



AGENDA

**Regular Meeting of the Tahsis Village Council
to be held on March 21, 2023 in the Council Chambers
Municipal Hall, 977 South Maquinna Drive and by electronic means**

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A. Call to Order Deputy Mayor Fowler will call the meeting to order.

Land Acknowledgement Deputy Mayor Fowler will acknowledge and respect that we are meeting upon 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 7, 2023.

- 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 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 not indemnify Councillor Elliott under the Village's Indemnity Bylaw, or on any other grounds, for legal fees related to specifics which are listed in the motion which is item G2 of this meeting's agenda.
- At its March 10, 2023 in camera meeting, Council, in accordance with s. 113.1 of the 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.
- At its March 1, 2023 in camera meeting, Council approved a payment of \$3,324.90 in relation to Civil Resolution Tribunal matter SC-2022-002875.
- G. Rise and Report**
- H. Business Arising**
- None.
- 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 **Email from Ian Green Re: Greenheart Canopy Walkway**
- M. New Business**
- 1 **Report to Council Re: Regional Grant Opportunity - Emergency Operation Centre.**
 - 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.

N. Public Input #2

O. Adjournment



Minutes

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

<u>Present</u>	Mayor Martin Davis Councillor Meggan Joseph Councillor Sarah Fowler Councillor Cheryl Northcott Councillor Douglas Elliott
<u>Staff</u>	Mark Tatchell, Chief Administrative Officer Amanda Knibbs, IT Coordinator Janet St-Denis, Corporate Services Manager
<u>Public</u>	13 members of the public. (5 online)

A. Call to Order

Mayor Davis called the meeting to order at 7:01 p.m.

Land Acknowledgement

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

B. Introduction of Late Items

None.

C. Approval of the Agenda

Fowler/Northcott: VOT 0091/2023

THAT the Agenda for the March 7, 2023 Regular meeting of Council be adopted as presented.

CARRIED

1 "no vote"
registered to
Councillor Elliott

D. Petitions and Delegations

None.

E. Public Input # 1

Mayor Davis spoke to the rules for public input.

A member of the public asked why her correspondence item was not on the agenda to which Council responded.

There was a question about the value of members of Council attending the UBCM convention.

A member of the public spoke correspondence item "L1" regarding the commercial utilities rates.

A member of the public read a news article.

F. Adoption of the Minutes

1 Minutes of the Regular Council Meeting held on February 21, 2023.

Fowler/Northcott: VOT 0092/2023

THAT the Regular Council Meeting minutes of February 21, 2023 be adopted as presented

CARRIED

H. Business Arising

None.

J. Council Reports

Mayor Davis

I will start with an update on recapitalization of the Island Coastal Economic Trust, on which I am a board member. This trust, which funds economic development projects across Vancouver Island and the mainland coast, is running out of money and is down to its last million dollars available to fund new projects. We have been lobbying since last September for renewed funding as it is the first economic trust across BC to be running out as its funding levels have been much lower than most trusts. Unfortunately, recapitalization did not make it into the provincial budget but all is not lost yet. Myself and many other mayors have been meeting with Island MLA's to push lobbying efforts as the province does have a healthy surplus of \$5 billion to draw from. The province has said that they don't want the trust to shut down although we have a statutory obligation to begin the process of dissolution this month. I believe they will come up with funding to at least maintain its existence, even if it isn't enough to make it financially self-sustaining as are many much larger trusts in eastern and northern BC.

On the bright side, Tahsis will be receiving a Growing Communities Fund grant of \$650,000, more than we expected. All communities receive this funding and ours was increased based on our growing population in the village.

The village recently applied for and received a \$10,000 grant for firefighting equipment from the Union of BC Municipalities.

I spoke at the last meeting regarding automated tsunami sensing to warn us of incoming waves generated by large rockfalls or sediment slumping within Tahsis Inlet. After years of getting no traction with higher levels of government, I have located experts in the field and also learned that research has been ongoing near Prince Rupert, where they are planning a new international shipping terminal on an inlet with a history of landslides. In 1975, an underwater landslide in Douglas Channel triggered tsunami waves that reached a height of over 8m at the head of the inlet, destroying a dock and a newly built barge terminal. I have already had a good exchange of information regarding sensing technologies with Natural Resources Canada, Ocean Networks Canada and the DFO and will be hosting a follow-up meeting with experts in the field to come up with sensing strategies for Tahsis Inlet.

