

REGIONAL DISTRICT OF NANAIMO

**COMMITTEE OF THE WHOLE
TUESDAY, SEPTEMBER 13, 2011
7:00 PM**

(RDN Board Chambers)

A G E N D A

PAGES

CALL TO ORDER

DELEGATIONS

MINUTES

3 - 7 Minutes of the regular Committee of the Whole meeting held July 12, 2011.

BUSINESS ARISING FROM THE MINUTES

COMMUNICATIONS/CORRESPONDENCE

UNFINISHED BUSINESS

CORPORATE ADMINISTRATION SERVICES

8 -33 Regional Services Review – Phase III Bylaws.

34 - 35 2011 Local Government Elections – Appointment of Chief Election Officer and Deputy Chief Election Officer.

36 - 43 Islands Trust – Election Services Agreement.

FINANCE AND INFORMATION SERVICES

FINANCE

44 - 52 Surveyor of Taxes Administration Fees.

FIRE DEPARTMENTS

53 - 58 Fire Protection Service Contract – Big Qualicum Fish Hatchery.

DEVELOPMENT SERVICES

BYLAW ENFORCEMENT

- 59 - 61 Regulation of Nuisance Wildlife and Feral Animals.
- 62 - 67 2128 Minto Avenue – Unsafe Buildings/Unsightly Premises – Area ‘A’.
- 68 - 70 Unsafe Building – 1038 Horseshoe Road – Area ‘B’.

RECREATION AND PARKS SERVICES

REGIONAL AND COMMUNITY UTILITIES

WASTEWATER

- 71 - 78 Bylaws No. 813.48 and 889.61 – Inclusion of Property into the French Creek and Northern Community Sewer Service Areas – Electoral Area ‘G’.

TRANSPORTATION AND SOLID WASTE SERVICES

COMMISSION, ADVISORY & SELECT COMMITTEE

Regional Hospital District Select Committee.

- 79 - 101 Minutes of the meeting of the Regional Hospital District Select Committee held September 6, 2011.

That correspondence be sent to the Vancouver Island Health Authority advising that the Regional Hospital District supports the Oceanside Health Centre project and is prepared in principle to cost share in an estimated \$14.4 million dollar budget, pending confirmation of Provincial cost sharing and a final budget.

ADDENDUM

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

NEW BUSINESS

BOARD INFORMATION (Separate enclosure on blue paper)

ADJOURNMENT

IN CAMERA

That pursuant to Section 90(1)(e) of the Community Charter the Board proceed to an In Camera Committee of the Whole meeting to consider items related to land issues.

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE COMMITTEE OF THE WHOLE
MEETING HELD ON TUESDAY, JULY 12, 2011 AT 7:00 PM
IN THE RDN BOARD CHAMBERS**

Present:

Director J. Stanhope	Chairperson
Director J. Burnett	Electoral Area A
Director G. Rudischer	Electoral Area B
Director M. Young	Electoral Area C
Director G. Holme	Electoral Area E
Director D. Bartram	Electoral Area H
Director M. Lefebvre	City of Parksville
Director T. Westbroek	Town of Qualicum Beach
Director C. Haime	District of Lantzville
Director J. Ruttan	City of Nanaimo
Director B. Holdom	City of Nanaimo
Alternate	
Director T. Greves	City of Nanaimo
Director J. Kipp	City of Nanaimo
Director D. Johnstone	City of Nanaimo
Director L. Sherry	City of Nanaimo
Director M. Unger	City of Nanaimo

Also in Attendance:

C. Mason	Chief Administrative Officer
M. Pearse	Sr. Mgr., Corporate Administration
W. Idema	A/ Gen. Mgr., Finance & Information Services
P. Thorkelsson	Gen. Mgr., Development Services
J. Finnie	Gen. Mgr., Regional & Community Utilities
T. Osborne	Gen. Mgr., Recreation & Parks Services
D. Trudeau	Gen. Mgr., Transportation & Solid Waste Services
N. Hewitt	Recording Secretary

DELEGATIONS

Konrad Mauch, Gabriola Health Care Foundation, re Community Health and Urgent Care Clinic Project.

Mr. Mauch provided a visual and verbal overview of the Gabriola Health Care Foundation and requested that the Board approve a 50% reduction in the RDN building permit fee for the Gabriola Health and Urgent Care Clinic.

MINUTES

MOVED Director Holme, SECONDED Director Lefebvre, that the minutes of the regular Committee of the Whole meeting held June 14, 2011 be adopted.

CARRIED

FINANCE AND INFORMATION SERVICES

FINANCE

Bylaw No. 1641 – Alberni Clayoquot Regional District – 2012 Permissive Tax Exemption.

MOVED Director Westbrook, SECONDED Director Bartram, that "Property Tax Exemption (Mt. Arrowsmith Regional Park) Bylaw No. 1641, 2011" be introduced and read three times.

CARRIED

MOVED Director Westbrook, SECONDED Director Bartram, that "Property Tax Exemption (Mt. Arrowsmith Regional Park) Bylaw No. 1641, 2011" be adopted.

CARRIED

Bylaws No. 1642, 1643, 1644, 1645 – Reserve Fund Establishment Bylaws.

MOVED Director Kipp, SECONDED Director Lefebvre, that "Electoral Area 'C' (Defined Area 'C') Community Parks Reserve Fund Establishment Bylaw No. 1642, 2011" be introduced and read three times

CARRIED

MOVED Director Kipp, SECONDED Director Lefebvre, that "Electoral Area 'C' (Defined Area 'C') Community Parks Reserve Fund Establishment Bylaw No. 1642, 2011" be adopted.

CARRIED

MOVED Director Kipp, SECONDED Director Lefebvre, that "Building Inspection Service Operational Reserve Fund Establishment Bylaw No, 1643, 2011" be introduced and read three times.

CARRIED

MOVED Director Kipp, SECONDED Director Lefebvre, that "Building Inspection Service Operational Reserve Fund Establishment Bylaw No. 1643, 2011" be adopted.

CARRIED

MOVED Director Kipp, SECONDED Director Lefebvre, that "Englishman River Community Storm Water Management Service Area Reserve Fund Establishment Bylaw No. 1644, 2011" be introduced and read three times.

CARRIED

MOVED Director Kipp, SECONDED Director Lefebvre, that "Englishman River Community Storm Water Management Service Area Reserve Fund Establishment Bylaw No. 1644, 2011" be adopted.

CARRIED

MOVED Director Kipp, SECONDED Director Lefebvre, that "Whiskey Creek Water Service Reserve Fund Establishment Bylaw No. 1645, 2011" be introduced and read three times.

CARRIED

MOVED Director Kipp, SECONDED Director Lefebvre, that "Whiskey Creek Water Service Reserve Fund Establishment Bylaw No. 1645, 2011" be adopted.

CARRIED

FIRE DEPARTMENTS

BC Ambulance Service – Request for Temporary Vehicle Shelter Extension.

MOVED Director Bartram, SECONDED Director Johnstone, that the request by the BC Ambulance Service to extend the temporary vehicle shelter permit at the site of the Bow Horn Bay Fire Department be approved subject to the removal and replacement of the shelter with a permanent structure on or before June 30, 2012.

CARRIED

Request for Approval for Bow Horn Bay Volunteer Fire Department to Purchase Rescue Vehicle from Nanoose Bay Volunteer Fire Department.

MOVED Director Ruttan, SECONDED Director Bartram, that the capital purchase of a 1995 Freightliner FL60 fire rescue/mini-pumper vehicle by the Bow Horn Bay Volunteer Fire Department from the Nanoose Bay Volunteer Fire Department at a cost of \$20,000 be approved.

CARRIED

MOVED Director Ruttan, SECONDED Director Bartram, that Bow Horn Bay Fire department vehicle reserve funds in the estimated amount of \$20,000 be released for this purpose when required.

CARRIED

DEVELOPMENT SERVICES

PLANNING

Electoral Area ‘A’ Cedar Main Street Design Project – Terms of Reference.

MOVED Director Burnett, SECONDED Director Bartram, that the staff report on the Cedar Main Street Design Project Terms of Reference be received.

CARRIED

MOVED Director Burnett, SECONDED Director Bartram, that the Cedar Main Street Design Project Terms of Reference (attached as Schedule No. 1) be endorsed by the Board.

CARRIED

MOVED Director Burnett, SECONDED Director Bartram, that that applications to amend the new Electoral Area 'A' Official Community Plan or to rezone lands in a way which is not consistent with the intent of the Cedar Main Street land use designation not be considered while the Cedar Main Street Design Project is underway.

CARRIED

REGIONAL AND COMMUNITY UTILITIES

WATER

Proposed Rainwater Harvesting Incentive Pilot Program.

MOVED Director Westbroek, SECONDED Director Bartram, that the Board approve the proposed Rainwater Harvesting Incentive Program Pilot for Electoral Area ‘B’ and the proposed Yellow Point DPA.

CARRIED

TRANSPORTATION AND SOLID WASTE SERVICES

TRANSIT

Highway 19A Speed Limit.

MOVED Director Lefebvre, SECONDED Director Holdom, that a letter be sent to the Ministry of Transportation and Infrastructure requesting that the Ministry undertake a review of the speed limit on the section of Highway 19A, which is in Electoral Area 'G' between the Rathrevor Beach Provincial Park and the City of Parksville boundary at the Englishman River bridge, to determine if the speed limit should be reduced to 50km/h.

CARRIED

COMMISSION, ADVISORY & SELECT COMMITTEE

Electoral Area 'H' Parks and Open Space Advisory Committee.

MOVED Director Bartram, SECONDED Director Unger, that the minutes from the meeting of the Electoral Area 'H' Parks and Open Space Advisory Committee held May 25, 2011 be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Unger, that staff be directed to prepare a report on Dunsmuir Community Park summarizing issues and identifying options to improve the park.

CARRIED

MOVED Director Bartram, SECONDED Director Unger, that the Qualicum Bay Lions Club Grant-In-Aid application in the amount of \$6,739.23, for painting of the Lion's Recreation Centre, be approved and funded by the Electoral Area 'H' Community Parks Function Budget.

CARRIED

East Wellington and Pleasant Valley Parks and Open Space Advisory Committee.

MOVED Director Young, SECONDED Director Burnett, that the minutes from the meeting of the East Wellington and Pleasant Valley Parks and Open Space Advisory Committee held June 13, 2011 be received for information.

CARRIED

Drinking Water Watershed Protection Advisory Committee.

MOVED Director Bartram, SECONDED Director Holdom, that the minutes from the meeting of the Drinking Water Watershed Protection Advisory Committee meeting held June 22, 2011 be received for information.

CARRIED

MOVED Director Bartram, SECONDED Director Holdom, that the Drinking Water Watershed Protection Advisory Committee terms of reference be amended to include a representative from Fisheries and Oceans Canada.

CARRIED

Arrowsmith Water Service Management Board.

MOVED Director Lefebvre, SECONDED Director Westbroek, that the minutes from the meeting of the Arrowsmith Water Service Management Board meeting held June 23, 2011 be received for information.

CARRIED

NEW BUSINESS

Gabriola Health Care Foundation, re the Community Health and Urgent Care Clinic Project.

MOVED Director Rudischer, SECONDED Director Young, that the Board waive 50% of the building permit fee for the Gabriola Health Care Foundation project to provide an urgent care facility on Gabriola Island and that staff investigate alternate ways of funding the building inspection fees for the Gabriola Health Care Foundation and Society, rather than from the Building Inspection function, and report back to the Board.

CARRIED

ADJOURNMENT

MOVED Director Holme, SECONDED Director Holdom, that this meeting terminate.

CARRIED

TIME: 7:37 PM

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION



RDN REPORT		
CAO APPROVAL		
EAP		
COW	✓	
SEP - 6 2011		
RHD		
BOARD		

MEMORANDUM

TO: Board of Directors **DATE:** September 6, 2011

FROM: Carol Mason **FILE:**
Chief Administrative Officer

SUBJECT: Regional Services Review - Phase III Bylaws

PURPOSE

To present a plebiscite question for the Board's consideration asking Electoral Area 'E' residents if they support the implementation of the Regional Services Review Strategy and to the present bylaws in relation to the Regional Services Review - Phase III for introduction and first three readings:

- Southern Community Economic Development Service Establishing Bylaw
- Northern Community Economic Development Service Establishing Bylaw
- Drinking Water and Watershed Protection Service Amendment Bylaw
- Regional District of Nanaimo District 69 Ice Arena Amendment Bylaw
- Regional District of Nanaimo District 69 Swimming Pool Local Service Amendment Bylaw

BACKGROUND

At the July 28, 2011 Board meeting, staff were directed to prepare bylaws for the following services for introduction at the September Committee of the Whole Meeting:

- *Economic Development (Southern Community)*
- *Economic Development (Northern Community)*
- *Watershed/Drinking Water Protection*
- *Oceanside Place Arena*
- *Ravensong Aquatic Centre*

Further, staff were directed to prepare a plebiscite question for consideration at the September Committee of the Whole meeting to ask the electors of Electoral Area E if they are in favour of the RDN implementing a regional service strategy that would involve:

- Nanaimo, Parksville and Qualicum Beach becoming participants in the Drinking Water/Watershed Protection service;*
- Amending the cost allocation formula for the District 69 (Oceanside Place) ice arena and the District 69 (Ravensong Aquatic Centre) swimming pool service to allocate 50% of the costs of the service based on usage; and*
- Electoral Area E becoming a participant in the District 69 (Ravensong Aquatic Centre) swimming pool service with cost allocations based on participating area usage.*

Bylaws have now been prepared for consideration by the Board using the Regional Service Review guiding principles and cost sharing allocations as agreed to between the parties.

ALTERNATIVES

1. That the following bylaws in relation to the Regional Services Review - Phase III be introduced and given first three readings:

- *Southern Community Economic Development Service Establishing Bylaw*
- *Northern Community Economic Development Service Establishing Bylaw*
- *Drinking Water and Watershed Protection Service Amendment Bylaw*
- *Regional District of Nanaimo District 69 Ice Arena Amendment Bylaw*
- *Regional District of Nanaimo District 69 Swimming Pool Local Service Amendment Bylaw*

And, that the following plebiscite question be submitted to the electors of Electoral Area E on November 19, 2011 in conjunction with Local Government Elections asking if electors are in favour of the RDN implementing a regional service strategy that would include:

- a) *Nanaimo, Parksville and Qualicum Beach becoming participants in the Drinking Water/Watershed Protection service;*
- b) *Amending the cost allocation formula for the District 69 (Oceanside Place) ice arena and the District 69 (Ravensong Aquatic Centre) swimming pool service to allocate 50% of the costs of the service based on usage; and*
- c) *Electoral Area E becoming a participant in the District 69 (Ravensong Aquatic Centre) swimming pool service with cost allocations based on participating area usage.*

2. That the Board not proceed with the Bylaws and Plebiscite question at this time and provide alternate direction.

FINANCIAL IMPLICATIONS

If the Board supports alternative one and the bylaws are eventually adopted, the cost per jurisdiction will vary between participants in year one and level out in future years with a six year phase-in period. In consultation with D68 Electoral Area Directors and City of Nanaimo staff, some small adjustments have been made to the phase-in of electoral area participation in the Southern Community Economic Development function to reduce the impact in Year One and to increase the contributions in future years which will result in the same overall contribution.

