor and CAO's from President Jen Ford conveying an information request from the Province regarding potential land opportunities for housing within your local government.

Have a lovely day and a fantastic weekend,

UBCM Secretariat

March 24, 2023

Dear Mayor and Chief Administrative Officer,

In a spirit of continued partnership with the provincial government to address the issue of housing, which is pressing in so many of our member communities both rural and urban, we are writing to convey a voluntary request on behalf of the Ministry of Housing. The Ministry is seeking your assistance with respect to documenting potential municipal land for housing as the Province rolls out and implements its refreshed housing strategy in the coming months and years.

The provincial government is currently undertaking an inventory of provincial lands that could potentially be used for the creation of affordable housing of all sorts: co-ops, non-profits, affordable home ownership and other opportunities to get more people into housing they can afford.

At the same time, the Ministry of Housing would like to invite willing local governments to provide a list of municipally owned land that could potentially be used for housing. This can include bare land. And they are also encouraging local governments to think ahead for the next five to ten years: in addition to potential bare land, is there a community centre, library, firehall or other municipal infrastructure that you plan to build or rebuild where, through partnership, housing could be part of the development or redevelopment?

Providing a list to the Ministry creates no obligation on behalf of the Province or the local government to take any further action. The purpose at this point is to get a sense of public land available for housing and understand which municipalities might be interested down the road in partnerships to create more housing in their communities. All information shared with the Province will be kept confidential.

To make it simple, the Ministry is providing an example (see Appendix A) of the kind of information they are seeking. All that is being requested at this point, as per the Appendix, is a simple description of the lot or lots and any maps or information easily available to share.

Please submit any information you wish to share in confidence with the Ministry by July 31st 2023 by email to housing.policy@gov.bc.ca

In Minister Kahlon's words, "The Province and local governments have been working together to address the housing crisis and together we've had success. In 2017, our government committed \$7 billion to get housing built for people and today we see new affordable housing opening in communities across the province. Yet still with a strong economy and high quality of life, our province, and your communities, continue to grow. That's why in budget 2023 our government is

committing another \$4.2 billion to continue to work with you to build housing that working people, families and seniors can afford, so they can make a good life and have a good home in your cities and towns.”

Sincerely,

A handwritten signature in dark ink that reads "JCFord". The signature is written in a cursive, flowing style.

Jen Ford
UBCM President

APPENDIX A

770 Vernon Avenue (C-4 Office and Apartment Zoned) 366,775 sq ft. This property houses the District of Saanich Municipal Hall, Fire Station and Police Station, which would all need to be incorporated into a redeveloped building on the site (unless suitable alternate location(s) are found).



District of Saanich Property Information Report

Report generated 3/14/2023 2:01:10 PM



Property location within District of Saanich



Property Map

770 VERNON AVE

Property Information

Folio: 65-2046-999

PID: 004-317-211

Status: ACTIVE

Property Number: 114568

LTO Number: EM6832

Legal: LOT A SECTION 33 VICTORIA DISTRICT PLAN 14934 EXCEPT PLAN 33545 AND PT IN 803RW.

Land Attributes

Exemption/ Taxation Code:

SAANICH OWNED PROPERTY

School District:

SCHOOL DISTRICT 61

BCAA Lot Size:

366775 SQUARE FEET

BCAA Manual Class:

WAREHOUSE - STORAGE

BCAA Neighbourhood Code:

SWAN LAKE/CREASE-CADILLAC

Development Cost Charge Area:

Municipal Parks DCC Area:

Year Built:

1962

Zoning:

C-4 OFFICE AND APARTMENT

Local Area:

SAANICH CORE

Development Permit Area:

SAANICH CORE

Notice Date	Total Levy	Class	Gross Land	Gross Improvement	Gross Assessment	Net Assessment
May 11, 2022	0.00	6-Bus/Other	41,627,000	175,000	41,802,000	0
May 11, 2021	0.00	6-Bus/Other	36,423,000	179,000	36,602,000	0

Property Activity

Building Permits: (any)	YES
Engineering Permits: (any)	YES
Active Tree Permits:	NO
Active Development Applications:	NO
Active Business License:	NO
Active Bylaw Calls:	NO
Covenants on File With Saanich:	NO

It is the responsibility of the client to confirm through a title search at the Land Title Office whether there are covenants or other charges on title. A YES or NO in this field only indicates that the District of Saanich does or does not have a copy of a covenant on file.

If you require additional information, call 250-475-5457 (Inspection Enquiries).

Local Service / Business Improvement Areas

There is no additional information.