Yesterday we had a meeting with Nismaas, the economic development agency of the Mowachaht-Muchalaht First Nation to further discuss common interests for this region. These discussions included accommodations, aquaculture, the old mill site and the proposed community forest.

At a closed meeting in May 2021, Council agreed to subdivide the Village owned parcel located at 663 Alpine View Road by the flood detention pond into two serviced lots and offer those lots for sale. The notices of disposition required under s. 26 of the Community Charter have been prepared by the Village's solicitor. As in previous matters, the notices have been posted electronically and in physical places in the community. This is also in adherence with Council's recently adopted Property Management Policy. The deadline for potential purchase offers is April 12th. Offers to purchase must be made using the form available from the Village.

(Verbal Report)

Mayor Davis made a verbal apology to Councillor Elliott for comments he made to Councillor Elliott in a public setting.

Councillor Joseph

No report,

Councillor Fowler

At the Oceans Protection Plan dialogue forum, I learned that the marbled murrelet eat sandlances.

submitted respectfully.

Councillor Fowler

Councillor Northcott

Back in September, during UBCM, I attended an all-day agricultural study tour. As noted in my September 20th report to council

"...the highlight for me was the agricultural tour in Squamish. They have done amazing things in a very short time within their community, and I have hopes that we can come up with some community food security options in the near future."

With food security being a strategic priority for council, I sent an email to Kristle tenBrink, executive director of Squamish CAN requesting a meeting while I was on the mainland.

Due to snow, I was unable to go to Squamish as originally planned. However, Kristle and I met via Zoom and she shared a lot of valuable information about food security systems. I will provide an update once I've had time to digest it and do additional research. In the meantime, for those who are interested, I encourage you to check out the Squamish CAN website: www.squamishcan.net/food

From: Cheryl Northcott

Sent: Thursday, February 9, 2023 2:43 PM

To: krystle@squamishcan.net <krystle@squamishcan.net>

Subject: Request for meeting - re: food projects

Hi Krystle,

We met in September during the 2022 UBCM agricultural study tour.

I'd like to finally get started on some food security projects for our community and was really impressed with what Squamish Can has going on in Squamish.

I am going to be on the mainland between February 27-March 3 and was hoping you might be able to meet with me during that time to discuss your food projects and what kinds of projects might be viable for Tahsis.

Regards,

Cheryl Northcott

Councillor, Village of Tahsis

Councillor Elliott

Ladies and Gentlemen, March 7th, 2023

My recent mail outs have raised concerns with this administration pertaining to the information that I shared with the village. I have resorted to using the mail outs, as it is in my opinion that I have been discriminated against by the Mayor when I seek to answer questions from the public at the regular council meetings. The Mayor stated that I was to answer these questions on my own time. These mail outs are at my own expense and reflect what I have observed since being elected.

It is now public knowledge that the CAO, the Mayor and the two re-elected Councillors have obtained legal advice to guide them on what legal action they can take against me. This includes their demands that I publicly apologize for their allegations concerning their perception of defamatory comments towards them and the CAO. Based on the extensive documentation that was presented to me, it is abundantly clear to me that the Village is it sparing no expense. In this documentation it claims that I am to be given a reasonable amount of time to respond. Currently, the majority of the administration has legal action against them and you, the taxpayers, are fully funding their defense yet, the CAO has informed me that I am not entitled to legal representation and I have been advised me to seek legal counsel immediately. This type of undemocratic behaviour from the administration is very disturbing and another shameful attempt to censor the flow of information concerning the affairs of the village. It is abundantly clear that this administration should be financing their own legal representations for their defense and they are not entitled as a municipal corporation to launch any legal action against me concerning my last mail out. This is another example of how this administration is wasting your tax dollars on unnecessary legal expenses that are not in our best interest.