In addition, at the July Board meeting, the Board was advised of the receipt of Strategic Community Investment Funds grant which included an allocation of \$16,202 recommended to be placed in an Electoral Areas Sustainability Initiatives Reserve Fund. All BC municipalities and regional districts receive these unconditional grants that can be used for any local government purpose. In order to lessen the Year One impact of the changes to the electoral areas from the service review implementation, if the Board adopts the bylaws as presented it is proposed that the \$16,202 be transferred from the reserve and allocated by population across each Electoral Area to offset some of the increase in cost.

Table 1 below summarizes the net cost per participant in Year One, with a detailed financial overview for each regional service presented in the attached Appendix.

Regional Service Strategy
Table 1 - Year One Cost By Participant Jurisdiction

Participant	Ravensong	Oceanside	DWWP ¹	EcDev68	EcDev69	Gar&Recyl QBAirport	EA SCI Fund	Net to Participant ²
Nanaimo			100,968					70,968
Lantzville								
Parksville	(51,533)	76,890	39,198			(43,000)		24,607
Qualicum	43,775	(32,388)	28,302			(15,000)		25,537
EA A			(25,088)	44,384			(3,097)	16,199
EA B			(30,024)	47,756			(1,784)	15,948
EA C			(11,512)	32,860			(1,228)	20,120
EA E	75,000	(34,711)	(27,352)		7,138		(2,490)	17,585
EA F	7,099	(18,173)	(25,592)		6,679		(2,942)	(32,929)
EA G	(19,782)	66,948	(28,952)		7,556		(3,093)	22,677
EA H	(54,539)	(58,567)	(19,696)		5,140		(1,568)	(129,230)

¹ Nanaimo begins at \$3 and increases to \$8 parcel tax over 6 years
Parksville and Qualicum Beach begin at \$6 and increase to \$8 parcel tax over 3 years
Electoral Areas reduce to \$10 in year 1 and decrease to \$8 parcel tax over 3 years

² Net to participant includes credit of current municipal DWWP contributions
(Nanaimo \$30,000; Parksville \$10,567; Qualicum Beach \$9,000)

As shown in Table 2, in Year One the average impact to a D68 Electoral Area property valued at \$300,000 will be approximately \$2.65, while in D69 it will vary from no financial impact to approximately \$2.90. A home assessed at \$300,000 in Electoral Area H will see a cost savings of \$38.00 in Year One.

Regional Service Strategy
Table 2 - Year One Electoral Area Cost Per \$100,000

Electoral Area	Cost per \$100,000	Parcel Tax Change
Electoral Area A	\$3.50	(\$7.85)
Electoral Area B	\$3.50	(\$7.85)
Electoral Area C	\$3.50	(\$7.85)
Electoral Area E	\$2.00	(\$5.77)
Electoral Area F	(\$1.10)	(\$5.77)
Electoral Area G	\$2.90	(\$5.77)
Electoral Area H	(\$11.00)	(\$5.77)

Table 3 presents the impacts of the six year phase-in for each jurisdiction, with implementation of the service changes completed by Year Six. With existing financial plan projections, by the end of the sixth

year all jurisdictions will be participating equally in the ‘bundled’ regional services at the same contribution level.

Regional Service Strategy
Table 3 - Net Annual Financial Impact Over Six Year Phase-In

Participant	Year Two	Year Three	Year Four	Year Five	Year Six
Nanaimo	33,656	33,656	33,656	33,656	33,656
Lantzville					
Parksville	(15,555)	(15,555)	(22,088)	(22,088)	(22,088)
Qualicum Beach	(2,784)	(2,784)	(7,501)	(7,501)	(7,501)
Electoral Area A	1,480	1,480	4,616	4,616	4,616
Electoral Area B	1,213	1,213	4,966	4,966	4,966
Electoral Area C	1,979	1,979	3,418	3,418	3,418
Electoral Area E	33,009	33,009	36,428	36,428	36,428
Electoral Area F	(7,245)	(7,245)	(4,046)	(4,046)	(4,046)
Electoral Area G	(8,372)	(8,372)	(4,753)	(4,753)	(4,753)
Electoral Area H	(5,001)	(5,001)	(2,539)	(2,539)	(2,539)

A description of the services proposed to be introduced or amended through the bylaws presented is included in the previous July 28, 2011 staff report, which is attached for information.

SUMMARY/CONCLUSIONS

At the July 28, 2011 Board meeting, staff were directed to prepare a plebiscite question and bylaws for consideration at the September Committee of the Whole meeting to enable proceeding with the implementation of the Regional Services Review – Phase III. The following services have been agreed to by the Board and member municipalities as appropriate for bundling for this review:

- Economic Development (Southern Community)
- Economic Development (Northern Community)
- Drinking Water/Watershed Protection
- Oceanside Place Arena
- Ravensong Aquatic Centre

Staff have developed a financial model that will enable the Regional District to participate in economic development with the City of Nanaimo in a southern community function, and as a partnership with Parksville and Qualicum Beach in a northern community function. Economic development is a well-established regional service that exists in most regional districts across the province and is deemed a general service under the *Local Government Act* which can be approved by the Regional Board. Economic development has long been a priority of the RDN Board in its Strategic Plan and Regional Growth Strategy. The work that has been undertaken to date to develop the proposed governance models in District 68 and District 69 will facilitate the Board achieving many of its objectives pertaining to sustainable economic development.

The services of Oceanside Place Arena and Ravensong Aquatic Centre are proposed to be amended to change the cost sharing formula from 100% assessment to 50% assessment and 50% usage. Using this formula, Electoral Area E would begin participating in the Ravensong Aquatic Centre based on a formula that recognizes how much the community uses the facility. All other jurisdictions in the Regional District contribute to pool facilities except Electoral Area E. The proposed financial model will enable the Electoral Area to join the service gradually over time based on usage. To offset these costs, Electoral Area E will see financial savings through municipal participation in the Drinking Water/Watershed Protection service and through the implementation of a new user-based cost sharing formula for Oceanside Place Arena.

The financial model developed for the Drinking Water/Watershed Protection service will enable the municipalities to phase-in participation in the Electoral Area function and participate fully in the regional implementation of the Action Plan. Participation of the municipalities in the function is dependent upon Electoral Area participation in Economic Development (Southern Community) and upon changes to the Ravensong Aquatic Centre function.

In order for the regional service review to be successful, it will require the agreement of all the participants represented on the Regional Board. In addition, it will require the electors of Electoral Area E to support participating in the Ravensong Aquatic Centre. A plebiscite question has been prepared for inclusion in the November 19, 2011 local government elections to ask the electors of Electoral Area E whether they support the proposed changes. Bylaws are required for the introduction of economic development, drinking water/watershed protection, and amendments to Ravensong aquatic centre and Oceanside place arena service establishment bylaws; however, these bylaws will not be considered for adoption until after the results of the Electoral Area E plebiscite question are obtained.

The service review guiding principles rely on the commitment of the Board to work collectively to achieve its goals. The past success of the RDN as a regional government has been largely attributable to the cooperation of the Board in delivering services such as Transit, Regional Parks, Recreation, and Solid Waste. These services could not be delivered as effectively or as efficiently without regional cooperation. The proposed changes continue this strategic direction set by the Board and staff recommend approving the plebiscite question and giving the bylaws first three readings as presented in alternative one.

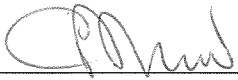
RECOMMENDATION

1. That the “Southern Community Economic Development Service Establishing Bylaw No. 1648” be introduced and read three times;
2. That the “Northern Community Economic Development Service Establishing Bylaw No. 1649” be introduced and read three times;
3. That the “Drinking Water and Watershed Protection Service Amendment Bylaw No. 1556.01” be introduced and read three times;
4. That the “Regional District of Nanaimo District 69 Ice Arena Amendment Bylaw No. 1358.01” be introduced and read three times;
5. That the “Regional District of Nanaimo District 69 Swimming Pool Local Service Amendment Bylaw No. 899.01” be introduced and read three times;

5. That the “Regional District of Nanaimo District 69 Swimming Pool Local Service Amendment Bylaw No. 899.01” be introduced and read three times;
6. That the following plebiscite question be included on the ballot in Electoral Area ‘E’ local government elections on November 19, 2011 to obtain the opinion of voters:

Are you in favour of the RDN implementing a regional service strategy that would include:

- a) Nanaimo, Parksville and Qualicum Beach becoming participants in the Drinking Water/Watershed Protection service;
- b) Amending the cost allocation formula for the District 69 (Oceanside Place) ice arena and the District 69 (Ravensong Aquatic Centre) swimming pool service to allocate 50% of the costs of the service based on usage; and
- c) Electoral Area E becoming a participant in the District 69 (Ravensong Aquatic Centre) swimming pool service with cost allocations based on participating area usage?



Chief Administrative Officer

APPENDIX ONE
REGIONAL SERVICE STRATEGY

<i>Year One Cost by Participating Jurisdiction</i>																
	Usage	Oceanside Place Current	50-50	Oceanside Place Revised	Usage	Ravensong Current	50-50	Ravensong Revised	Current Total	Revised Total	Net Impact	DWWP Change ¹	Net Impact	D68/D69 Ec Dev	Strat Comm Initiative	Net Impact ²
Nanaimo																
Lantzville																
Parksville	35.1%	\$ 400,458	\$ 76,890	\$ 477,348	26.7%	\$ 709,261	\$ (51,553)	\$ 657,708	\$ 1,109,719	\$ 1,135,056	\$ 25,337	\$ 28,631	\$ 53,968	\$ 13,639	\$	\$ 24,607
Qualicum Beach	15.8%	\$ 314,620	\$ (32,388)	\$ 282,232	28.2%	\$ 557,231	\$ 43,775	\$ 601,006	\$ 871,851	\$ 883,238	\$ 11,387	\$ 19,302	\$ 30,689	\$ 9,848	\$	\$ 25,537
Electoral Area A															\$ (3,097)	\$ 16,199
Electoral Area B															\$ (1,784)	\$ 15,948
Electoral Area C	13.6%	\$ 284,203	\$ (34,711)	\$ 249,492	5.4%	\$	\$ 75,000	\$ 75,000	\$ 284,203	\$ 324,492	\$ 40,289	\$	\$ (30,024)	\$ 47,756	\$ (1,228)	\$ 20,120
Electoral Area E	9.6%	\$ 188,379	\$ (18,173)	\$ 170,206	15.3%	\$ 333,642	\$ 7,099	\$ 340,741	\$ 522,021	\$ 510,947	\$ (11,074)	\$ (27,352)	\$ 12,937	\$ 7,138	\$ (2,490)	\$ 17,585
Electoral Area F	23.3%	\$ 235,615	\$ 66,948	\$ 302,563	16.7%	\$ 417,303	\$ (19,782)	\$ 397,521	\$ 652,918	\$ 700,084	\$ 47,166	\$ (25,592)	\$ (36,666)	\$ 6,679	\$ (2,942)	\$ (32,929)
Electoral Area G	2.6%	\$ 158,711	\$ (58,567)	\$ 100,144	7.7%	\$ 281,098	\$ (54,539)	\$ 226,559	\$ 439,809	\$ 326,703	\$ (113,106)	\$ (28,952)	\$ 18,214	\$ 7,556	\$ (3,093)	\$ 22,677
Electoral Area H	100.0%	\$ 1,581,986	\$ (1)	\$ 1,581,985	100.0%	\$ 2,298,535	\$	\$ 2,298,535	\$ 3,880,521	\$ 3,880,520	\$ (1)	\$ (19,696)	\$ (132,802)	\$ 5,140	\$ (1,568)	\$ (129,230)
														\$ 175,000	\$ (16,202)	\$ (19,486)

Notes:

¹ DWWP is net of current municipal contributions (Nanaimo \$30,000; Parksville \$10,567; Qualicum Beach \$9,000) Nanaimo begins at \$3 and increases to \$8 parcel tax over 6 years
Parksville and Qualicum Beach begin at \$6 and increase to \$8 parcel tax over 3 years
Electoral Areas reduce to \$10 in year 1 and decrease to \$8 parcel tax over 3 years

² Parksville net impact includes credit of \$43,000 for solid waste billing
Qualicum Beach net impact includes credit of \$15,000 from D69 Ec Dev towards Airport

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1648

**A BYLAW TO ESTABLISH THE SOUTHERN COMMUNITY
ECONOMIC DEVELOPMENT SERVICE**

WHEREAS under section 796 of the *Local Government Act* a Regional District may operate any service the Board considers necessary or desirable for all or part of the Regional District;

AND WHEREAS the Board of the Regional District of Nanaimo wishes to establish a service for the purpose of economic development;

AND WHEREAS the approval of the Inspector of Municipalities has been obtained under section 801 of the *Local Government Act*;

AND WHEREAS participating area approval in each participating area has been obtained under section 801.5 of the *Local Government Act*.

NOW THEREFORE the Board of the Regional District of Nanaimo in open meeting assembled enacts as follows:

1. **Service**

- (a) The service established by this bylaw is the Southern Community Economic Development Service (the "Service") for the purpose of promoting economic development in the service area or that may benefit the service area;
- (b) Without limiting the scope of the service referred to in paragraph (a), for the purpose of the service the Regional District may enter into an agreement with an economic development corporation owned by a local government.

2. **Boundaries**

The boundaries of the service are coterminous with the boundaries of Electoral Areas 'A', 'B' and 'C'.

3. **Participating Areas**

The participating areas for the service are Electoral Areas 'A', 'B' and 'C'.

4. **Cost Recovery**

As provided in section 803 of the *Local Government Act*, the annual cost of providing the service shall be recovered by one or more of the following:

- (a) property value taxes imposed in accordance with Division 4.3 of Part 24 of the *Local Government Act*;
- (b) parcel taxes imposed in accordance with Division 4.3 of Part 24 of the *Local Government Act*;
- (c) fees and charges imposed under section 363 of the *Local Government Act*;
- (d) revenues raised by other means authorized by the *Local Government Act* or another Act;

5. **Maximum Requisition**

In accordance with section 800.1(1)(e) of the Local Government Act, the maximum amount that may be requisitioned annually for the cost of the service is:

One Hundred and Twenty-Five Thousand (\$125,000.00) Dollars in 2012, increasing by Thirteen Thousand (\$13,000.00) Dollars per year to a maximum of One Hundred and Ninety-One Thousand (\$191,000.00) Dollars in 2017 and each subsequent year.

2. **Citation**

This bylaw may be cited for all purposes as the "Southern Community Economic Development Service Establishing Bylaw No. 1648, 2011".

Introduced and read three times this day of , 2011.

Received the approval of the Inspector of Municipalities this day of , 2011.

Adopted this day of , 2011.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1649

**A BYLAW TO ESTABLISH THE NORTHERN COMMUNITY
ECONOMIC DEVELOPMENT SERVICE**

WHEREAS under section 796 of the *Local Government Act* a Regional District may operate any service the Board considers necessary or desirable for all or part of the Regional District;

AND WHEREAS the Board of the Regional District of Nanaimo wishes to establish a service for the purpose of economic development;

AND WHEREAS the approval of the Inspector of Municipalities has been obtained under section 801 of the *Local Government Act*;

AND WHEREAS participating area approval in each participating area has been obtained under section 801.5 of the *Local Government Act*.