Additional Comments

Category	Date	Details
PLANNING	Dec 19, 2011	STREAMSIDE DP AREA
PLANNING	Jul 29, 2003	DEVELOPMENT PERMIT NUMBER DPR2003-00001 proposed construction of a single storey addition for vehicle maintenance bays, with basement, at the north end of the existing municipal fire hall.
PLANNING	Jul 29, 2003	VARIANCE PERMIT DVP97-00007; DVP93-00008 DVP99-00007
PLANNING	Mar 29, 2007	CONTROLLED ACCESS CLASSIFICATION CONTACT MINISTRY OF TRANSPORTATION REGARDING ACCESS TO OR FROM MINISTRY CONTROLLED ROADS
PLANNING	Sep 02, 2008	CONTROLLED ACCESS CLASSIFICATION CONTACT MINISTRY OF TRANSPORTATION REGARDING ACCESS TO OR FROM MINISTRY CONTROLLED ROADS
PLANNING	Sep 02, 2008	DEVELOPMENT PERMIT NUMBER DPR2003-00001 - PROPOSED CONSTRUCTION OF A SINGLE STOREY ADDITION FOR VEHICLE MAINTENANCE BAYS, WITH BASEMENT, AT THE NORTH END OF THE EXISTING MUNICIPAL FIRE HALL
PLANNING	Sep 02, 2008	VARIANCE PERMIT DVP97-00007 DVP93-00008 DVP99-00007

From: Sarah Fowler <SFowler@villageoftahsis.com>

Sent: Monday, March 20, 2023 12:44 PM

To: Reception Account <Reception@villageoftahsis.com>

Subject: Tidings: Stories from Canada's Oceans Protection Plan // Les déferlantes : Nouvelles du Plan de protection des océans du Canada

FYI

Coastal restoration fund (now has a new name) is something that provided habitat restoration up the Tahsis river, contributing to our local economy.

If possible, please include this attached email as correspondence for April 4th regular meeting of tahsis council.

Appreciate your time and consideration.

S. FOWLER

Get [Outlook for Android](#)

From: Oceans Protection Plan Newsletter < L_OPP@APPS2.TC.GC.CA > on behalf of Oceans Protection Plan Newsletter / Bulletin d'information Plan de protection des océans < oppnews-nouvellesppo@TC.GC.CA >

Sent: Monday, March 20, 2023 9:59:01 AM

To: L_OPP@APPS2.TC.GC.CA < L_OPP@APPS2.TC.GC.CA >

Subject: Tidings: Stories from Canada's Oceans Protection Plan // Les déferlantes : Nouvelles du Plan de protection des océans du Canada

(le français suit l'anglais)



Before we get into announcing the rebooting and renaming of the Oceans Protection Plan newsletter, we want to start off with a heartfelt thank you. Thank you to those who participated in the first phase of the Oceans Protections Plan—it is a true Canadian success story. It's through your hard work and contributions that we were able to get here.

To our partners who have also allowed us to share their stories, we are grateful, as your help has given us the fuel we need not only to keep this newsletter going, but to make it even better. Because, along with heading into the second phase of the Oceans Protection Plan, we will continue to build on our successes and lessons in order to deliver results. This newsletter is no exception.

Going forward, this newsletter will not only bring you more in-depth stories about the many OPP initiatives, but the people behind them and the communities that benefit from them. Also, we will use it to inform you of consultation and engagement opportunities, where your feedback is invaluable to informing OPP and driving it forward. We will also be accepting story ideas and work with Indigenous partners, stakeholders and other participants to tell the dynamic stories that come out of this incredible program.

If you have any questions on consultations, or stories you see here, or even on story leads, please contact Tidings editor, [Joanna Tymkiw](#).

Sincerely,

The Oceans Protection Plan Communications team

In this issue:

- [We have officially wrapped up the first phase of OPP!](#)
- [Reconciliation and collaboration are the focus](#)
- [We need your feedback](#)
- [The National Aerial Surveillance Program during Hurricane Fiona](#)
- [The success and renaming of the Coastal Restoration Fund](#)



We have officially wrapped up the first phase of OPP!

The result of the first phase of the Oceans Protection Plan is undeniable.

[Continue reading...](#)



Reconciliation and collaboration are the focus

"After years of relationship-building and the development of a shared understanding of our community's plan and vision, I am pleased to report we have now agreed to fully implement and define our Heiltsuk Emergency Response Team."

[Continue reading...](#)



We need your feedback

The Government of Canada is looking for feedback on a proposal for a national system for marine pollution incident preparedness, response, and recovery.

[Continue reading...](#)

Did you know that NASP planes come with an oven onboard?

It's a convenient way to use heat created by the engine so that crew members can heat up their lunches on long flights!



The National Aerial Surveillance Program during Hurricane Fiona

On September 24 and 25, 2022, Hurricane Fiona swept through Atlantic Canada and had devastating impacts on thousands of residents and businesses.

[Continue reading...](#)

What's next for NASP? The Oceans Protection Plan will expand upon NASP surveillance efforts by investing in new technologies, infrastructure in the Arctic, and further increasing flight hours. Transport Canada is expanding capacity of the NASP in the North with a new hangar and an accommodations unit in Iqaluit, which is expected to be completed by 2025.



The success and renaming of the Coastal Restoration Fund

Under the new phase of the Ocean Protection Plan, the Coastal Restoration Fund has been renewed and expanded as the Aquatic Ecosystems Restoration Fund (AERF).

[Continue reading...](#)



Tidings

STORIES FROM CANADA'S OCEANS PROTECTION PLAN



Les déferlantes

Nouvelles du Plan de protection
des océans du Canada

Avant d'annoncer le redémarrage et le changement de nom du bulletin du Plan de protection des océans, nous tenons à vous remercier du fond du cœur. Merci à ceux et celles qui ont participé à la première phase du Plan de protection des océans – c'est une véritable réussite