As a new councillor, I recognize that I have made minor infractions of the Community Charter and the Code of Conduct. It is also my opinion that I am not the only one. I have spent a considerable amount of time trying to educate myself on the procedures and the contents of the Community Charter. At the council meetings, I try to remain calm, refrain from the use of profanity and name calling. I come prepared to share my perspective on the affairs of the village and observe the actions of this council so that I may inform the residents of our progress. So, rather than pursuing my goals that I stated in my campaign, I will address the legal documentation that was presented to me and state my replies over the next few meetings through my Council Reports. If apologies are warranted, I will make them sincerely. I will use this time to clarify my position on the issues. I will continue to make a concerted effort to conduct the affairs of the village in a respectful manner and according to the Code of Conduct. Until the Robert's Rules of Order are applied by the Mayor, the mail outs will continue and I pledge to you, the taxpayer, that I will make decisions that I feel are in the best interest of the financial wellbeing of the community.

And for the record, I have never considered the Mayor in a Conflict of Interest concerning the fire hall plan. I apologize to the Mayor if this has been misunderstood and wish to set the record straight. In a democracy, there will always be opposing views on the issues of the day. This is vital when creating solutions. It is no secret that the Mayor and I have different views concerning the fire hall plan. I believe that the volunteer fire department requires a proper facility to conduct their affairs and protect our investments. This is absolutely essential if we expect to receive a high quality service from our volunteers. It was after the election that I first had access to the fire hall plan. It has now come to my attention that I am perceived to be in Conflict of Interest concerning the capital projects pertaining to statements I have made since the election. Consider this. After all, you paid for it.

According to the Supreme Courts of Canada, decision makers are required to maintain an open mind and be free of bias, actual or perceived. We have a duty to be impartial. The Supreme Court recognizes that elected officials arrive in office with various points of view, perceptions, ideas and strongly held beliefs and it is unrealistic to expect elected officials to shed these upon taking office. The test for bias is whether an elected official has prejudged the matter for consideration so completely as to be no longer capable of persuasion.

To address this, once I was elected, I was given a binder containing information concerning the capital projects that the previous council had decided upon. I had no opinions concerning the 100K dollar fire hall plan before the election. I was also unfamiliar with the condition of the existing fire hall. I proceeded to read through the plan and came to the conclusion that it would be in the best interest of the community to repair the existing facility. I also believe that the property on School Hill Road is an amazing opportunity. The shop on that property exceeds the building codes and the trailer would make an excellent training facility as well as address the administrative and sanitary requirements of the volunteers. In my opinion, the location would protect our investments from a tsunami event or any other natural disasters. Unfortunately, when I was an employee of the village, I was aware of the fact that the owner did not have a high opinion of the existing administration of this village. Given the present state of affairs, I do not believe that a deal to purchase the land is possible. The Mayor has also stated to me that the grant would not cover the purchase of any land. If our existing fire hall had been repaired, it would have been a wonderful opportunity to sell the existing facility and purchase the School Hill Road property and have a long term solution that would protect our investment from any natural disasters. It was an amazing opportunity but I realized it has come to pass and is no longer possible.

I have a number of concerns with the conversion of the wood shop at the school. To begin with, we would not be the owner of the facility and we would be subject to lease payments for decades to come. It is possible that the school district could decide to rebuild or expand the existing school, thus leading to the possibility of an eviction. This could end up costing the taxpayers millions of dollars to relocate and the availability of suitable land could be very limited. The wood shop doesn't offer any significant amount of protection against a tsunami event over the existing facility. Gaining access to the wood shop during a flooding event would be very restrictive. The wood shop is very close to an aggressive slope that has a number of boulders that have landed close by and from my perspective this type of event could repeat itself due to an earthquake. I also feel that the health and safety of the students would be in jeopardy having a first responder facility located on the property. It is no secret that members of the fire department have been known to drive above the speed limits to and from the fire hall in the interest of the public; however, this could put our students at risk and possibly lead to a tragic event. It is common knowledge amongst all first responders that they try to avoid school zones whenever possible. Fire departments have been known to store hazardous chemicals and this is also a concern when it comes to the safety of our students. Another aspect of the plan was the fact that the wood shop is considerably older than our existing facility and was slated to be torn down. These are some of the reasons why I disagree with the 100K dollar fire hall plan.