NOW THEREFORE the Board of the Regional District of Nanaimo in open meeting assembled enacts as follows:

1. Service

- (a) The service established by this bylaw is the Northern Community Economic Development Service (the “Service”) for the purpose of promoting economic development in the service area or that may benefit the service area;
- (b) Without limiting the scope of the service referred to in paragraph (a), for the purpose of the service the Regional District may enter into an agreement with an economic development corporation owned by a local government.

2. Boundaries

The boundaries of the service are coterminous with the boundaries of the City of Parksville, the Town of Qualicum Beach and Electoral Areas ‘E’, ‘F’, ‘G’ and ‘H’.

3. Participating Areas

The participating areas for the service are the City of Parksville, the Town of Qualicum Beach and Electoral Areas ‘E’, ‘F’, ‘G’ and ‘H’.

4. Cost Recovery

As provided in section 803 of the *Local Government Act*, the annual cost of providing the service shall be recovered by one or more of the following:

- (a) property value taxes imposed in accordance with Division 4.3 of Part 24 of the *Local Government Act*;
- (b) parcel taxes imposed in accordance with Division 4.3 of Part 24 of the *Local Government Act*;
- (c) fees and charges imposed under section 363 of the *Local Government Act*;
- (d) revenues raised by other means authorized by the *Local Government Act* or another Act;

5. **Maximum Requisition**

In accordance with section 800.1(1)(e) of the Local Government Act, the maximum amount that may be requisitioned annually for the cost of the service is Fifty Thousand (\$50,000.00) Dollars.

2. **Citation**

This bylaw may be cited for all purposes as the "Northern Community Economic Development Service Establishing Bylaw No. 1649, 2011".

Introduced and read three times this day of , 2011.

Received the approval of the Inspector of Municipalities this day of , 2011.

Adopted this day of , 2011.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1556.01

A BYLAW TO AMEND DRINKING WATER AND WATERSHED PROTECTION SERVICE ESTABLISHING BYLAW NO. 1556

WHEREAS the Regional District of Nanaimo wishes to amend Regional District of Nanaimo Drinking Water and Watershed Protection Service Establishing Bylaw No. 1556, 2008 to add the City of Nanaimo, the City of Parksville and the Town of Qualicum Beach as participating areas;

AND WHEREAS the Regional Board has obtained the consent of at least two-thirds of the participants as required under section 802(1)(b) of the *Local Government Act*.

NOW THEREFORE the Board of the Regional District of Nanaimo in open meeting assembled enacts as follows:

1. Drinking Water and Watershed Protection Service Establishing Bylaw No. 1556, 2008 is amended as follows:
 1. Sections 2 and 3 are amended by adding "the City of Nanaimo, City of Parksville and Town of Qualicum Beach and" before "Electoral Areas".
 2. Section 4 is amended by adding subsection (a) as follows and renumbering subsections (a), (b) and (c) to (b), (c) and (d) respectively:
 - "4. **Cost recovery**
 - (a) the requisition of money under sections 805 and 806 of the *Local Government Act* to be collected by a property value tax to be levied and collected under sections 805.1(1) and 806.1(1) of the *Local Government Act*; and
 3. Section 4 is amended by adding new subsections (e) and (f) as follows:
 - (e) The amounts to be levied to the City of Nanaimo, City of Parksville and the Town of Qualicum Beach shall be requisitioned in accordance with section 4(a) (property tax).
 - (f) The amounts to be levied in Electoral Areas A, B, C, E, F, G and H shall be a requisition under section 4(b) (parcel tax)."
4. A new Section 6 is added as follows:
 - "6. **Apportionment**

The costs of the service shall be apportioned among the Participating Areas as follows:

 - (a) the amount apportioned to the City of Nanaimo shall be equal each year to the amount resulting from multiplying the rate shown in each year of the table below times the number of taxable properties in the City of Nanaimo, as certified by the City of Nanaimo and provided to the Regional District of Nanaimo:

Year	Rate per Taxable Property
2012	three (\$3) dollars
2013	four (\$4) dollars
2014	five (\$5) dollars
2015	six (\$6) dollars
2016	seven (\$7) dollars
2017 and thereafter	eight (\$8) dollars

- (b) the amounts apportioned to the City of Parksville and the Town of Qualicum Beach shall be equal each year to the amount resulting from multiplying the rate shown in each year of the table below times the number of taxable properties in the City of Parksville and the Town of Qualicum Beach, as certified by the City of Parksville and the Town of Qualicum Beach and provided each year to the Regional District of Nanaimo:

Year	Rate per Taxable Property
2012	six (\$6) dollars
2013	seven (\$7) dollars
2014 and thereafter	eight (\$8) dollars

- (c) the amounts apportioned to Electoral Areas A, B, C, E, F, G and H shall be equal each year to the amount resulting from multiplying the rate shown in each year of the table below times the number of taxable properties certified on the annual tax rolls prepared by the Regional District of Nanaimo:

Year	Rate per Taxable Property
2012	ten (\$10) dollars
2013	nine (\$9) dollars
2014 and thereafter	eight (\$8) dollars

5. Section 6 is renumbered section 7.

2. **Citation**

This bylaw may be cited for all purposes as the "Drinking Water and Watershed Protection Service Amendment Bylaw No. 1556.01, 2011".

Introduced and read three times this day of , 2011.

Received the approval of the Inspector of Municipalities this day of , 2011.

Adopted this day of , 2011.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1358.01

**A BYLAW TO AMEND REGIONAL DISTRICT OF NANAIMO
DISTRICT 69 ICE ARENA CONVERSION BYLAW NO. 1358**

WHEREAS the Regional District of Nanaimo wishes to amend Regional District of Nanaimo District 69 Ice Arena Conversion Bylaw No. 1358, 2003;

AND WHEREAS the Regional Board has obtained the consent of at least two-thirds of the participants as required under section 802(1)(b) of the *Local Government Act*.

NOW THEREFORE the Board of the Regional District of Nanaimo in open meeting assembled enacts as follows:

1. Regional District of Nanaimo District 69 Ice Arena Conversion Bylaw No. 1358, 2003 is amended as follows:

1. Section 6 "Apportionment" is deleted in its entirety and replaced with the following:

"6. Apportionment

The costs of providing the service shall be apportioned among the participating areas as follows:

- (a) fifty (50%) percent on the basis of the converted value of land and improvements for hospital purposes; and
- (b) fifty (50%) percent on the basis of the percentages of usage of the service established under section 1 of this bylaw as determined by a survey of usage carried out by the Regional District of Nanaimo.”

2. Citation

This bylaw may be cited for all purposes as "Regional District of Nanaimo District 69 Ice Arena Amendment Bylaw No. 1358.01, 2011".

Introduced and read three times this day of , 2011.

Received the approval of the Inspector of Municipalities this day of , 2011.

Adopted this day of , 2011.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 899.01

**A BYLAW TO AMEND REGIONAL DISTRICT OF NANAIMO
DISTRICT 69 SWIMMING POOL LOCAL SERVICE AREA
ESTABLISHMENT BYLAW NO. 899**

WHEREAS the Regional District of Nanaimo wishes to amend Regional District of Nanaimo District 69 Swimming Pool Local Service Area Establishment Bylaw No. 899, 1993, to add Electoral Area 'E' as a participating area and amend the apportionment of service costs;

AND WHEREAS the Regional Board has obtained the consent of at least two-thirds of the participants as required under section 802(1)(b) of the *Local Government Act*;

NOW THEREFORE the Board of the Regional District of Nanaimo in open meeting assembled enacts as follows:

1. Regional District of Nanaimo District 69 Swimming Pool Local Service Establishment Area Bylaw No. 899, 1993 is amended as follows:
 1. Sections 3 and 4 are amended by adding "'E'," after "Electoral Areas" in each section.
 2. Section 5 is amended by deleting the first two lines and replacing them with the following:

" The annual net costs of the service may be recovered by one or more of the following:

 - (a) the requisition of money under sections 805 and 806 of the *Local Government Act* to be collected by a property value tax to be levied and collected under sections 805.1(1) and 806.1(1) of the *Local Government Act*; and
 - (b) the imposition of fees and other charges that may be fixed by separate bylaw for the purpose of recovering these costs;
 - (c) by revenues raised by other means authorized under the *Local Government Act* or another *Act*;
 - (d) by revenues received by way of agreement, enterprise, gift, grant or otherwise. "
3. Section 6 "Maximum Requisition" is deleted and replaced with the following:

"6. Maximum Requisition

The maximum amount that may be requisitioned under section 803(1)(a) of the *Local Government Act* to recover the annual net costs of the service shall be the greater of Seven Hundred and Seventy Thousand (\$770,000.00) Dollars or \$0.434 per \$1,000 of the net taxable value of land and improvements within the service area."

4. Section 7 is deleted in its entirety and replaced with the following:

"7. Apportionment

The costs of providing the service shall be apportioned among the participating areas as follows:

- (a) 50% on the basis of the converted value of land and improvements for hospital purposes; and
- (b) 50% on the basis of the percentages of usage of the service established under section 1 of this bylaw as determined by a survey of usage carried out by the Regional District of Nanaimo."

5. A new section 8 "Electoral Area 'E' Apportionment" is added as follows:

"8. Electoral Area 'E' Apportionment

- (a) Despite section 7, before the apportionment under section 7, the following amounts shall be first apportioned to Electoral Area 'E':

2012	\$ 75,000.00
2013	\$110,000.00
2014	\$145,000.00
2015	\$180,000.00
2016	\$215,000.00
2017	\$250,000.00
2018	\$285,000.00

- (b) From 2019, the costs of the service to be apportioned to Electoral Area 'E' shall be calculated in accordance with section 7."

6. Section 8 is renumbered section 9.

2. **Citation**

This bylaw may be cited for all purposes as the "Regional District of Nanaimo District 69 Swimming Pool Service Amendment Bylaw No. 899.01, 2011".

Introduced and read three times this day of , 2011.

Received the approval of the Inspector of Municipalities this day of , 2011.

Adopted this day of , 2011.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

TO: Board of Directors **DATE:** July 21, 2011
FROM: Carol Mason **FILE:**
Chief Administrative Officer
SUBJECT: Regional Services Review - Phase III

PURPOSE

To provide an update and seek direction from the Board on options to proceed with the next steps in the implementation of the Regional Service Review - Phase III.

BACKGROUND

At the April 27, 2010 Board meeting, correspondence was received from the Town of Qualicum Beach requesting that the Regional District Board undertake a regional services review. Specifically, the Town was interested in a service review that would consider the Qualicum Beach airport, economic development and recreation capital facilities as regional services. The Town also requested that member municipalities be invited to submit their items for consideration in a third service review. Following receipt of this correspondence, the Board endorsed the following motion:

That staff prepare a report on the options and implications of undertaking a regional services review, including specifically, the request by the Town of Qualicum Beach to support regional funding for the Qualicum Beach Airport and to explore economic development and recreation capital facilities.

Over the last year staff have met with the member municipalities to explore possible services that may have value in being reviewed at a regional level. In addition to the services identified by the Town of Qualicum Beach, the City of Nanaimo expressed an interest in considering economic development and the City of Parksville indicated its support in entering into these discussions. The District of Lantzville did not initially wish to participate; however, more recently the District has indicated an interest in participating in some discussions. The Electoral Area Directors requested that the Drinking Water Watershed Protection Program service be included in the service review, which at this time only includes the Electoral Areas as participants.

Concurrent with this process, RDN staff have also reviewed other regional district services to explore whether any of these services would benefit from being included within a third service review. At the November 24, 2009 Board meeting the following motion was approved by the Board:

That staff be directed to review the allocation formula in the District 69 Swimming Pool Establishing Bylaw No. 899 with a focus on a formula that includes community usage and/or population.

In the 2010 sports field and recreation usage survey, data was collected from the Ravensong Aquatic Centre and the Oceanside Place Arena to provide background information on usage of these regional facilities. This survey provided an opportunity for RDN staff to review usage within the context of an overall service review. The data collected provides a reasonable representation of usage by area. Currently, the arena and pool services are cost shared on the basis of assessment. All District 69 Electoral Areas, Parksville and Qualicum Beach participate in the arena function and all District 69 areas except Electoral Area E participate in the aquatic centre function.

Regional Services Review Guiding Principles

On May 24th a Board Seminar was held to review the Board Strategic Plan, highlight the Board achievements on sustainability, examine the strategic priorities of the ‘Regional Federation’ action area and discuss how these priorities fit within the overall context of a third regional service review. Specifically, the Regional Federation action area establishes as a priority the Board’s commitment to strengthen the working relationship between the federation partners and to increase the effectiveness of regional government through cooperation.

During the seminar an overview was provided of the “Guiding Principles” for undertaking a regional service review, which was originally endorsed by the Board in March 2001:

- That the outcomes to be achieved from working collectively are significantly more beneficial than continuing with the current status; and
- That if we choose to do nothing and we continue with the current status, it will result in greater conflict in the future

In addition, the Board commitments were presented which form the foundation of embarking upon a regional service review:

- Usage as a primary measure, where applicable
- Gather data and update usage figures on an agreed upon timeframe
- Phase in large increases over multiple years
- Undertake appropriate public consultation and review processes
- Address key services as a package

The Regional District has completed two service reviews since 2001 which have adhered to these guiding principles. As a general principle, regional services are defined as follows:

- those services which are provided by, or on behalf of, the Regional District of Nanaimo to Electoral Areas only but whose services may also provide a benefit to residents within municipalities;
- those services which are provided by, or on behalf of, the Regional District of Nanaimo to all or part of an Electoral Area and are also provided to one or more Municipalities;
- those services which are provided by, or on behalf of, a Member Municipality within their jurisdiction but whose services may also provide a benefit to residents outside of their jurisdiction.

With these guiding principles established and with input received from the municipalities and electoral areas, staff have developed a list of services that are either regionally delivered or provide a regional

benefit that are good candidates for a service review. The following services meet these criteria and have been ‘bundled’ together for consideration by the Board for this purpose:

- Economic Development (Southern Community)
- Economic Development (Northern Community)
- Drinking Water/Watershed Protection
- Oceanside Place
- Ravensong Aquatic Centre
- Qualicum Beach Airport*
- Garbage & Recycling*

Southern Community Economic Development. The City of Nanaimo is establishing a new economic development corporation that will operate at ‘arm’s length’ from the City. The City has funded economic development as its own function for many years, but is now departing from this governance model to establish an independent entity with a broad focus of promoting economic activity across the southern region.

As economic development activities typically operate without boundaries and have broader regional benefits, the City has requested that Electoral Areas A, B, and C consider participating in this newly restructured function. Regional Districts have general authority to establish economic development as a service with the consent of the Electoral Area Director. If the Board supports this participation, representation of the Regional District would be provided in an agreed upon format through the new corporation’s governance model.

Northern Community Economic Development. For many years the Board Strategic Plan and Regional Growth Strategy have identified economic development as a priority for the Regional District. In District 68 a well-established function already exists within the City of Nanaimo that provides this service. In District 69 a service does not exist, although the City of Parksville has periodically pursued economic development as a municipal service and has enquired about regional participation from time to time. In addition, requests occasionally have been received from organizations such as the North Island Film Commission and the Parksville Business Assistance Program for funding for their activities which support economic growth within the region.

If the Board is supportive of participating in a northern community economic development function, a service model could be established based on the D69 Community Justice Service, where a small annual requisition or parcel tax would raise a specified amount of money that could then be allocated by a Board Select Committee towards projects that meet specific economic development and promotion criteria.

