



## Minutes

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

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**Present** Mayor Martin Davis  
Councillor Sarah Fowler  
Councillor Cheryl Northcott  
Councillor Meggan Joseph **by video**

**Absent** Councillor Douglas Elliott

**Staff** Mark Tatchell, Chief Administrative Officer **by video**  
Janet StDenis, Corporate Services Manager  
Adia Mavrikos, CPA, CA, Director of Finance **by video**  
Amanda Knibbs, IT Coordinator **by video**  
Lauren Roth, Finance and Administrative Assistant **by video**  
Wanda Waksdale, Administrative Assistant

**Public** 8 Members of the public. **5 by video**

### **A. Call to Order**

Mayor Davis called the meeting to order at 7:00 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 0342/2023**

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

**CARRIED**

### **D. Petitions and Delegations**

None.

### **E. Public Input # 1**

A member of the public had questions concerning the lock blocks used in the Food Wall Project.

A member of the public had questions on the status of the Community Pier and Dock Project to which Mayor Davis responded.

**F. Adoption of the Minutes**

**1 Minutes of the Committee of the Whole Meeting held on October 17, 2023**

**Fowler/Northcott: VOT 0343/2023**

**THAT** the Committee of the Whole Meeting minutes of October 17, 2023 be adopted as presented.

**CARRIED**

**2 Minutes of the Regular Council Meeting held on October 17, 2023.**

**Fowler/Northcott: VOT 0344/2023**

**THAT** the Regular Council Meeting minutes of October 17, 2023 be adopted as presented.

**CARRIED**

**3 Minutes of the Public Hearing held on October 23, 2023**

**Fowler/Northcott: VOT 0345/2023**

**THAT** the Public Hearing minutes of October 23, 2023 be adopted as presented.

**CARRIED**

**H. Business Arising**

**1 Report to Council Re: Capital Projects Status Report.**

**Fowler/Northcott: VOT 0346/2023**

**THAT** this Report to Council be received.

**CARRIED**

The CAO spoke to the status of the Village's 5 capital projects and responded to the question in public input #1 regarding the lock blocks.

**2 McElhanney October 30, 2023 letter Re: Tahsis Dump Road Bridge - project scope and budget.**

**Fowler/Northcott: VOT 0347/2023**

**THAT** this letter be received.

**CARRIED**

The CAO spoke to the McElhanney's proposal for the Tahsis Dump Road Bridge project and responded to questions from Council. A discussion followed.

**Northcott/Fowler: VOT 0348/2023**

**THAT** Council approve the scope and budget for the Tahsis Dump Road Bridge project as per McElhanney's October 30th proposal and approve purchasing the 40 foot steel deck portable bridge from Pacific Industrial Marine, as recommended.

**CARRIED**

**3 Report to Council Re: Location Recommendation Tahsis Second Tsunami Warning Siren**

**Fowler/Joseph: VOT 0349/2023**

**THAT** this Report to Council be received.

**CARRIED**

**Fowler/Northcott: VOT 0350/2023**

**THAT** Council approve Option #3 (the Tahsis Health Centre) for the location of the second tsunami warning siren; and **THAT** Council authorizes staff to enter into a co-location agreement with Island Health for installing the tsunami siren at this location.

**CARRIED**

**J. Council Reports**

**Mayor Davis** (verbal report)

Congratulations to Mowachaht/Muchalaht First Nation for being approved for a \$11.5 million grant towards their Salmon Parks concept.

**Councillor Joseph**

No report.

**Councillor Fowler (verbal report)**

I have a slide deck from the Tahsis Buyers Club which will be included with the minutes.

Attachment J1 Tahsis Buyers Club slide deck

**Councillor Northcott**

No report.

**Councillor Elliott**

Absent.