There are financial considerations as well. We would also lose a considerable amount of equity in our most modern facility and be responsible for cost overruns on a leased property with high interest rates.

After numerous discussions with local contractors and having some experience with foundations and drainage issues. I believe that the existing fire hall can be repaired and brought back online within the financial limits of the grant that the village applied for. I also believe that the residents of this village should be given the opportunity to choose whether we relocate to the wood shop or repair the existing facility within a referendum. As a councillor of the village, I would feel morally obligated to support the outcome of the referendum. I believe that it is in all of our interest for the Mayor to announce the date of a referendum so that we can move forward and start working on a solution that has the approval of the community. In the meantime, I do not feel that I am in a Conflict of Interest pertaining to the fire hall plan. Unlike the two re-elected councillors, I have no family ties to the fire department. I have no more pecuniary interest than any other taxpayer in this village and I too want to bring this matter to a successful conclusion so that our volunteer fire department has a suitable location to serve our community.

As far as the waste water treatment project. I stated at the council meeting that I was in favour of the grant. It is an excellent opportunity to phase out the dysfunctional north sewage treatment plant and redirect the waste water to the south plant. The south plant is an excellent design that can accommodate up to approx. 5000 residents. This is a great opportunity for the village however, I am not in favour of borrowing 490K dollars and be responsible for cost overruns. We need to replenish our cash reserves so that we can afford these opportunities when they present themselves. I voted against the village's plan to borrow the funds for this 1.3 million dollar phase one grant because I firmly believe that these type of grants will be available in the future. The second phase of the grant was not approved by the Ministry. I was outvoted on this motion and the village is making arrangements to proceed with a loan authorization for 490K to get the ball rolling. At 4.5 percent interest over 30 years that will amount to over 400K dollars in interest. A payment of approx. \$ 2480.00 per month with a total of 893K dollars paid back for our portion of the grant. We should mandate that our councils save the funds before committing to these types of grants and not to enter in a deficit that exceed their term in office. This will have a negative impact on the abilities of future councils and effect our taxation for next thirty years. I have clearly stated why I am against this project and declare myself not in Conflict of Interest. This is colossal mistake that has long term effects on this community. In my opinion, if the council proceeds to put this village in debt, it will go down in history as the most irresponsible administration in the history of this village.

As far as the Community Dock project. This has been a rather controversial topic in our community considering how the council voted to proceed with a plan that did not impress the public. After criticizing the plan in my last mail out, I was getting ready to throw in the towel and just accept it. However, a number of residents approached me with their concerns and frustrations that this plan would not serve the interest of our community and it would have a negative impact on our economic growth. Even though tensions were high between the Mayor and myself, I didn't want to miss the opportunity to have the plan reconsidered. What the mayor considers to be an unsolicited visit, I felt our discussions were friendly and showing signs that would improve our ability to work together as a team. I was also hoping to lower tensions and emotions when debating opposing views. It is commendable when one feels passionate in their beliefs but that shouldn't have a negative impact on their ability to discuss opposing ideas in a respectful manner. I thought I was making progress and it was great to even share a few laughs. It had been a long time since I enjoyed a friendly visit and in my mind, it was long overdue. We discussed the community dock project and I believed that our Mayor recognized that the plan could be improved.