Drinking Water / Watershed Protection. This function was established by referendum in 2008 with a specific purpose to implement activities that promote the protection of watersheds and safe drinking water within the Regional District. Currently, only the Electoral Areas participate fully in this function, although the City of Nanaimo, City of Parksville and Town of Qualicum Beach provide an annual contribution to the Regional District’s Team Watersmart program. The municipalities have been invited to consider participating fully in this service, as many of the activities also have a municipal benefit.

Oceanside Place Arena. As noted earlier in this report, a usage survey was undertaken in the summer of 2010 to determine usage of Oceanside Place and Ravensong Aquatic Centre. Results of the usage survey for Oceanside Place, after excluding ‘out of area’ users, is presented below:

Parksville	Qualicum Beach	Electoral Area E	Electoral Area F	Electoral Area G	Electoral Area H
35.1%	15.8%	13.6%	9.6%	23.3%	2.6%

Currently, the Oceanside Place function is funded on the basis of assessment by each area. While a portion of the facility costs are fixed regardless of usage and is appropriate to be funded by assessment, another portion of facility cost is variable and dependent upon patron usage, therefore, it is appropriate to apportion these costs on the basis of usage. A revised cost allocation formula that incorporates 50% usage and 50% assessment has been developed for consideration by the Board that would provide a more equitable approach to funding this facility.

Ravensong Aquatic Centre. The 2010 user survey of recreational aquatic facilities in both the southern and northern communities measured usage by municipal and electoral area residents at both the Nanaimo aquatic facilities and at the Ravensong Aquatic Centre. Results of the usage survey for the Ravensong Aquatic Centre are presented below:

Parksville	Qualicum Beach	Electoral Area E	Electoral Area F	Electoral Area G	Electoral Area H
26.7%	28.2%	5.4%	15.3%	16.7%	7.7%

This service is funded on the basis on assessment by each area with the exception of Electoral Area E which is not a participant in the Ravensong Aquatic Centre. The usage survey indicated that Electoral Area E residents represent 2.2% of the use of Nanaimo pools and 5.4% of the Ravensong Aquatic Centre. If the Board is supportive of amending the cost allocation formula for the aquatic centre under the same basis as Oceanside Place, it would be appropriate to consider the inclusion of Electoral Area E in the Ravensong service based on their usage of the facility.

Qualicum Beach Airport*. The Town of Qualicum Beach had requested that the Board consider the Qualicum Beach Airport as part of a regional service review. Establishing permanent funding to cover operating costs would require the formation of a new regional service which would need elector assent. Following discussion with the Board and with municipal staff, this approach is not recommended. Alternatively, if the Board approves a new ‘northern community economic development’ function, the Town would be able to submit specific components of airport operations that promote economic activity to the Regional District Board for consideration of funding on an annual basis.

Garbage & Recycling*. Over the years, the Regional District has provided garbage collection and recycling services to the City of Parksville residents as a regional service and provided a discount for administrative costs that the City incurs for its municipal billing. With the introduction of the organics collection and the expansion of regional collection services to the District of Lantzville and the Town of Qualicum Beach, RDN staff have reviewed the municipal discount to ensure that it is equitable between the partners. As a result of this review, it is recommended that the City of Parksville discount be adjusted to more accurately reflect the actual costs incurred by the municipality.

ALTERNATIVES

1. That staff be directed to prepare bylaws for introduction at the September Committee of the Whole Meeting for the following services:

- Economic Development (Southern Community)
- Economic Development (Northern Community)
- Drinking Water/Watershed Protection
- Oceanside Place Arena
- Ravensong Aquatic Centre

And, that a plebiscite question be prepared for consideration at the Committee of the Whole meeting asking the electors of Electoral Area E if they are in favour of the RDN implementing a regional service strategy that would involve:

- d) Nanaimo, Parksville and Qualicum Beach becoming participants in the Drinking Water/Watershed Protection service;
- e) Amending the cost allocation formula for the District 69 (Oceanside Place) ice arena to allocate 50% of the costs of the service to usage; and
- f) Electoral Area E becoming a participant in the District 69 (Ravensong Aquatic Centre) swimming pool service with cost allocations based on participating area usage.

2. That the Board provide alternate direction.

FINANCIAL IMPLICATIONS

If the Board supports alternative one and the bylaws are eventually adopted, the cost per jurisdiction will vary between participant in year one and level out in future years with a six year phase-in period. Table 1 below summarizes the net cost per participant in Year One, with a detailed financial overview for each regional service presented in the attached Appendix.

**Regional Service Strategy
 Table 1 - Year One Cost By Participant Jurisdiction**

Participant	Ravensong	Oceanside	DWWP ¹	EcDev68	EcDev69	Gar&Recyl QBAirport	Net to Participant ²
Nanaimo			100,968				70,968
Lantzville							
Parksville	(51,533)	76,890	39,198			(43,000)	24,607
Qualicum	43,775	(32,388)	28,302			(15,000)	25,537
EA A			(25,088)	50,064			24,967
EA B			(30,024)	53,869			23,845
EA C			(11,512)	37,067			25,555
EA E	75,000	(34,711)	(27,352)		7,138		20,075
EA F	7,099	(18,173)	(25,592)		6,679		(29,987)

Participant	Ravensong	Oceanside	DWWP ¹	EcDev68	EcDev69	Gar&Recyl QBAirport	Net to Participant ²
EA G	(19,782)	66,948	(28,952)		7,556		25,770
EA H	(54,539)	(58,567)	(19,696)		5,140		(127,662)

¹Nanaimo begins at \$3 and increases to \$8 parcel tax over 6 years
 Parksville and Qualicum Beach begin at \$6 and increase to \$8 parcel tax over 3 years
 Electoral Areas reduce to \$10 in year 1 and decrease to \$8 parcel tax over 3 years

² Net to participant includes credit of current municipal DWWP contributions
 (Nanaimo \$30,000; Parksville \$10,567; Qualicum Beach \$9,000)

As shown in Table 2, in Year One the average impact to a D68 Electoral Area property valued at \$300,000 will be approximately \$4.75, while in D69 it will vary from no financial impact to approximately \$3.00. A home assessed at \$300,000 in Electoral Area H will see a cost savings of \$35.00 in Year One.

Regional Service Strategy
Table 2 - Year One Electoral Area Cost Per \$100,000

Electoral Area	Cost per \$100,000	Parcel Tax Change
Electoral Area A	\$4.20	(\$7.85)
Electoral Area B	\$4.20	(\$7.85)
Electoral Area C	\$4.20	(\$7.85)
Electoral Area E	\$2.16	(\$5.77)
Electoral Area F	\$0.89	(\$5.77)
Electoral Area G	\$3.05	(\$5.77)
Electoral Area H	(\$10.88)	(\$5.77)

Table 3 presents the impacts of the six year phase-in for each jurisdiction, with implementation of the service changes completed by Year Six. With existing financial plan projections, by the end of the sixth year all jurisdictions will be participating equally in the ‘bundled’ regional services at the same contribution level.

Regional Service Strategy
Table 3 - Net Annual Financial Impact Over Six Year Phase-In

Participant	Year Two	Year Three	Year Four	Year Five	Year Six
Nanaimo	33,656	33,656	33,656	33,656	33,656
Lantzville					
Parksville	(15,555)	(15,555)	(22,088)	(22,088)	(22,088)
Qualicum Beach	(2,784)	(2,784)	(7,501)	(7,501)	(7,501)
Electoral Area A	415	415	3,551	3,551	3,551
Electoral Area B	67	67	3,820	3,820	3,820
Electoral Area C	1,190	1,190	2,629	2,629	2,629

Participant	Year Two	Year Three	Year Four	Year Five	Year Six
Electoral Area E	33,009	33,009	36,428	36,428	36,428
Electoral Area F	(7,245)	(7,245)	(4,046)	(4,046)	(4,046)
Electoral Area G	(8,372)	(8,372)	(4,753)	(4,753)	(4,753)
Electoral Area H	(5,001)	(5,001)	(2,539)	(2,539)	(2,539)

SUMMARY/CONCLUSIONS

At the April 27, 2010 Board meeting, correspondence was received from the Town of Qualicum Beach requesting that the Regional District Board undertake a regional services review. The Board directed staff to prepare a report on the options and implications of undertaking a Regional Services Review and municipal staff were consulted to determine what services they would like to see considered. Following discussions with both municipal and regional staff and with Board members, a list of services was developed for consideration as part of a service review package. The following services were identified as strong candidates for this review:

- Economic Development (Southern Community)
- Economic Development (Northern Community)
- Drinking Water/Watershed Protection
- Oceanside Place Arena
- Ravensong Aquatic Centre

Staff have developed a financial model that will enable the Regional District to participate economic development with the City of Nanaimo in a southern community function, and as a partnership with Parksville and Qualicum Beach in a northern community function. Economic development is a well-established regional service that exists in most regional districts across the province and is deemed a general service under the *Local Government Act* which can be approved by the Regional Board. Economic development has long been a priority of the RDN Board in its Strategic Plan and Regional Growth Strategy. The work that has been undertaken to date to develop the proposed governance models in District 68 and District 69 will facilitate the Board achieving many of its objectives pertaining to sustainable economic development.

The services of Oceanside Place Arena and Ravensong Aquatic Centre are proposed to be amended to change the cost sharing formula from 100% assessment to 50% assessment and 50% usage. Using this formula, Electoral Area E would begin participating in the Ravensong Aquatic Centre based on a formula that recognizes how much the community uses the facility. All other jurisdictions in the Regional District contribute to pool facilities except Electoral Area E. The proposed financial model will enable the Electoral Area to join the service gradually over time based on usage. To offset these costs, Electoral Area E will see financial savings through municipal participation in the Drinking Water/Watershed Protection service and through the implementation of a new user-based cost sharing formula for Oceanside Place Arena.

The financial model developed for Drinking Water/Watershed Protection service will enable the municipalities to phase-in participation in the Electoral Area function and participate fully in the regional implementation of the Action Plan. Participation of the municipalities in the function is dependent upon Electoral Area participation in Economic Development (Southern Community) and upon changes to the Ravensong Aquatic Centre function.

In order for the regional service review to be successful, it will require the agreement of all the participants represented on the Regional Board. In addition, it will require the electors of Electoral Area E to support participating in the Ravensong Aquatic Centre. A plebiscite question would be prepared in conjunction with the November 2011 local government elections to ask the electors of Electoral Area E whether they support the proposed changes. Bylaws would be required for the introduction of economic development, drinking water/watershed protection, and amendments to Ravensong aquatic centre and Oceanside place arena service establishment bylaws; however, these bylaws would not be considered for adoption until after the results of the Electoral Area E plebiscite question are obtained.

The service review guiding principles rely on the commitment of the Board to work collectively to achieve its goals. The past success of the RDN as a regional government has been largely attributable to the cooperation of the Board in delivering services such as Transit, Regional Parks, Recreation, and Solid Waste. These services could not be delivered as effectively or as efficiently without regional cooperation. The proposed changes continue this strategic direction set by the Board.

RECOMMENDATION

2. That staff be directed to prepare bylaws for introduction at the September Committee of the Whole Meeting for the following services:
 - Economic Development (Southern Community)
 - Economic Development (Northern Community)
 - Watershed/Drinking Water Protection
 - Oceanside Place Arena
 - Ravensong Aquatic Centre
3. That a plebiscite question be prepared for consideration at the Committee of the Whole meeting asking the electors of Electoral Area E if they are in favour of the RDN implementing a regional service strategy that would involve:
 - d) Nanaimo, Parksville and Qualicum Beach becoming participants in the Drinking Water/Watershed Protection service;
 - e) Amending the cost allocation formula for the District 69 (Oceanside Place) ice arena to allocate 50% of the costs of the service to usage; and
 - f) Electoral Area E becoming a participant in the District 69 (Ravensong Aquatic Centre) swimming pool service with cost allocations based on participating area usage.

Chief Administrative Officer

APPENDIX ONE

REGIONAL SERVICE STRATEGY

Year One Cost by Participating Jurisdiction															
	Usage	Oceanside Place Current	Oceanside Place 50-50	Oceanside Place Revised	Usage	Ravensong Current	50-50	Ravensong Revised	Current Total	Revised Total	Net Impact	DWWP Change ¹	Net Impact	D68/D69 Ec Dev	Net Impact ²
Nanaimo															
Lantzville															
Parksville	35.1%	\$ 400,458	\$ 76,890	\$ 477,348	26.7%	\$ 709,261	\$ (51,553)	\$ 657,708	\$ 1,109,719	\$ 1,135,056	\$ 25,337	\$ 28,631	\$ 53,968	\$ 13,639	\$ 24,607
Qualicum Beach	15.8%	\$ 314,620	\$ (32,388)	\$ 282,232	28.2%	\$ 557,231	\$ 43,775	\$ 601,006	\$ 871,851	\$ 883,238	\$ 11,387	\$ 19,302	\$ 30,689	\$ 9,848	\$ 25,537
Electoral Area A															
Electoral Area B															
Electoral Area C															
Electoral Area E	13.6%	\$ 284,203	\$ (34,711)	\$ 249,492	5.4%	\$ 75,000	\$ 75,000	\$ 75,000	\$ 284,203	\$ 324,492	\$ 40,289	\$ (11,512)	\$ (11,512)	\$ 37,067	\$ 25,555
Electoral Area F	9.6%	\$ 188,379	\$ (18,173)	\$ 170,206	15.3%	\$ 333,642	\$ 7,099	\$ 340,741	\$ 522,021	\$ 510,947	\$ (11,074)	\$ (27,352)	\$ 12,937	\$ 7,138	\$ 20,075
Electoral Area G	23.3%	\$ 235,615	\$ 66,948	\$ 302,563	16.7%	\$ 417,303	\$ (19,782)	\$ 397,521	\$ 652,918	\$ 700,084	\$ 47,166	\$ (25,592)	\$ (36,666)	\$ 6,679	\$ (29,987)
Electoral Area H	2.6%	\$ 158,711	\$ (58,567)	\$ 100,144	7.7%	\$ 281,098	\$ (54,539)	\$ 226,559	\$ 439,809	\$ 326,703	\$ (113,106)	\$ (28,952)	\$ 18,214	\$ 7,556	\$ 25,770
	100.0%	\$ 1,581,986	\$ (1)	\$ 1,581,985	100.0%	\$ 2,298,535	\$ -	\$ 2,298,535	\$ 3,880,521	\$ 3,880,520	\$ (1)	\$ (19,696)	\$ (132,802)	\$ 5,140	\$ (127,662)
														\$ 191,000	\$ 12,716

Notes:

¹ DWWP is net of current municipal contributions (Nanaimo \$30,000; Parksville \$10,567; Qualicum Beach \$9,000) Nanaimo begins at \$3 and increases to \$8 parcel tax over 6 years
 Parksville and Qualicum Beach begin at \$6 and increase to \$8 parcel tax over 3 years
 Electoral Areas reduce to \$10 in year 1 and decrease to \$8 parcel tax over 3 years

² Parksville net impact includes credit of \$43,000 for solid waste billing
 Qualicum Beach net impact includes credit of \$15,000 from D69 Ec Dev towards Airport



RDN REPORT		
CAO APPROVAL		
EAP		
COW	✓	Sept. 13
SEP - 6 2011		
RHD		
BOARD		

MEMORANDUM

TO: Carol Mason
Chief Administrative Officer

DATE: August 31, 2011

FROM: Maureen Pearse
Senior Manager, Corporate Administration

FILE:

SUBJECT: 2011 Local Government Elections – Appointment of Chief Election Officer and Deputy Chief Election Officer

PURPOSE

To appoint a Chief Election Officer and Deputy Chief Election Officer for the November 19, 2011 local government election and referendums.