**Fowler/Northcott: VOT 0351/2023**

**THAT** the Council Reports be received.

**CARRIED**

**K. Bylaws**

**1 Zoning Amendment Bylaw No. 660, 2023 Re: Tiny home and RV permanent Residency- Rugged Mountain Road.**

**1st and 2nd Reading**

**Northcott/Joseph: VOT 0352/2023**

**THAT Zoning Amendment Bylaw No. 660, 2023 be received for consideration.**

**CARRIED**

**Northcott/Joseph: VOT 0353/2023**

**THAT Zoning Amendment Bylaw No. 660, 2023 receive a first reading the 7th day of November, 2023.**

**CARRIED**

**Fowler/Northcott: VOT 0354/2023**

**THAT Zoning Amendment Bylaw No. 660, 2023 receive a second reading the 7th day of November, 2023.**

**CARRIED**

**L. Correspondence**

- 1 October 19, 2023 letter to Mayor and Council from Silvie Keen, Nootka Gold in Tahsis Re: Economic Development Leadership Exchange.**

- 2 October 17, 2023 email to Mayor Davis and CAO from Sergeant Greg Young, Detachment Commander, Nootka Sounds RCMP Re: Letter from Dwayne McDonald, Deputy Commissioner, Commanding Officer, BC RMCP - regarding actions taken in relation to recruiting and vacancies in BC.**

- 3 October 18, 2023 letter to Mayor Davis from Dwayne McDonald, Deputy Commissioner, Commanding Officer, BC RMCP Re: UBCM Meeting with BC RCMP on September 19, 2023.**

- 4 October 20, 2023 email from Sarah Herring, Government Relations Officer, BC SPCA Re: Discussions at BC SPCA's Trade Show at the 2023 UBCM Conference.**

- 5 October 18, 2023 email to Local Governments in BC from Anna Warwick Sears, Executive Director, Okanagan Basin Water Board Re: Call for immediate action to prevent invasive mussel introduction into BC.**

- 6 October 20, 2023 email from Brenda Locke, Mayor, Surrey BC Re: Surrey Police Transition.**

- 7 AVICC (Association of Vancouver Island and Coastal Communities) AGM and Convention April 12-24, 2024**

- 8 November 1, 2023 letter to Mayor and Council from Mervyn Brown Re: Sewer Issues**

**Fowler/Northcott: VOT 0355/2023**

**THAT** these correspondence items be received.

**CARRIED**

**Fowler/Northcott: VOT 0356/2023**

**THAT** correspondence items # 1,2,3,5 and 7 be pulled for discussion.

**CARRIED**

**CORRESPONDENCE ITEMS PULLED FOR DISCUSSION**

- L1 October 19, 2023 letter to Mayor and Council from Silvie Keen, Nootka Gold in Tahsis Re: Economic Development Leadership Exchange.**

Council discussed this conference opportunity. Mayor Davis to follow up with Silvie Keen.

The Village of Tahsis' Rural Business Advisor is unable to attend.

- L2 October 17, 2023 email to Mayor Davis and CAO from Sergeant Greg Young, Detachment Commander, Nootka Sounds RCMP Re: Letter from Dwayne**

Councillor Northcott spoke to this email.

- L3 October 18, 2023 letter to Mayor Davis from Dwayne McDonald, Deputy Commissioner, Commanding Officer, BC RMCP Re: UBCM Meeting with BC RCMP on September 19, 2023.**

Mayor Davis and Councillor Northcott spoke about their UBCM meeting with BC RCMP on September, 2023.

- L5 October 18, 2023 email to Local Governments in BC from Anna Warwick Sears, Executive Director, Okanagan Basin Water Board Re: Call for immediate action to prevent invasive mussel introduction into BC.**

Mayor Davis spoke to this item and Council discussed sending a letter of support and the Staff time required to draft this letter.

**L7 AVICC (Association of Vancouver Island and Coastal Communities) AGM and Convention April 12-24, 2024.**

Councillor spoke to this email. There was a discussion regarding AVICC's 50th Anniversary Slide Show. Councillor Fowler to prepare slide for Council's consideration.

**Fowler/Northcott: VOT 0357/2023**

**THAT** Staff provide Councillor Fowler with the Village Logo for the photo slide.

**M. New Business**

**1 Village of Tahsis draft letter of support Re: Mowachaht Muchalaht First Nation - Guest and Medium Term Rental Building.**

**Fowler/Northcott: VOT 0358/2023**

**THAT** this draft letter be received.

**CARRIED**

The CAO spoke to this request.