I proposed that he needed to bring forth a motion to reconsider. I informed him that the Community Charters states that this type of motion can only be put forth by an official that voted in favour of the original motion. I then proposed to the Mayor that I could put forth a motion that the matter go to a committee made up of experienced residents and myself. I promised that the sketch would be put forth to the engineers without delay and I would contact Councillor Joseph (who also voted no) and discuss with her the needed support to second the motion. I did make a comment that we would greatly benefit from this. In fact, any councillor that supported this motion to reconsider would benefit. I stated to Councillor Joseph that if the Mayor lived up to his word, it would be beneficial for all of us to fix this colossal mistake, and if he didn't, well, I sure had a lot of ammo for the next mail out. Because of this statement, I have been perceived to be in a Conflict of Interest. The Mayor's conduct at the next meeting was not only disappointing, but I have lost all faith in ever having a truthful conversation with him again and he has lost my respect. I have no pecuniary interest in this project however I do share the concerns of this community that the project include an improved ramp angle, dual lanes to ensure efficient launching activities, the ability to load/unload from a cargo ship directly on to a commercial flat deck, provide easy access for floatplanes and ambulance service, be expandable, provide a few temporary moorage spots and expand the parking lot. It is my opinion that I am not in Conflict of Interest concerning this project. I am disappointed that the 175K dollar plan is not very impressive and fails to address the public's concerns. I believe this council needs to reconsider this plan and put forth a design that will benefit the community.

On Feb 28, 2023. The village staff informed me that they were having a closed meeting concerning the legal advice that they received concerning my last mail out. I was advised to attend with my attorney. This improperly announced meeting violates the Community Charter section (92) and any motions agreed upon during this meeting would be invalid. It is my opinion that this council is trying to censor me through legal intimidation at the taxpayer's expense. Since I have lost all trust and respect for the majority of this administration. I no longer feel safe in any closed meeting without a third party present. Therefore I will not compromise my safety and take part in a meeting that violates my constitutional rights to freedom of speech and attempts to censor my activities concerning the village affairs.

In the meantime, I will continue to work on the next mail out so you may participate in the discussions concerning the wellbeing of our community. If the Mayor were to open up debate with the public and acknowledge all the correspondence by reading it aloud, this will give the council the necessary information to make decisions in the best interest of the community as a whole. I hope that you, the taxpayer, share your thoughts and ideas. It is the council's responsibility to serve you in a financially responsible manner. And remember this, the village itself, as Municipal Corporation, does not have a right of action in defamation against me for the comments that I made in the last mail out according to their own legal counsel. If I wanted to sue any member of this administration, I would have to pay for my own lawyer. Why are these individuals using your tax dollars to finance their legal attack on me?

At the upcoming council meeting on March 21st, I will reply to Councillor Fowler's and Councillor Northcott's request for a public apology. I have received over a 100 pages from their legal counsel and will prepare my defense as I am more than confident that a Judge will find their case undemocratic and a complete waste of your tax dollars. It will be interesting to find out how much has been spent so far.
Thank you for coming out tonight.

Councillor Doug Elliott

Fowler/Elliott: VOT 0093/2023

THAT the Council Reports be received.

CARRIED

1 "no vote"

registered to Mayor
Davis

K. Bylaws

- 1 Report to Council Re: Long Term Borrowing for Upcoming Capital Projects and Loan Authorization Bylaw Procedures.

Fowler/Northcott: VOT 0094/2023

THAT this Report to Council be Received.

CARRIED

The Director of Finance spoke to her Report to Council and responded to questions from Council. A discussion followed.

Fowler/Northcott: VOT 0095/2023

THAT Council receive and consider a motion to amend Loan Authorization Bylaw No. 653, 2022.

CARRIED

1 "no vote"
registered to
Councillor Elliott

Fowler/Northcott: VOT 0096/2023

THAT Loan Authorization Bylaw No. 653, 2022 be amended by deleting the words "RECEIVED the approval of the electors this day of month, year"

CARRIED

1 "no vote"
registered to
Councillor Elliott

2 Loan Authorization Bylaw No. 653, 2022**Adoption****Fowler/Northcott: VOT 0097/2023**

THAT Loan Authorization Bylaw No. 653, 2022 be received and considered for adoption.

CARRIED

1 "no vote"
registered to
Councillor Elliott
1 "no vote"
registered to
Councillor Joseph

Fowler/Northcott: VOT 0098/2023

Loan Authorization Bylaw No. 653, 2022 be reconsidered and finally passed and adopted this 7th day of March, 2023.

CARRIED

1 "no vote"
registered to
Councillor Elliott
1 "no vote"
registered to
Councillor Joseph

3 Fees and Charges Amendment Bylaw No. 654, 2023**1st, 2nd and 3rd Readings****Fowler/Northcott: VOT 0099/2023**

THAT the Fees and Charges Amendment Bylaw No. 654, 2023 be received for consideration.