BACKGROUND

In accordance with Section 41 of the *Local Government Act*, the local government must appoint a chief election officer and a deputy chief election officer for the purpose of conducting the November 19, 2011 local government elections. Since 1995 internal staff members have been appointed to these positions to conduct elections, however, the Board may wish to consider contracting externally for these services. Typically it is the officer responsible for corporate Administration and the Deputy position that are appointed to these positions.

ALTERNATIVES

1. That Maureen Pearse, Senior Manager of Corporate Administration, be appointed as the Chief Election Officer and Linda Burgoyne, Administrative Coordinator, be appointed as the Deputy Chief Election Officer.
2. That the Board contract externally for the services of Chief Election Officer and/or Deputy Chief Election Officer.

FINANCIAL IMPLICATIONS

Under Alternative 1, staff would be appointed to these positions as has been done in the past years. Additional time worked for the upcoming election includes, as a minimum, two evenings for staff training sessions of approximately 100 elections staff, two advance voting days, and election day. According to the most recent UBCM salary survey information the average compensation for a staff appointed Chief Election Officer is \$1,250 and for a Deputy Chief Election Officer is \$850. In the past these RDN positions have been provided with days off in lieu as compensation. No change is recommended to this approach and both staff members would receive three days in lieu which would be consistent with compensation provided by other jurisdictions.


Under Alternative 2, if the Board were to contract out the positions, the cost would be significant given the scope and complexity of responsibilities of regional district elections. It would be expected to cost up to \$10,000 or more to hire a consultant to act as the Chief Election Officer and would still require the appointment of a staff member as the Deputy Chief Election Officer. Very few local governments contract out these positions due to the specialized knowledge required and the limited number of consultants with the appropriate experience available to do this work.

CONCLUSIONS


In accordance with Section 41 of the *Local Government Act*, the local government must appoint a chief election officer and a deputy chief election officer for the purpose of conducting the November 19, 2011 local government election. Since 1995, due to the scope and complexity of responsibilities of regional district elections, RDN staff members have been appointed as the chief election officer and deputy chief election officer to conduct local government elections and referendums. This system has been effective in undertaking RDN elections and staff are recommending continuing with this approach.

RECOMMENDATION

That Maureen Pearse, Senior Manager of Corporate Administration, be appointed as the Chief Election Officer and Linda Burgoyne, Administrative Coordinator, be appointed as the Deputy Chief Election Officer for the purpose of conducting the November 19, 2011 local government elections and referendums.




Report Writer



CAO Concurrence



RDN REPORT		
CAO APPROVAL 		
EAP		
COW	✓	Sept. 13/11
AUG 23 2011		
RHD		
BOARD		

MEMORANDUM

TO: Carol Mason
Chief Administrative Officer

DATE: August 22, 2011

FROM: Maureen Pearse
Senior Manager, Corporate Administration

FILE:

SUBJECT: Islands Trust – Election Services Agreement

PURPOSE

To consider a request from the Islands Trust to enter into an Election Services Agreement with the Regional District of Nanaimo for the purpose of conducting the Local Trustee elections on Gabriola Island (Electoral Area 'B') in November 2011.

BACKGROUND

The Islands Trust has approached the Regional District of Nanaimo requesting that the Board consider renewing its Election Services Agreement with the Islands Trust for the purpose of conducting the Trustee elections on Gabriola Island (Electoral Area 'B') in November 2011. The Regional District has conducted Islands Trust elections for a number of years. The Regional District formalized this arrangement with the Islands Trust by approving an agreement similar to the one attached to this report since 1996. The agreement was developed in accordance with Section 40(2) of the *Local Government Act* and Section 9(1) of the *Islands Trust Act*, which authorizes regional districts and Islands Trusts to enter into agreements with other government agencies to conduct elections on their behalf. The local trustee election taking place in November 2011 will be held concurrent with the local government elections and may include an Electoral Area 'B' Director election. The Islands Trust have prepared an agreement which outlines the terms and conditions for the Regional District to consider to conduct the Islands Trust election on the Trust's behalf.

ALTERNATIVES

1. Enter into an agreement with the Islands Trust to conduct the Trustee election on Gabriola Island on their behalf.
2. Do not enter into an agreement with the Islands Trust and require the Trust to conduct their own election.

FINANCIAL IMPLICATIONS

If the Regional District enters into an agreement with the Islands Trust for the November local government elections, the agreement can establish in advance the terms and conditions under which an election will be conducted on behalf of the Trust. The anticipated costs associated with conducting an election on Gabriola Island is determined by the number of ballot questions on the ballot. The budget assumes the participation of the Regional District of Nanaimo, School District No. 68 and the Islands Trust . The projected cost to the Islands Trust is anticipated to be \$8,500 assuming three participants, and would cover the costs for advertising, rental expenses, ballots, election officials, supplies, legal and administration. Given that the three separate jurisdictions may be conducting a vote in November, some economies of scale could be achieved by having one government agency coordinating all three elections.


If the Regional District does not enter into an agreement with the Islands Trust, the Trust would be responsible for conducting their own trustee elections on Gabriola Island. However, if individual elections are required for both the Regional District Director and the local trustees, this alternative would be more expensive to both parties given the potential requirement to duplicate voting place rentals, election officials and/or other related costs.

CONCLUSIONS

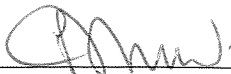
The Regional District has been approached by Islands Trust and been asked to conduct their Trustee elections in November 2011, which will coincide with our local government elections and may include an election for the Electoral Area 'B' Director. Given that the Regional District may be required to conduct its own local government elections in November, the added responsibility of including the Islands Trust elections within this task is not considered significant, provided that the costs are borne equally among the participants. If no Electoral Area Director election is required, the Islands Trust would bear the entire cost of the Regional District's portion of the November elections. Islands Trust have prepared the agreement and are requesting the Board's concurrence. Staff are recommending entering into the attached agreement with Islands Trust.

RECOMMENDATION

That the Chairperson and Senior Manager, Corporate Administration be authorized to sign the 2011 Election Services Agreement between Islands Trust and the Regional District of Nanaimo for the purpose of conducting the November 2011 Gabriola Island local trustee election on behalf of the Islands Trust.



Report Writer



CAO Concurrence

ISLANDS TRUST 2011 ELECTION SERVICES AGREEMENT

THIS AGREEMENT dated for reference _____, 2011,

BETWEEN:

NANAIMO REGIONAL DISTRICT

(the "Regional District")

AND:

THE ISLANDS TRUST COUNCIL

(the "Trust Council")

WHEREAS:

- A. The boundaries of the Regional District encompass the Gabriola Island Local Trust Area designated as such by the *Islands Trust Act*;
- B. Under the *Islands Trust Act*, for each local trust area designated by the *Islands Trust Act*, two local trustees are to be elected to represent the electors of the area;
- C. Part 3 of the *Local Government Act* contemplates an agreement under which a local government conducts an election for another local government, in accordance with the terms of the agreement, and Section 6(3) of the *Islands Trust Act* makes Part 3, as it applies in relation to electoral area directors for a regional district and their election, applicable in relation to local trustees and their election;
- D. The Regional District has adopted Regional District of Nanaimo General Local Election Bylaw No. 1292.
- E. The Trust Council has provided, in Islands Trust Election Procedures Bylaw 124, that the bylaws of the Regional District respecting elections may apply to the election of the local trustees; and
- F. The Trust Council and the Regional District wish to enter into this Agreement by which the Regional District agrees to conduct local trustee elections on behalf of the Trust Council, on the terms and conditions of this Agreement;

NOW THEREFORE in consideration of the payments and promises of this Agreement, and other good and valuable consideration (the receipt and sufficiency of which are hereby acknowledged), the parties agree as follows:

Conduct of Elections

- 1. The Regional District shall conduct the 2011 Gabriola Island Local Trust Area local trustee elections for the Trust Council in conjunction with the Regional District election for the Electoral Area Director for the Electoral Area B on the terms and conditions of this Agreement.

Term

2. This Agreement commences on the date that it is executed and continues in force until the later of the date specified in s. 90 of the *Local Government Act* for the filing of campaign financing disclosure statements and the latest date specified in s. 150 of the *Local Government Act* in respect of the retention and destruction of election materials for the 2011 election.

Complete Conduct of Election

3. Except to the extent specifically provided in this Agreement, the Regional District shall conduct all aspects of local trustee elections.

Notices

4. The Regional District shall prepare election-related notices required under the *Local Government Act*, including notices of special voting opportunities provided under this Agreement. Every attempt will be made to include the logo of the Islands Trust and to provide copies of the notices to the Islands Trust prior to the publication date.
5. Nothing in this Agreement restricts the Islands Trust's authority to give election-related notices to supplement those given by the Regional District, provided that in doing so the Islands Trust does not impair the validity of the election proceeding, and for that purpose the Islands Trust shall consult with the Regional District as to the content of such notices.

Election Bylaws

6. The parties agree that for the purposes of the 2011 election, sections 6, 7, 8 and 9 of Islands Trust Election Procedures Bylaw, 2008 and all sections of the Regional District of Nanaimo General Local Election Bylaw No. 1292 apply that do not conflict with Islands Trust Bylaw 124.
7. The parties acknowledge that the Regional District's Voters List Bylaw No. 1058 provides, pursuant to section 59 of the *Local Government Act*, that the most current available Provincial list of voters prepared under the *Election Act* is to be the register of current electors.
8. The Regional District agrees that, subject to s. 63 of the *Local Government Act* [Protection of privacy], any copy of the register of electors that is provided to a candidate for the office of local trustee under s. 62 of the *Local Government Act* shall include the electors' addresses.
9. Each of the parties shall give written notice to the other of any actual or proposed change to its election procedures bylaw.

Election Officials

10. The Regional District shall appoint the chief election officer, deputy chief election officer, presiding election officials, alternates and other election officials.

11. The Trust Council shall make available throughout the term of this Agreement an official with whom the Regional District's election officials may consult on the interpretation of this Agreement and other matters pertaining to the election that are not addressed in the Agreement.

Nominations

12. The Regional District shall undertake the nomination process for local trustees, including accepting nomination documents, declaring acclamations and candidates, and receiving campaign financial disclosure documents.

Form of Ballot

13. The Regional District may create ballots in whatever form it chooses, including a single machine-readable ballot for both local trustees and electoral area directors.

Election Results

14. The Regional District shall declare both preliminary local trustee election results and official local trustee election results, in each case by posting the results on its website and e-mailing the results to cthiel@islandstrust.bc.ca.
15. The Regional District shall provide to the Islands Trust a tally of the number of electors who voted in the local trustee election at each voting place.

Document Retention and Disposal

16. The Regional District shall retain and destroy local trustee election documents within its possession, as required by the *Local Government Act*.

Regional District Expenses

17. The Trust Council acknowledges that where this Agreement refers to the Regional District's expenses, the expenses may include newspaper advertising costs, ballot printing, voting machine rental and servicing, polling facility rental, staff costs (including overtime and benefits and including an allocation for time spent by salaried Regional District employees), legal fees, taxes and disbursements, photocopying, telephone and courier charges, purchase and rental costs of materials and supplies, mileage charges, and all other items related directly or indirectly to the election.

Cost-Sharing

18. Within two months after the 2011 local trustee election, the Regional District shall tally its election expenses and deliver to the Trust Council an invoice, payable within 30 days, for 100 % of the election expenses attributable to the Islands Trust.

Judicial Recount

19. If an application should be made for a judicial recount of local trustee ballots, the Regional District shall conduct the proceeding on behalf of the Trust Council, after which

the Trust Council must pay to the Regional District 100% of the Regional District's expenses. For these purposes, any costs ordered by the court to be paid by the local government shall form part of the Regional District's reimbursable expenses.

Judicial Challenges

20. If the Regional District's chief election officer applies to challenge the validity of a local trustee election or the right of an elected local trustee to take office, the Regional District shall conduct the proceeding on behalf of the Trust Council, after which the Trust Council must immediately pay to the Regional District 100% of the Regional District's expenses. For these purposes, any costs required by the *Local Government Act* to be paid by the local government shall form part of the Regional District's reimbursable expenses. If the court orders that costs may be recovered by the local government, the Regional District shall pursue the recovery at the cost of and for the benefit of the Trust Council, provided that the Trust Council authorizes such recovery.
21. If an application is made in any other circumstances to challenge the validity of a local trustee election or the right of an elected local trustee to take office, the Trust Council shall be entirely responsible for the cost of the proceeding, unless the parties agree otherwise.

Headings

22. The headings or captions in this Agreement have been inserted as a matter of convenience and for reference only and they in no way define, limit or enlarge the scope or meaning of this Agreement.

Severability

23. Should any provision of this Agreement be illegal or unenforceable, it shall be considered separate and severable from this Agreement and the remaining provisions shall remain in force and be binding upon the parties as though the said provision had never been included.

Modification

24. This Agreement may not be amended or modified except by a subsequent agreement in writing duly signed by the Regional District and the Trust Council.

Municipal Powers Preserved

25. Nothing contained or implied herein shall prejudice or affect either party's rights and powers in the exercise of its functions pursuant to the *Islands Trust Act*, *Local Government Act* or *Community Charter* or its rights and powers under all of its public and private statutes, bylaws, orders and regulations.

Notice

26. Any notice required pursuant to the terms of this Agreement shall be in writing and may be delivered by hand or sent by facsimile as follows:

To the Regional District:

Attention: Senior Manager, Corporate Administration
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

Fax: 250-390-4163

To the Trust Council:

Attention: Legislative Services Manager
Islands Trust
200-1627 Fort Street
Victoria, B.C. V8R 1H8

Fax: (250) 405-5155

Written notice that is delivered by hand shall be deemed to have been received on the date of delivery. Notice sent by facsimile shall be deemed to have been received on the date of transmission provided that a confirmation of fax transmission has been generated.

A party shall give written notice of a change of address, in which event such notice shall thereafter be given to it as above provided at such changed address.

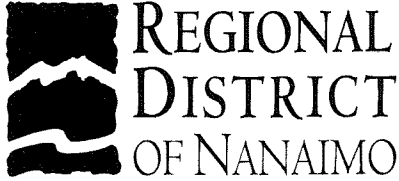
IN WITNESS WHEREOF the Regional District and the Trust Council have executed this Agreement as of the dates written below.

Dated this _____ day of _____, 2011.

NANAIMO REGIONAL DISTRICT by its)
 authorized signatories:)
)
 _____)
 Chair: Joe Stanhope)
)
 _____)
 Senior Manager, Corporate Administration:)
 Maureen Pearse)

Dated this _____ day of _____, 2011.

THE ISLANDS TRUST COUNCIL by its)
 authorized signatories:)
)
 _____)
 Chair: Sheila Malcolmson)
)
 _____)
 Legislative Services Manager: Carmen)
 Thiel)
)



RDN REPORT		
CAO APPROVAL <i>(Signature)</i>		
EAP		
COW	✓	Sept. 13/11
AUG 31 2011		
RHD		
BOARD		

MEMORANDUM

TO: Carol Mason
Chief Administrative Officer

DATE: August 30, 2011

FROM: Nancy Avery
General Manager, Finance and Information Services

FILE:

SUBJECT: Surveyor of Taxes Administration Fees

PURPOSE:

To discuss recent correspondence with respect to the fee charged by the Provincial Surveyor of Taxes office with for the administration of rural property taxes.