**Fowler/Northcott: VOT 0359/2023**

**THAT** this letter be approved as amended.

**CARRIED**

**2 2024 - Canada Day Grant Application**

**Fowler/Northcott: VOT 0360/2023**

**THAT** this 2024 Canada Day grant application be received for consideration.

**CARRIED**

**Fowler/Northcott: VOT 0361/2023**

**THAT** this 2024 Canada Day grant application be approved.

**CARRIED**

**3 2024 Appointment for Directors for:  
a) Strathcona Regional District**

**Northcott:/Fowler VOT 0362/2023**

**THAT** Mayor Davis be appointed as Director for the Strathcona Regional District.

**CARRIED**

**b) Comox Strathcona Regional District Hospital Board**

**Fowler/Northcott: VOT 0363/2023**

**THAT** Mayor Davis be appointed as Director for the Comox Strathcona Regional District Hospital Board.

**CARRIED**

- c) Comox Strathcona Solid Waste Management Board**
- Fowler/Northcott: VOT 0364/2023**  
**THAT** Mayor Davis be appointed as Director for the Comox Strathcona Solid Waste Management Board. **CARRIED**
- d) Vancouver Island Regional Library Board**
- Fowler/Joseph: VOT 0365/2023**  
**THAT** Councillor Northcott be appointed as Director for the Vancouver Island Regional Library Board **CARRIED**
- e) Nootka Sound Watershed Society**
- Northcott/Joseph: VOT 0366/2023**  
**THAT** Councillor Fowler be appointed as Director for the Nootka Sound Watershed Society. **CARRIED**
- f) Municipal Insurance Association of BC**
- Northcott/Joseph: VOT 0367/2023**  
**THAT** Councillor Fowler be appointed as Director for the Municipal Insurance Association of BC. **CARRIED**
- 4 2024 -Appointment of Alternative Directors for:**
- a) Strathcona Regional District Board**
- Northcott/Joseph: VOT 0368/2023**  
**THAT** Councillor Fowler be appointed as the Alternative Director for the Strathcona Regional District. **CARRIED**
- b) Comox Strathcona Regional Hospital District Board**
- Fowler/Northcott: VOT 0369/2023**  
**THAT** Councillor Fowler be appointed as the Alternative Director for the Comox Strathcona Regional District Hospital Board. **CARRIED**
- c) Comox Strathcona Solid Waste Management Board**
- Fowler/Northcott: VOT 0370/2023**  
**THAT** Councillor Fowler be appointed as the Alternative Director for the Comox Strathcona Solid Waste Management Board. **CARRIED**
- d) Vancouver Island Regional Library Board**
- Fowler/Northcott: VOT 0371/2023**



**THAT** Councillor Joseph be appointed as Alternative Director for the Vancouver Island Regional Library Board.

**CARRIED**

**e) Nootka Sound Watershed Society**

**Fowler/Northcott: VOT 0372/2023**

**THAT** Councillor Joseph be appointed as the Alternative Director for the Nootka Sound Watershed Society.

**CARRIED**

**f) Municipal Insurance Association of BC**

**Fowler/Northcott: VOT 0373/2023**

**THAT** Councillor Joseph be appointed as the Alternative Director for the Municipal Insurance Association of BC.

**CARRIED**

**5 Report to Council Re: Village of Tahsis Q3 Operating Results**

**Fowler/Northcott: VOT 0374/2023**

**THAT** this Report to Council be received.

**CARRIED**

The Director of Finance provided Council with an overview of the year to date operating results. Variances between projected year to date and actual revenue and expense accounts were reviewed. A modest surplus is projected for year end.

**October 25, 2023 email to Mayor and Council from Ian Thorpe, Chair, Nanaimo**

**6 Regional District Hospital Re: request for a letter of support for Capital Projects for Nanaimo Regional Hospital District.**

**Fowler/Northcott: VOT 0375/2023**

**THAT** this letter be received.

**CARRIED**

**Fowler/Northcott: VOT 0376/2023**

**THAT** The Village of Tahsis Council provides a letter of support directed to Health Minister Dix for the Nanaimo Regional Hospital District priority capital projects including the new patient tower and cardiac catheterization lab to be located at the Nanaimo Regional General Hospital.

**CARRIED**

**7 Resolution to instruct legal counsel for the Village to make an application to the BC Supreme Court to disqualify Doug Elliott as a council member for being absent for 4 consecutive regularly scheduled council meetings.**

**Fowler/Northcott: VOT 0377/2023**

**THAT** the proposed resolution be received for consideration.

**CARRIED**

The potential costs of proceeding with the proposed resolution were discussed.