CARRIED

Fowler/Joseph: VOT 0100/2023

THAT the Fees and Charges Amendment Bylaw No. 654, 2023 receive a first reading this 7th day of March, 2023.

CARRIED

Fowler/Joseph: VOT 0101/2023

THAT the Fees and Charges Amendment Bylaw No. 654, 2023 receive a second reading this 7th day of March, 2023.

CARRIED

Joseph/Fowler: VOT 0102/2023

THAT the Fees and Charges Amendment Bylaw No. 654, 2023 receive a third reading this 7th day of March, 2023.

CARRIED**4 Fees and Charges Amendment Bylaw No. 655, 2023**

1st, 2nd and 3rd Readings

Joseph/Fowler: VOT 0103/2023

THAT the Fees and Charges Amendment Bylaw No. 655, 2023 be received for consideration.

CARRIED

A discussion regarding the commercial utility rates followed.

Fowler/Northcott: VOT 0104/2023

THAT the Fees and Charges Amendment Bylaw No. 655, 2023 receive a first reading this 7th day of March, 2023.

CARRIED

1 "no vote"
registered to
Councillor Joseph
1 "no vote"
registered to
Councillor Elliott

Fowler/Northcott: VOT 0105/2023

THAT the Fees and Charges Amendment Bylaw No. 655, 2023 receive a second reading this 7th day of March, 2023.

CARRIED

1 "no vote"
registered to
Councillor Joseph
1 "no vote"
registered to
Councillor Elliott

Fowler/Northcott: VOT 0106/2023

THAT the Fees and Charges Amendment Bylaw No. 655, 2023 receive a third reading this 7th day of March, 2023.

CARRIED

1 "no vote"
registered to
Councillor Joseph
1 "no vote"
registered to
Councillor Elliott

L. Correspondence

- 1 February 19, 2023 letter from Santosh and Rajinder Sharma to Mayor and Council
Re: Review of Village of Tahsis business utilities.

- 2 February 27, 2023 letter from Stephanie Olson to Mayor and Council Re: Shared Kitchen in Tahsis (SKiT).**
- 3 January 26, 2023 letter from Mervyn Brown to Mayor and Council Re: Bylaw Complaint- 344 Alpine View Road.**
- 4 February 14, 2023 email from Jay Chalke, Ombudsperson, BC to Mayor and Council Re: Useful Resources and Fairness Training.**
- 5 Chan Nowosad Boates Re: Village of Tahsis Audit Planning Report for the year ended December 31, 2022.**
- 6 UBCM Re: 2022 Volunteer & Composite Fire Department Training and Equipment- Approval Agreement & Terms and Conditions of Funding.**
- 7 February 24, 2023 email from Alison James, Manager, Partner Engagement, Island Health Re: Community Wellness Grant program call for applications.**

Fowler/Northcott: VOT 0107/2023**THAT** these correspondence items be received.**CARRIED****Fowler/Elliott: VOT 0108/2023****THAT** correspondence items #1, #2 and 3 be pulled for discussion.

CARRIED
 1 "no vote"
 registered to
 Councillor Northcott

- 1 February 19, 2023 letter from Santosh and Rajinder Sharma to Mayor and Council Re: Review of Village of Tahsis business utilities.**

Councillor Elliott spoke to this correspondence item. A discussion followed that included the topics of fairness, property categories, water meters and future commercial utility rates.

- 2 February 27, 2023 letter from Stephanie Olson to Mayor and Council Re: Shared Kitchen in Tahsis (SKiT).**

A discussion followed.

- 3 January 26, 2023 letter from Mervyn Brown to Mayor and Council Re: Bylaw Complaint- 344 Alpine View Road.**

Council noted that there could be a backlog of bylaw complaints that the new bylaw enforcement officer is working through.

M. New Business

- 1 Report to Council Re: Regional Grant Opportunity - Emergency Support Services**

Fowler/Northcott: VOT 0109/2023

THAT this Report to Council be received.