BACKGROUND:

In June, the Bulkley Nechako Regional District (RDBN) sent correspondence to the Surveyor of Taxes seeking a reduction in the administration fee which is charged by the Surveyor of Taxes to administer the billing and collection of Regional District property tax levies to rural properties. Staff were asked to examine this issue for the Regional District of Nanaimo.

As noted in the earlier correspondence the Surveyor of Taxes embeds in each tax rate and parcel tax collected on behalf of a Regional District a fee or surcharge of 5.25% to cover the costs of administering rural property taxes. Regional Districts receive the full amount of property taxes requisitioned from their rural taxpayers, so there is no impact on the revenues to an individual jurisdiction.

The RDBN letter requested that the Province “consider a substantial reduction in the 5.25% fee charged for collecting rural taxes for Regional Districts” and outlined the following reasons:

1. The fee is excessive when compared to the incremental collection costs;
2. The fee is disproportionate to other similar fees;
3. The relative number of taxpayers do not change significantly, so inflationary increases to tax requisition amounts substantially increase the dollar amounts received by the Province for collection while actual cost increases are considerably less; and
4. The tax apportionment and certification workload has been increased for Regional Districts, thereby lowering the workload for the Province.

The Surveyor of Taxes office has replied to the correspondence, a copy of which is attached to this report. Highlights of the letter explaining the context of the fee rate include:

1. Over 80 percent of the items on rural property tax billings are generated from Regional Districts.
2. The Surveyor of Taxes operates and maintains a significant amount of computer infrastructure in order to itemize and allocate Regional District service requisitions. Every year new services are created and staff time is required to maintain the expanding databases. There are now so many

separate service levies in the Province that there is an initiative underway to examine how to update the software to create room for more “codes”.

3. The Surveyor’s office bears all of the costs of collecting delinquent property taxes and utility user fees. Direct costs include additional invoicing and mailing costs, financing costs incurred while taxes remain unremitted, as well as managing the process for properties that become forfeit due to non-payment of outstanding balances.
4. The tax base for the collection of school taxes by municipalities is seven times the local government tax base and so a comparison of the .2% fee paid to municipalities cannot be related in the same way to the Surveyor of Taxes fee.

ALTERNATIVES:

1. Correspond to the Surveyor of Taxes supporting a reduction in the current 5.25% collection fee surcharge applied to regional district tax requisitions for rural properties.
2. Receive this report for information

FINANCIAL IMPLICATIONS:

Alternative 1

The Regional District of Nanaimo requisitioned \$15.9 million through rural property tax notices in 2010. This would result in approximately \$834,750 being collected in addition by the Surveyors office to cover costs related billing, administration and collection. Staff have not obtained details regarding requisitions across the Province, but a conservative estimate of the total fees generated through rural property taxes could be in the range of \$11 million dollars (27 Regional Districts x \$834,750 divided in half).

The Regional District of Nanaimo has approximately 21,160 rural property tax owners. Presently we bill slightly more than 15,000 customers annually for utility services with a staff compliment of 5.25 FTE’s. As noted above some of the tasks currently handled by the Surveyors office include the operating and maintaining complex property tax billing systems and the financial cost and risk of not collecting property taxes. Staff speculate that taking on this function on our own account could entail annual costs up to 50% of the fees collected from our rural property taxpayers (+/- \$417,375). Despite the potentially lower cost, there is the non-financial and difficult to quantify benefit of maintaining a central information, billing and collection agency so as not to introduce further complexity regarding property tax invoicing for taxpayers.

Should the Board wish to respond to the Surveyor it could seek assurances that the fees are reviewed regularly for reasonableness and that fee rates recover direct costs related the Surveyor’s office and do not generate additional “general” revenue for the Province.

SUMMARY/CONCLUSIONS:

Staff were asked to review the implications of the administrative fees collected by the Surveyor of Taxes from rural property tax owners. At present the Surveyor adds a 5.25% fee to rural property taxes requisitioned by Regional Districts. In 2011 staff estimate the Regional District of Nanaimo generated \$834,750 in revenues to support the Surveyor’s office.

The Surveyor has responded to recent correspondence from the Bulkley Nechako Regional District which raised questions regarding the current fee rate, a copy of which is attached to this report. The significant drivers of costs for the Surveyor’s office are twofold; operating and maintaining computer systems


capable of allocating and billing over 1,700 different Regional District services and administering the collection of property taxes including financing unpaid taxes and dealing with the tax sale of properties.

Staff speculate that taking on this function on our own account could entail annual costs up to 50% of the fees collected from our rural property taxpayers (+/- \$417,375). Despite the potentially lower cost, there is the non-financial and difficult to quantify benefit of maintaining a central information, billing and collection agency so as not to introduce further complexity regarding property tax invoicing for taxpayers.

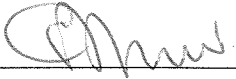
Staff suggest that should the Board wish to respond to the Surveyor it could seek assurances that the fees are reviewed regularly for reasonableness and that fee rates recover direct costs related the Surveyor's office and do not generate additional "general" revenue for the Province.

RECOMMENDATION:

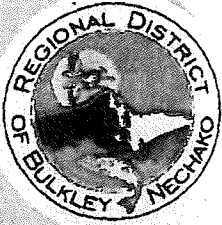
That correspondence be sent to the Surveyor of Taxes seeking assurances that the administration fees applied to rural property tax requisitions are reviewed regularly for reasonableness and that fee rates recover direct costs related the Surveyor's office and do not generate additional "general" revenue for the Province.



Report Writer



CAO Concurrence



37, 3RD AVE, PO Box 820
BURNS LAKE, BC
VOJ 1E0

REGIONAL DISTRICT
OF BULKLEY NECHAKO
"A WORLD OF OPPORTUNITIES WITHIN OUR REGION"

June 6, 2011

The Honourable Ida Chong
Minister of Community, Sport and
Cultural Development
Room 323
Parliament Buildings
Victoria, B.C. V8V 1X4

CAO'S OFFICE	
CAO	GMR&PS
GMDS	GMT&SWS
GMF&IS	GMR&CS
JUN 15 2011	
SMCA	BOARD
CHAIR	

Dear Minister Chong:

Re: Surveyor of Taxes 5.25% Fee for Collection of Regional District Taxes

In 2010, the Surveyor of Taxes received a fee of \$212,000 for collecting \$4,039,000 in rural taxes for the Regional District of Bulkley-Nechako. Our Board feels that this is excessive for the following reasons:

1. There does not appear to be any relationship between the amount of the fee collected and the incremental cost to collect it. The Province already collects provincial rural taxes and school taxes from rural taxpayers, so the additional effort to collect regional district taxes should be minimal. The same systems would be used, with the only difference being the staff resources needed to key in the regional district data.
2. The provincial fee of 5.25% appears to be disproportionate with other, similar fees. For example, the fees paid by the Province to municipalities for collection of school taxes from municipal tax payers works out to only 0.2%.
3. Regional district tax requisitions increase over time as costs increase with inflation, resulting in higher dollar value tax requisitions and commensurately higher fees. But, it does not cost the Surveyor of Taxes any more to collect more money from the same number of taxpayers.
4. Workload has been shifting to Regional Districts
 - a. Quality Control - Previously, the Surveyor of Taxes was responsible for its own quality control. Starting in 2008, Regional Districts have had to review the detailed data sheets prepared by the Surveyor of Taxes and certify that they are correct.

BOARD INFORMATION
June 28, 2011

MUNICIPALITIES:
SMITHERS FORT ST. JAMES
VANDERHOOF FRASER LAKE

ELECTORAL AREAS:
A - SMITHERS RURAL
B - BURNS LAKE RURAL

E - OOTSA LAKE/FRANCOIS LAKE
F - VANDERHOOF RURAL

INQUIRIES@RDBN.BC.CA
WWW.RDBN.BC.CA
PH: 250-692-3195



- b. Tax Information by Jurisdiction – Some Regional District electoral areas and local service areas encompass more than one rural jurisdiction. In the past, the Surveyor of Taxes would apportion regional district tax requisitions among electoral area and service area jurisdictions. Starting in 2011, regional districts are required to submit electoral area and service area requisitions by jurisdiction.

In the interest of fairness and equity, it would be greatly appreciated if the Province would consider a substantial reduction in the 5.25% fee charged for collecting rural taxes for Regional Districts.

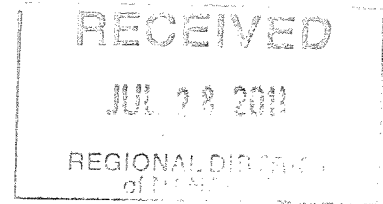
We look forward to your response.

Yours truly,

A handwritten signature in black ink, appearing to read "Lance Hamblin".

Lance Hamblin, Chairman

Cc: John Rustad, MLA (Nechako Lakes)
Doug Donaldson, MLA (Stikine)
All Regional Districts



July 25, 2011

Nancy Avery
General Manager, Finance and Administration
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo BC V9T 6N2

Dear ^{Nancy} Nancy Avery:

Re: Surveyor of Taxes 5.25 per cent Collection Fee

I am writing to all regional districts to provide some background information on billing and collecting property taxes in the rural area. Your regional district board was likely copied on a recent Regional District of Bulkley-Nechako letter regarding the 5.25 per cent collection fee charged on regional district taxes. Our office has received several enquiries relating to this issue, so I thought it would be useful to provide a general update to all regional districts regarding rural property tax billing issues that impact the collection fee.

The collection fee is determined by the Minister of Finance periodically, and was last confirmed at the current rate of 5.25 per cent in 2010. Authority for the fee is provided by section 21.1 of the *Taxation (Rural Area) Act*.

Major cost components of the fee include tax billing, information requests, remittance processing, collection of outstanding taxes and the financing/guarantee of requisition amounts paid to local governments. Services to rural property owners are provided by this office and 60 Service BC offices located throughout the Province. Most regional districts are served by two to a maximum of five Service BC offices. In addition to normal collection losses, the Province also incurs costs for the financing of funds paid to regional districts prior to taxes being collected, and for assessment appeal refunds after taxes are billed. There is no legislative provision for the Province to recover appeal or collection losses from regional districts, so all these costs are born by the Province. This "financing/guarantee" of the rural requisition amount removes significant financial uncertainty from local governments. In 2010, the amount of outstanding rural taxes varied from \$51 to \$16 million during the tax year, one third of which would be attributable to regional district taxes. Losses from supplementary assessment reductions have been low for the last few years, at approximately \$2 million annually.

.../2

Ministry of
Finance

Revenue Programs Division
Property Taxation Branch

Mailing Address:
PO Box 9446 Stn Prov Govt
Victoria BC V8W 9V6
Telephone: 250 356-9565
Facsimile: 250 387-2210

Location:
1802 Douglas St
Victoria BC V8T 4K6
www.sbr.gov.bc.ca

The rural property tax environment differs considerably from the typical municipal environment, and these differences lead to increased tax administration costs. Municipalities are small in size, primarily fee simple properties, and usually owner occupied. The rural area is large (89 per cent of the area of the Province), remote with no local connection from the tax office to the owner, has a large number of Crown lease and First Nation properties (with additional collection issues), and properties are often not owner occupied (more tax notification issues). Fee simple properties are easy to collect, as they are subject to forfeiture or tax sale if taxes are not paid. In contrast, Crown lease and First Nation properties cannot be forfeited or sold at tax sale, and finding other sources of funds to collect from is difficult and can lead to higher tax write-offs. A full 25 per cent of rural tax revenues are derived from non-fee simple properties with these issues.

Billing systems and information requests are complicated in the rural area. A municipal tax notice will usually be about seven different tax types – school, municipal, regional district, hospital, BC Assessment, Municipal Finance Authority, and a parcel tax or two. The 2011 rural tax billing was 1,707 different tax levies, of which 1,369 were regional district service area levies.

Finally, the rural area has a high proportion of forestry, utility and mining properties, so there is significant supplementary assessment activity which usually leads to refunds to property owners. We are still processing assessment appeals for all taxation years from 1994 to 2011. All these circumstances add to the administration of rural property taxes, and the recovery of the local service portion of these costs is the basis for the 5.25 per cent collection fee.

The Regional District of Bulkley-Nechako letter also contained several specific concerns discussed below.

There does not appear to be any relationship between the amount of the fee collected and the incremental cost to collect it. The Province already collects provincial... taxes from rural taxpayers, so the additional effort to collect regional district taxes should be minimal. This office does spend considerable time on local tax issues. Most property owners understand the nature of their school or police taxes, but can have a number of questions on specific local service tax levies. Over 80 per cent of the 2011 rural property tax billing consisted of regional district levies, with the remainder being provincial and other local government levies.

As an example of costs associated with regional district levies, the Surveyor of Taxes and BC Assessment have started a multi-year project with specific regional districts to address the problem that the assessment and taxation systems have insufficient codes to identify new levies for those regional districts. When this project is complete, very significant system and staff time costs will have been incurred to resolve this issue. These costs will be solely attributable to regional district taxes, as there is no issue with availability of provincial tax jurisdiction coding.

The provincial fee of 5.25 per cent appears to be disproportionate with other, similar fees. For example, the fees paid by the Province to municipalities for collection of school taxes... The nature of services provided by the Province for regional district taxes, and the services provided by municipalities to the Province for school taxes, are considerably different.

.../3

First of all, municipalities incur no cost for school collection losses, supplementary assessment value/taxation reductions, or for remitting school taxes prior to collection, so there is no need to compensate for these costs in the fee paid. All municipal collection and supplementary losses are passed to the Province, and municipalities only remit school taxes when they are paid. However, the province bears the losses on behalf of local service taxes as described earlier in this letter. Accordingly, the provincial collection fee must be higher to offset these costs.

Secondly, the school tax is only one levy that a municipality charges in addition to at least five other levies on the tax notice, so the additional municipal effort is likely marginal. However, regional district levies make up 80 per cent of the 1,707 levies that the Surveyor of Taxes must charge, so in combination with the other local service levies there is a much higher degree of effort required for local service taxes compared to provincial taxes on the rural tax billing process.

Third, the school tax base for which the equivalent to a 0.25 per cent provincial fee is attributable is seven times the size of the local government tax base, so a straight 5.25 per cent to 0.25 per cent comparison does not reflect the actual level of compensation. Municipalities collecting school taxes can also earn additional revenue above the 0.25 per cent fee through the retention of the school portion of municipal penalties and interest on overdue property tax payments, even though they do not bear the cost of financing the outstanding taxes. I will note that the Province also retains the regional district portion of penalties and interest on overdue rural taxes, but that is reasonable given that the province has already paid the requisitioned funds to regional districts and does bear the associated financing costs.

Regional district tax requisitions increase over time as costs increase with inflation, resulting in... commensurately higher fees. But it does not cost the Surveyor of Taxes any more to collect more money from the same number of taxpayers. I agree that it does not cost more to collect annual taxes for the same group of local service tax levies. However, unlike other taxing authorities, regional districts are constantly adding new services that do cost to set up in the taxation system, and as previously discussed, the Province is incurring considerable system and staffing costs to implement changes necessary to meet the future demands of new regional district service areas.