**Fowler/Northcott: VOT 0378/2023**

**THAT, WHEREAS** Councillor Douglas Elliott verbally advised Council at the regularly scheduled meetings of May 2, 2023 and July 4, 2023 that he intended to resign from Council effective September 18, 2023.

**AND WHEREAS** section 121 of the Community Charter, SBC 2003, c. 26 (the "Community Charter") provides that a council member may only resign the member's office by delivering a written resignation to the council at a council meeting or to the corporate officer at any time.

**AND WHEREAS** Councillor Elliott has refused or neglected to deliver his resignation in writing to either Council or the Corporate Officer;

**AND WHEREAS** Councillor Elliott was absent from the regularly scheduled Council meetings held on August 1, 2023, September 12, 2023, September 25, 2023, October 3, 2023, and October 17, 2023;

**AND WHEREAS** Councillor Elliott has therefore been absent from Council meetings for a period of more than 60 days and has not attended 4 consecutive regularly scheduled Council meetings, both contrary to section 125(5) of the Community Charter, SBC 2003, c. 26 (the "Community Charter");

**AND WHEREAS** Councillor Elliott has not indicated to Council that his absence from any of the regularly scheduled council meetings was due to illness or injury;

**AND WHEREAS** Council wishes to make an application to the Supreme Court of British Columbia for a declaration, pursuant to sections 111(1) and (6) of the Community Charter, that Councillor Elliott is disqualified from holding office on Council under section 125(5) of the Community Charter;

**AND WHEREAS** section 111(2)(a) of the Community Charter requires that an application made by the Village under section 111(1) of the Community Charter must be approved by a resolution that is adopted by a vote of at least 2/3 of all Council members;

**THEREFORE, BE IT RESOLVED THAT:**

(a) The Village of Tahsis is authorized to apply to the Supreme Court of British Columbia for an order under section 111(6) of the Community Charter declaring that Councillor Elliott is disqualified from holding office on Council under section 125(5) of the Community Charter, and that his seat is vacant, and for an order awarding costs of the proceeding to the Village; and

(b) The Chief Administrative Officer is authorized to retain and instruct legal counsel to make the application on behalf of the Village.

**CARRIED**

**N. Public Input #2**

A member of the public suggested a resolution to AVICC/ UBCM to both lower the costs and streamline the councillor disqualification process.

A member of the public inquired into the of date for the next public hearing for the Zoning Amendment Bylaw to which staff responded.

**Public Exclusion**

**Northcott/Fowler: VOT 0379/2023**

**THAT** this meeting is closed to the public in accordance with section 90 (1)(a) of the Community Charter –personal information about an identifiable individual who holds or is being considered for a position as an officer, employee, or agent of the municipality or another position appointed by the municipality and 90 (1) (g) – litigation or potential litigation affecting the municipality.

**CARRIED**

**Recess:**

**Northcott/Fowler: VOT 0380/2023**

**THAT** the Regular Council Meeting recess at 8:45 p.m. to go into the in camera meeting.

**CARRIED**

**Reconvene:**

**Northcott/Fowler: VOT 0391/2023**

**THAT** the Regular Council Meeting reconvene at 9:06 p.m.

**CARRIED**

**Rise and Report**

At the November 7th, 2023 Regular Council Meeting that Council approved the motion **THAT** pursuant to Village of Tahsis Indemnity Bylaw No. 347, 1993, that all legal costs incurred by the Village of Tahsis, Mark Tatchell, Martin Davis, Sarah Fowler and Cheryl Northcott in defending themselves in the small claims action brought by Mervyn Brown (File No. C7686, Campbell River Registry) will be paid by the Village of Tahsis; and

**THAT**, under the above referenced bylaw, the Village of Tahsis, Mark Tatchell, Martin Davis, Cheryl Northcott and Sarah Fowler are indemnified by the Village of Tahsis for any claims for damages or other costs arising from the above referenced matter.

**Adjournment**

**Northcott/Fowler: VOT 0392/2023**

**THAT** the meeting be adjourned at 9:07 p.m.

**CARRIED**

Certified Correct this

21st Day of November, 2023



**Chief Administrative Officer**

**Mark Tatchell  
Corporate Officer and  
Commissioner for Oaths and Affidavits  
Village of Tahsis  
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