CARRIED

Elliott/Joseph: VOT 0110/2023

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 Support Services grant be authorized for submission to the UBCM, in collaboration with the Strathcona Regional District (SRD); and

CARRIED

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 Report to Council Re: Guidance for the public attending Council meetings remotely.**

Joseph/Northcott: VOT 0111/2023

THAT this Report to Council be received.

CARRIED

Joseph/Northcott: VOT 0112/2023

THAT the document titled "How to participate in Tahsis Council Meetings and Public Hearings Virtually" be approved for posting on the Village website.

CARRIED

- 3 Councillor Fowler's Resolution Re: UBCM Housing BC Together summit at the Sheraton, Vancouver Wall Center on April 4-5th, 2023.**

WHEREAS the UBCM Housing BC Together Summit is being held at the Sheraton Vancouver Wall Center April 4-5th, 2023, and

WHEREAS the Village of Tahsis represents rural and remote challenges and small-town opportunities which are uniquely able to provide important perspective to the investments of resources being made by the provincial government with respect to much larger housing crisis.

THEREFORE BE IT RESOLVED to enroll all Tahsis council interested or available in the upcoming Housing Supply Act forum in April.

Fowler/Northcott: VOT 0113/2023

THAT this resolution be received and considered.

FAILED

- 4 Quarterly UBCM Executive Committee Meetings**

WHEREAS the Village of Tahsis has a council member on the UBCM Executive Committee; and

Travel to the quarterly UBCM Executive Committee meetings are reimbursable by UBCM;
THEREFORE the Village of Tahsis support any such travel which will be reimbursed to the Village.

Joseph/Northcott: VOT 0114/2023

THAT this resolution be received and considered.

CARRIED

A discussion followed.

Joseph/Northcott: VOT 0115/2023

THAT this resolution be approved.

CARRIED

Public Input #2

A member of the public commented on the use of water meters for businesses
There was a comment regarding the content and level of detail in the meeting minutes.

A member of the public commented on Council's selection of correspondence items pulled for discussion

A member of the public spoke to the benefits of working together in a democratic society.

Adjournment

Fowler/Northcott: VOT 0116/2023

THAT the meeting be adjourned at 9:32 p.m.

CARRIED

Certified Correct this

the 21st day of March, 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. ...
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		Code of Conduct also addresses this issue in sections 3.2, 5.2 and 5.7
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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, 2019 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 Sam Adams, Lynn Mohr, Rita Aedan, Stace Nielsen, Erin Hubert, Shawna Gagne, Lou Tmoashiro, Steve Atkinson, Janis Imeson, Derrick Kasper, Merv Brown, Pascal Pelletier, Deborah Donohue, Bill Elder and Tess Russell and Tahsis Supermarket	<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</u> right after the regular meeting on Feb 7, 2023.</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>
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		<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>
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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

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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>

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		<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>

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		<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

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	<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>
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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".

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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. ... Our options are the direct consequence of twenty five years of poor leadership and management. ... 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>
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		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.

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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

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		Fowler and Councillor Northcott. 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.
December 6, 2022	Regular meeting	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.
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>

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		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 Petition signed by Loo Frank Taomashiro, Debbie Tomashiro, Janis Imeson, Robert Imeson, Roy DuLong, Cleo Gardiner, Blake Biacn,</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*

		Lenora Russell, Derrisk, Kaspan, Steve Atkinson, Judith Lynn Mohe, Mervyn Brown, Rita Ann Aedan, Dau Dahling, Shawna Gangé, Pascal Pelletier, Tim Seaton, Randolph Taylor, Elena Puente, illegible name, Darlene Hedrick, Erin Hobert, Steven Choquette, Rurray Peavoy, and illegible signature
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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>
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		<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>

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		<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 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>

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		<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)	<p>It is of my opinion that this village should dissolve its status and negotiate the transition to the control of the regional district</p>

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 – 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>
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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>
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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.</p> <p>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 Megan</p> <p>I did go through my village emails and did not receive your response.</p>
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Motion to not indemnify Councillor Elliott under the Village's Indemnity Bylaw passed at an in camera meeting on March 10, 2023

THAT the Village will not indemnify Councillor Elliott under the Village's Indemnity Bylaw, or on any other grounds, for legal fees related to or damages against him arising from:

- Comments as particularized at pages one and two of Dana Goodfellow's legal opinion dated February 16, 2023 and also at pages 34-36 within the section titled "Standards of Behaviour – Defamation; and
- conduct and behaviour particularized at pages 15-17 of the same opinion in the section titled Disqualifying Bias

as these comments, conduct and behaviour were not done in the performance of Councillor Elliott's duties as an elected official.