The Province also provides collection services to regional districts for outstanding utility fees in addition to the billing and collection of property taxes. In the past five years the number of utility fees transferred to this office each year for collection has increased 20 per cent in number (to 13,740 accounts in 2011) and 50 per cent in dollar value (to \$2.7 million). For the majority of these accounts there were no rural property taxes outstanding, so we do incur additional costs each year in the provision of services to regional districts.

Workload has been shifting to Regional Districts. Recent processes for the processing of regional district requisitions by the Surveyor of Taxes have changed. These changes were made to provide consistent requisition practices and to enable regional district staff familiar with the local service areas and intended tax burdens to verify that the tax results meet their needs.

.../4

With BC Assessment, Surveyor of Taxes, and regional districts being impacted by the retirement of knowledgeable staff over the past several years, there has been an increase in the number of incorrect local service tax levies recently. The requisition changes were made to minimize tax errors occurring that negatively impact all parties, including local property owners and regional districts. This office continues to perform all normal verification procedures and has not transferred any of its verification procedures to regional districts. However, we are not familiar with the individual service areas and cannot determine if an increase or decrease in the number of properties in the area, or a significant change in the tax rate from the previous tax year, was what was intended by the regional district. These changes provide better reporting to regional district staff to ensure the resulting tax levies are in accordance with their original intentions. Finally, these reporting changes are consistent with initiative by the Ministry of Community, Sport and Cultural Development several years ago to no longer review requisitions and allow regional districts to exercise the final approval of their local taxation levels.

It was also suggested that the Surveyor of Taxes did all apportionment of tax requisitions amongst service area jurisdictions in the past, and now regional districts are required to perform this function. The previous apportionment practice was inconsistent – some regional districts did their own, and this office did some apportionments on behalf of regional districts. When the input of requisition data to our billing system was automated (to eliminate data keying errors), the apportionment practice had to become consistent. It was simpler for regional districts to perform this percentage allocation rather than trying to automate the apportionment. This change was made to reduce the impact of tax levy errors on regional districts and property owners.

I hope the above provides you with a greater appreciation of the unique nature of local government taxation in rural British Columbia, and that this information will help you to understand why the rural property tax collection fee is set at the level it is. I do periodically brief my executive regarding the collection fee to ensure they are aware of regional district concerns. If you have further questions on the collection fee or how our offices interact with each other, please let me know.

Yours truly,



Art Chambers
Director, Real Property Taxation,
Property Taxation Branch
Ministry of Finance



RDN REPORT		
CAO APPROVAL <i>CM</i>		
EAP		
COW	✓	Sept. 13/11
SEP - 1 2011		
RHD		
BOARD		

MEMORANDUM

TO: Carol Mason
Chief Administrative Officer

DATE: August 30, 2011

FROM: Nancy Avery
General Manager, Finance & Information Services

File:

SUBJECT: Fire Protection Service Contract – Big Qualicum Fish Hatchery

PURPOSE:

To present for approval a contract to provide fire protection services to the Big Qualicum Fish Hatchery in Electoral Area 'H'.

BACKGROUND:

The Big Qualicum Fish Hatchery in Electoral Area 'H' lies outside of a fire protection service area. The Bow Horn Bay Volunteer Fire Department has provided fire protection services to certain structures at the Big Qualicum Fish Hatchery for more than a decade, beginning when it was a standalone Improvement District. In 2004, the contract was transferred to and executed by the Regional District of Nanaimo.

The annual fee for service has been \$500 since 2004. During a recent review by staff it was noted that the contract on hand did not specify a formula to calculate the annual fee. Based on information provided by the fire department the concept was to charge a fee per building being protected at the site equal to the amount an average property owner would pay as a taxpayer in the Bow Horn Bay fire protection service area. Using 2011 values, the fee for 2012 would be \$756 (4 buildings x \$189.00).

Staff corresponded with the hatchery over the summer and they have accepted the revised fee rate proposed for 2012 as well as the revised agreement which would include a description of the formula.

ALTERNATIVES:

1. Approve the contract to provide fire protection service to the Big Qualicum Fish Hatchery through the Bow Horn Bay Volunteer Fire Department.
2. Amend the contract further and approve an amended contract.

FINANCIAL IMPLICATIONS:

Alternative 1

The annual revenue under this contract has been established at \$756 for 2012 and will thereafter automatically increase by multiplying the number of buildings at the hatchery site times the amount payable by an average taxpayer in the Bow Horn Bay Fire Protection service area.

Alternative 2

Staff have no further recommendations for amending the contract at this time.

SUMMARY/CONCLUSIONS:

Attached to this report is a renewal contract for the provision of fire protection services to building structures located at the Big Qualicum Fish Hatchery. The property lies outside of a fire protection service area, but has been protected for more than a decade under a service contract by the Bow Horn Bay Volunteer Fire Department.

Earlier this year, staff examined the fee being charged because the rate had not been amended since 2004. Based on applying the cost paid by an average taxpayer in the Bow Horn Bay Fire Protection service area, the revised fee would be \$756 versus the previous fee of \$500. Staff proposed to Fisheries and Oceans that the new fee would be applied beginning in 2012 and that thereafter it would be adjusted annually to reflect the value paid by taxpayers in the Bow Horn Bay Fire Protection service area. Fisheries and Oceans Canada has accepted the proposal and staff are bringing this contract forward to the Board for approval.

RECOMMENDATION:

That the contract between the Regional District of Nanaimo and Fisheries and Oceans Canada covering fire protection to building structures at the Big Qualicum Fish Hatchery be approved.



Report Writer



CAO Concurrence

THIS AGREEMENT made this ____ day of _____, 2011

BETWEEN:

**FISHERIES AND OCEANS CANADA
BIG QUALICUM HATCHERY**
215 Fisheries Road
Qualicum Bay, B.C.
V9K 1Z5

OF THE FIRST PART

AND:

REGIONAL DISTRICT OF NANAIMO
6300 Hammond Bay Road
Nanaimo, B.C.
V9T 6N2
(hereinafter called the "District")

OF THE SECOND PART

WHEREAS the District established the service of fire protection under the "Bow Horn Bay Fire Protection Service Area Establishment Bylaw No. 1385, 2004";

AND WHEREAS Section 176(1)(b) of the *Local Government Act* of British Columbia authorizes regional districts to enter into agreements with a public authority respecting the undertaking, provision and operation of these services;

WHEREAS Fisheries and Oceans Canada at the Big Qualicum Hatchery has requested that fire protection be provided to their property more particularly described as 210 and 215 Fisheries Road found on Plan 1753R, District Lot 254, Alberni Land District which is located outside of the District's boundary;

NOW THEREFORE the parties hereto covenant and agree as follows:

1. In this Agreement:

"Fire Chief" means the Fire Chief or his/her delegate of the Bow Horn Bay Fire Protection Society operating under contract to the Regional District of Nanaimo.

"Average Property Assessment for Fire Services" means the amount payable by a residential property owner in the Bow Horn Bay Fire Service Area with an assessed value of \$350,000.

"Service Area" means the boundaries established under the "Bow Horn Bay Fire Protection Service Area Establishment Bylaw No. 1385, 2004" and subsequent amendments.

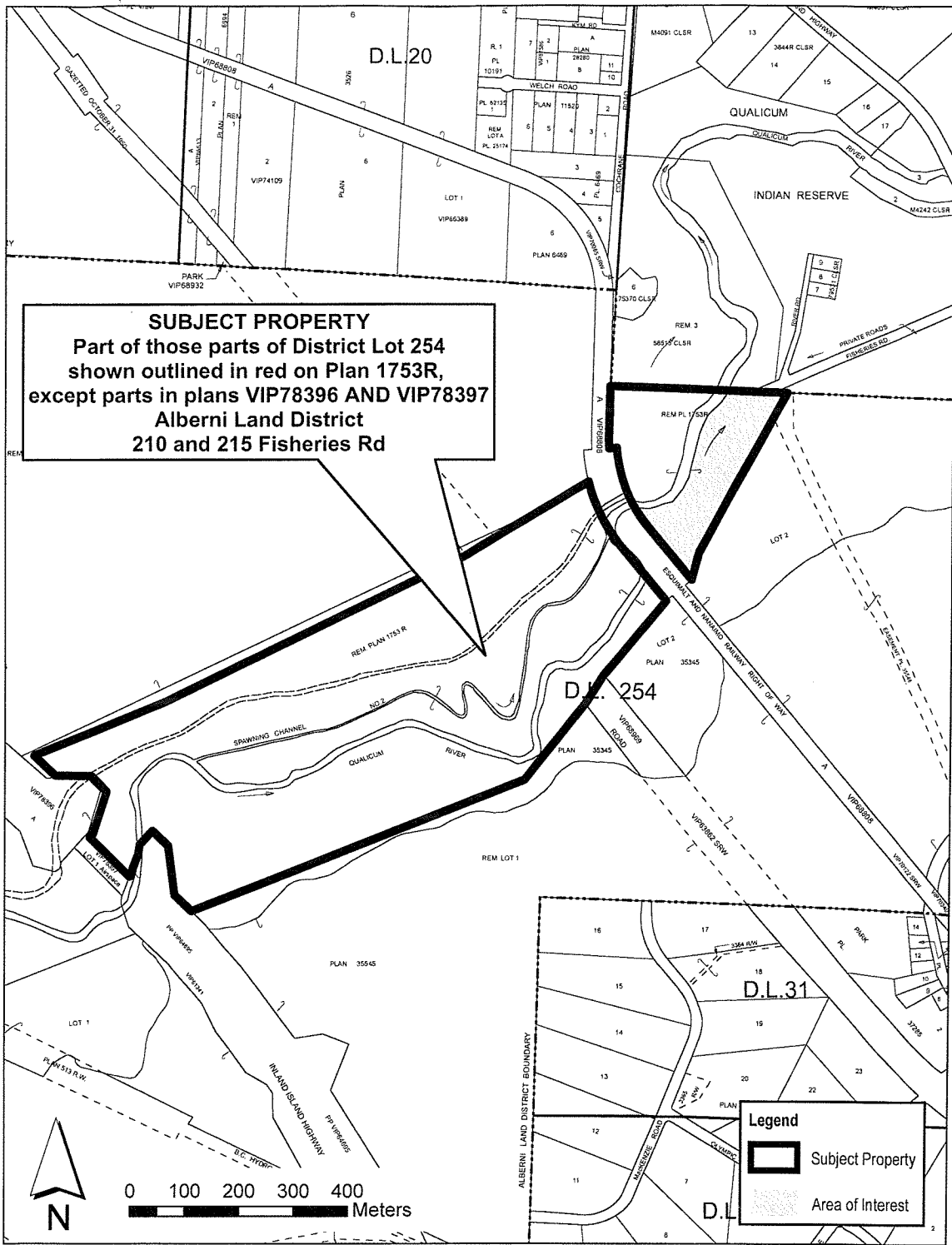
2. (1) This agreement for service is limited to temporary and permanent structures only on the site described as 210 and 215 Fisheries Road described as the residence building, office building, shop building and new marking building and located in the area of interest as identified in the map attached to this agreement as Appendix 1.

- (2) The District hereby agrees to provide fire suppression services through the Bow Horn Bay Volunteer Fire Department Society to the property described above when requested to do so and when, in the opinion of the Fire Chief or his/her delegate, it is safe to do so without endangering the fire protection services for the Service Area within the District.
3. The fire fighting equipment and personnel of the fire department shall remain under the sole control of the Fire Chief or his/her delegate at all times.
4. The Fire Chief retains the authority to recall the personnel or equipment under his command to the District when he/she determines it is necessary.
5.
 - (1) The fee payable for services under this agreement shall be \$500.00 (five hundred dollars) for 2011.
 - (2) Commencing with 2012, the fee shall be based on an amount equal to the average property assessment for Fire Services paid in the Bow Horn Bay Fire Department Service Area in the prior year, multiplied by the number of buildings on the Big Qualicum Hatchery property protected per Section 2(1) above. The 2012 fee is \$756.00.
6. The annual fee will be invoiced by the Regional District of Nanaimo on or before June 1st each year and is payable by the date shown on the invoice.
7. The District shall not be liable for any damages, expenses or losses occurring by reason of suspension or discontinuation of the services herein agreed to be provided by the District where such suspension or discontinuance is caused by circumstances beyond the control of the District.
8. Fisheries and Oceans Canada hereby agrees to indemnify the District, its servants, agents or employees from any claims, demands, actions or causes of action which may be made against the District arising out of or in consequence of any loss (including without limitation, loss of life), injury or damage of all and every description to person or property caused in whole or in part or in any way contributed to by any act or omission of the District, its servants, agents or employees, in the performance of this agreement or provision of fire protection to the property in question or in the purported performance or purported provision of fire protection to the property in question or in failing to perform this agreement.
9. This agreement for service shall not be construed as placing a greater liability on the District in respect of Fisheries and Oceans Canada than the liability that exists in the law between the District and a property owner in the Service Area.
10. This agreement shall take effect as of January 1, 2012 and shall remain in effect for a term of one year and will renew each year automatically for further one year terms unless either party wishes to terminate the agreement in accordance with Section 10 hereof.
11. Notwithstanding anything in this agreement contained to the contrary, this agreement may be terminated by the District or Fisheries and Oceans Canada following 30 days notice by either party delivered in writing by registered mail to the other.
12. This agreement shall be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.


IN WITNESS WHEREOF the parties hereto have set their hands and seals on the day and year above written.

The Corporate Seal of)
FISHERIES AND OCEANS CANADA)
was hereto affixed in the presence of)
its authorized signatories:) (seal)
)
)
_____)
Administrator)
)
_____)
Officer Responsible for Corporate Administration)

The Corporate Seal of the)
REGIONAL DISTRICT OF NANAIMO)
was hereto affixed in the presence of) (seal)
its authorized signatories:)
)
)
_____)
Chairperson)
)
_____)
Senior Manager Corporate Administration)





RDN REPORT		
CAO APPROVAL 		
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COW	✓	Sept. 13 / 11
SEP - 1 2011		
RHD		
BOARD		

MEMORANDUM

TO: Paul Thorkelsson
General Manager, Development Services

DATE: September 2, 2011

FROM: Tom Armet, Manager
Building, Bylaw & Emergency Planning Services

FILE: 4020 20 ANCO

SUBJECT: Regulation of Nuisance Wildlife and Feral Animals

PURPOSE

To obtain Board direction on the regulation of nuisance wildlife and feral animals in the Regional District of Nanaimo.

BACKGROUND

The proliferation of feral rabbits, cats and other wild animals in the Electoral Areas has raised some concerns with respect to nuisances and property damage caused by these animals. At the February, 2011 meeting, the Board heard a presentation from an Area ‘C’ resident on concerns in relation to feral rabbits and a request for the Board to consider adopting a bylaw or amendment that specifically regulates the keeping, feeding and control of wildlife, including feral animals. The Board directed that the issue be referred back to staff for a report that includes the cost of enforcement.

The RDN Animal Control Service was established for the control of dogs only and does not extend to other domestic or wild animals. The RDN solicitor examined the relevant legislation and concluded that the Board does not have the legislative authority to regulate wildlife and feral animals and therefore cannot expand the animal control bylaw to regulate the control or feeding of wildlife and feral animals (including rabbits, cats and peacocks). The regulatory responsibility of animals defined in the *Wildlife Act* is the jurisdiction of the Province unless concurrent authority is specifically granted to a regional district.