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 21st day of March, 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 21st day of March, 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 21st day of March, 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 21st day of March, 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 plus each room to rent located on the property whether or not it is always available for rent	\$400.00 \$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 Plus each classroom	\$400.00 \$190.30
Retail premises Plus for each square foot of gross area	\$444.04 \$0.14
Other commercial premises	\$1,554.14
Campground/RV Park (per site)	\$68.72

From:
To:
Subject: FW: Mckelvie matters - Greenheart Canopy Walkway
Date: March 14, 2023 2:39:50 PM

----- Forwarded message -----

From: **Ian Green** <ian@greenheart.ca>
Date: Tue, Mar 14, 2023, 12:42 a.m.
Subject: Mckelvie matters - Greenheart Canopy Walkway
To: Sarah Fowler <farmeverystep@gmail.com>

Hi Sarah,

I hope you are well and thought I would follow up to see if there was still interest in developing a conservation based canopy walkway or other nature based tourism attractions; with the goal of working with nature. We continue to operate the Greenheart TreeWalk here at UBC as well as work on projects around the world with individuals, communities and governments who understand the value of maintaining a healthy forest.

If you are still interested do let me know as we have seen some wonderful success with communities focused on ensuring they have a healthy environment and economy; and are still hopeful that Canada and especially here in B.C. we start to invest in nature.

All the best,
Ian



L1



VILLAGE OF TAHSIS

Report to Council

To: Mayor and Council

From: M. Tatchell, Chief Administrative Officer

L. Illes, Fire Chief

S. Koopman, Protective Services Coordinator

Date: March 10, 2023

Re: **Regional Grant Opportunity – Emergency Operation Centre**

PURPOSE OF REPORT:

To consider a regional grant application to the Community Emergency Preparedness Fund 2023 Emergency Operation Centre (EOC) program from the Union of BC Municipalities (UBCM). This application would be in partnership with the Strathcona Regional District (SRD) and other municipal and First Nation entities in order to enhance tsunami warning capacity in Tahsis.

OPTIONS/ALTERNATIVES

1. *Provide a resolution as drafted*
2. *Decline to provide a resolution*

Staff recommends **Option 1** in order to pursue an external funding opportunity

BACKGROUND:

The Community Emergency Preparedness Fund (CEPF) is a suite of funding programs intended to enhance the resiliency of local governments, First Nations and communities in responding to emergencies. The intent of this funding stream is to support eligible applicants to build local capacity through the purchase of equipment and supplies required to maintain or improve an EOC and to enhance EOC capacity through training and exercises. Eligible applicants can submit one application per intake, or as a partnering applicant in a regional application. It is proposed that the SRD will be the primary applicant in a regional application with the Village of Tahsis as a partner applicant. The deadline submission for this grant is March 31, 2023. In order to be considered as a partner, the Village of Tahsis is required to submit a Council Resolution that clearly states that they authorize the SRD to receive and manage the grant funds on behalf of the Village of Tahsis.

Village of Tahsis		Quantity	Cost
Item			
Tsunami warning siren		1 x \$18,000	\$18,000
Laptops with ergonomic keyboards for Emergency Operation Centre and Emergency Support Services		3 x \$1,400	\$4,200
		Total	20,200

Table 1: Proposed Budget

POLICY/LEGISLATIVE REQUIREMENTS:

None

FINANCIAL IMPLICATIONS:

The SRD would assist with overall supervision and management of the grant, including procurement and delivery of all items.

RECOMMENDATION:

1. THAT the report from the Chief Administrative Officer be received.
2. 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.

Respectfully submitted:



Mark Tatchell
Chief Administrative Officer