ALTERNATIVES

1. Receive the report on the regulation of nuisance wildlife and feral animals for information.
2. Request authority from the Province to regulate nuisance wildlife and feral animals.
3. Refer this issue to the Agricultural Advisory Committee for its consideration in part of the development of the Agricultural Area Plan.

LEGAL IMPLICATIONS

Alternative #1 - Receive the report on the regulation of nuisance wildlife and feral animals for information.

Regional districts have the authority under section 703 of the *Local Government Act* to “regulate or prohibit the keeping of dogs, horses, cattle, sheep, goats, swine, rabbits or other animals and define areas in which they may be kept or may not be kept.” This authority is only in relation to regulating the “keeping” of animals and the location of where they may be kept. The Board’s authority does not extend to animals that are not kept such as wildlife and feral animals.

Regional District animal control bylaws define “keeps” or “kept” as being: “to possess, harbour, or bring on to land for a period in excess of 24 hours, or feed on a regular basis on a parcel of land.” RDN zoning bylaws do not define “keeping” in relation to animals however the common interpretation follows the general dictionary definition which is the housing, feeding and care of animals.

The authority of the Board is also limited under section 707 *Local Government Act* to the ability to seize, impound or detain those animals that are kept when they are unlawfully at large. Therefore a regional district board does not have the authority to regulate with respect to feral animals and wildlife.

Alternative #2 – Request authority from the Province to regulate wildlife and feral animals.

Should the Board wish to regulate feral animals or other wildlife in response to community requests, it would be necessary to apply to the Province for additional authority to regulate in relation to wildlife or feral animals. The RDN solicitor advises that the Board would need to carefully consider the many implications of assuming that responsibility, some of which include:

- What animals to regulate, what those regulations might be and how to enforce them.
- Staffing implications and cost of enforcement.
- RDN’s risk exposure as a consequence of damage or injury resulting from inadequate enforcement.

The RDN solicitor is not aware of a regional district in the Province having requested this authority, likely due to the considerable implications of regulating wildlife in predominantly rural areas. Should the Board wish to explore this further it would be important to undertake a process of community consultation to determine if there are widespread concerns about wildlife or feral animals and a desire to regulate in relation to these animals at the Regional District level. The full impact of assuming such a responsibility would need to be carefully investigated in order to provide strong rationale for the Province to consider extending authority to the RDN to regulate wildlife and feral animals.

Alternative #3 – Refer this issue to the Agricultural Advisory Committee for its consideration in part of the development of the Agricultural Area Plan.

The Board heard a presentation in February on the potential risk to agricultural crops and livestock from uncontrolled populations of feral rabbits. An example of the problem associated with feral rabbits was the escape of a large number of the animals from a “rabbit sanctuary” in Coombs and the effect their presence had and apparently continues to have on crops and livestock in the area. The Board may wish to refer this matter to the Agricultural Advisory Committee for its consideration as part of the development of the Agricultural Area Plan.

FINANCIAL IMPLICATIONS

There are no financial implications in receiving this report. If the Board wishes to pursue regulatory authority for wildlife and feral animals, careful consideration would have to be given to the added costs associated with enforcement, service contracts, staffing requirements and legal liability.


CONCLUSION

Concerns have been raised recently regarding the nuisance and damage caused by wildlife, specifically feral rabbits, in some rural residential areas. The RDN solicitor researched the matter and concluded that the Board does not have the legislative authority to regulate with respect to wildlife or feral animals and cannot expand the animal control bylaw to regulate the control or feeding of wildlife and feral animals. The regulatory responsibility of animals defined in the *Wildlife Act* is the jurisdiction of the Province unless concurrent authority is specifically granted to a regional district. Staff believes there would be considerable financial and legal implications in assuming this responsibility that may not be in the public interest at this time. Staff is

recommending however that this issue be referred to the Agricultural Advisory Committee for its consideration as part of the development of the Agricultural Area Plan.

RECOMMENDATIONS

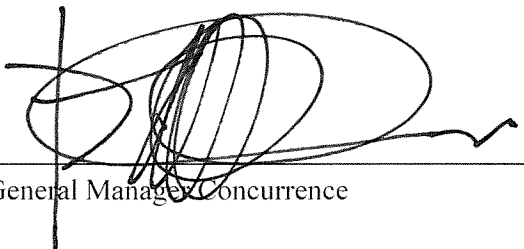
1. That the Board receive this report on the regulation of nuisance wildlife and feral animals for information.
2. That this issue be referred to the Agricultural Advisory Committee for its consideration in part of the development of the Agricultural Area Plan.



Report Writer



CAO Concurrence



General Manager Concurrence



RDN REPORT		
CAO APPROVAL <i>(Signature)</i>		
EAP		
COW	✓	Sept. 13/11
SEP -1 2011		
RHD		
BOARD		

MEMORANDUM

TO: Paul Thorkelsson
General Manager, Development Services

DATE: September 2, 2011

FROM: Tom Armet, Manager
Building, Bylaw & Emergency Planning Services

FILE: 2010000046

SUBJECT: 2128 Minto Ave – Unsafe Buildings/Unightly Premises – Electoral Area ‘A’

PURPOSE

To obtain Board direction regarding unsafe buildings and property maintenance contraventions on the subject property.

BACKGROUND

Property: 2128 Minto Ave., Electoral Area ‘A’

Legal Description: Lot A, Section 11, Range 6, Plan VIP57359, Cranberry Land District

Property Owners: Patrick H. Olfert
2128 Minto Ave, Nanaimo, BC V9X 1R7

Zoning: Residential 2 (RS2) – Bylaw 500

The subject property is located in a well-kept, rehabilitated residential area in South Wellington. Regional District staff has acted on numerous complaints since 1996 concerning the unsightly condition of the property. In 2009, the Board directed by way of resolution that the owner clean up the property. The owner failed to comply with Board direction resulting in a three day clean-up by a contractor hired by RDN staff. Approximately 36,000 kilograms of waste was removed from the property.

In August 2008, the single family dwelling on the property was extensively damaged by fire to the extent that repairs are impractical and the use of the building for any purpose creates a potential health and safety risk. The house has not been lived in since it was damaged by fire however it has been left insecure and appears to be in use by unknown persons for the storage of personal items. The property has frequently been littered with automotive parts, debris and rubbish. Until the spring of this year, a travel trailer was parked on site and used by individuals arrested by the RCMP in relation to criminal activities occurring on the property.

In January and February 2011, staff received six complaints from area residents concerning the unsightly condition of the property and the hazards posed by the fire damaged house and a deteriorating accessory storage building on the property. An inspection of the property confirmed there was once again an accumulation of auto parts, derelict vehicles and debris on the property. It was also confirmed that the burned out house and the accessory building were being used for the storage of personal items. *(photos attached)*.

Staff communicated these concerns in writing to the property owner and met with a family member (agent) in an effort to reach a resolution. Despite assurances from the owner’s agent that the matters

would be resolved, the property and buildings condition remained unchanged prompting further inspections by staff in July 2011.

Both buildings are structurally compromised and are considered by Building Inspection staff to be unsafe for any type of use. The accessory storage building rests on a failing and sagging foundation and the building is leaning approximately 12 inches off plumb and close to the adjacent property. It is highly probable that a strong wind or shifting snow load could lead to the collapse of this building. The building appears to in use for the storage of various items and currently has electrical service to it as well as a wood stove. This creates the potential for a fire should the building collapse.

The fire damaged dwelling is also accessible and used to store personal items. Numerous roof framing members and some of the supporting walls have been badly burned and have no structural strength remaining. The foundation of the building is failing in several areas resulting in partial separation of parts of the building. All interior areas were badly damaged by fire and the building is not salvageable.

On August 2, 2011, the property owner's agent was advised in writing to secure the buildings by boarding up the doors and windows and apply for demolition permits to remove the buildings. Direction was also given to immediately remove the accumulation of debris, auto parts and derelict vehicles. As of the date of this report, the buildings have not been secured nor has the owner/agent applied for the necessary permits to demolish the buildings.

ALTERNATIVES

1. Direct that the Owner take remedial action in relation to the unsafe buildings and the unsightly condition of the property.
2. Take no action with respect to this property

FINANCIAL IMPLICATIONS


If the Board directs that remedial action be taken with respect to the unsafe buildings and removal of the objectionable material from the property any costs incurred by the Regional District of Nanaimo or its agents with respect to the demolition and removal of the buildings and objectionable material will be billed directly to the owner. If unpaid on December 31 in the year in which the work is done, the expense may be added to taxes in arrears or be collected as a debt.

CONCLUSION

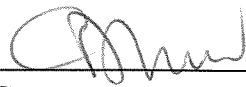
The owner has demonstrated an unwillingness to comply with the provisions of the Unsightly Premises Bylaw or maintain the property and buildings to a reasonable and safe standard. The fire damaged dwelling and deteriorating accessory storage building are unsafe for entry or use and their structural failure could potentially result in personal injury or damage to adjacent properties. Board direction appears to be the only remaining option available to bring this property into a safe and compliant condition.

RECOMMENDATIONS

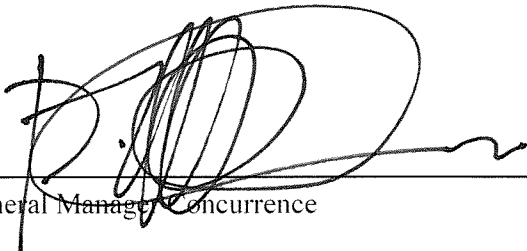
1. That the Board declares that the accessory building and fire damaged residence at 2128 Minto Avenue, Lot A, Section 11, Range 6, Plan VIP57359, Cranberry Land District, create an unsafe condition pursuant to Section 73(1)(a) of the “Community Charter”.
2. That the Board directs the Owner of the property, pursuant to Section 72(2)(b) of the “Community Charter”, to demolish and remove the accessory building and fire damaged dwelling from the property within thirty (30) days of service of the attached Resolution or the work will be undertaken by the Regional District of Nanaimo’s agents at the Owner’s cost.
3. That the Board directs the Owner of the property, to remove from the premises those items as set out in the attached Resolution within thirty (30) days, or the work will be undertaken by the Regional District of Nanaimo’s agents at the Owner’s cost.



Report Writer

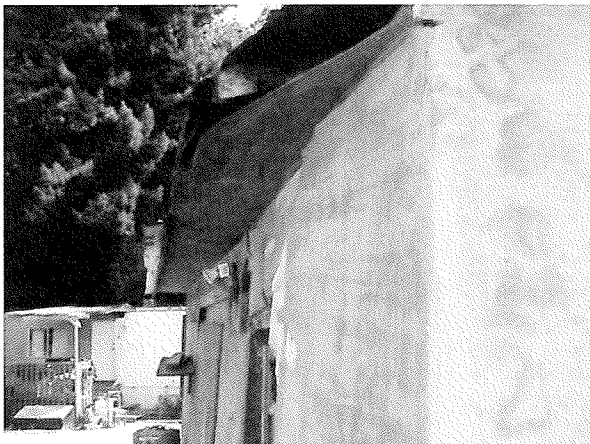
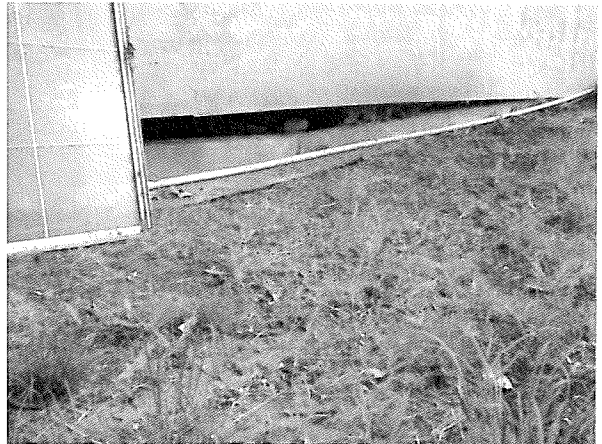
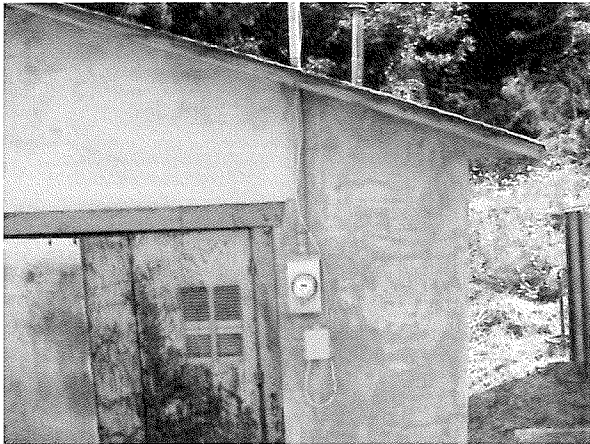
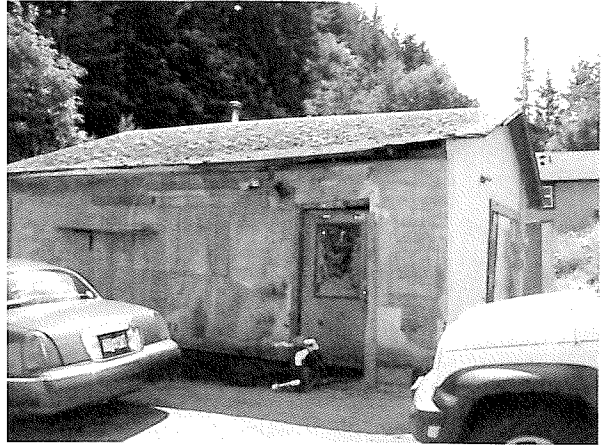


CAO Concurrence

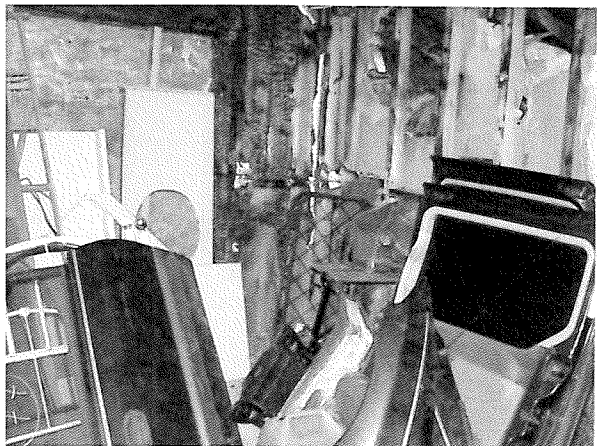
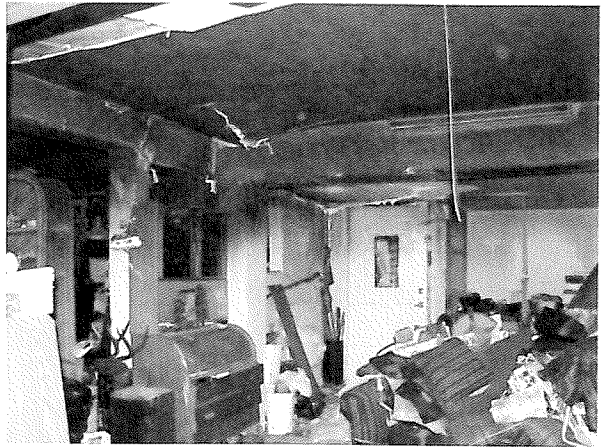
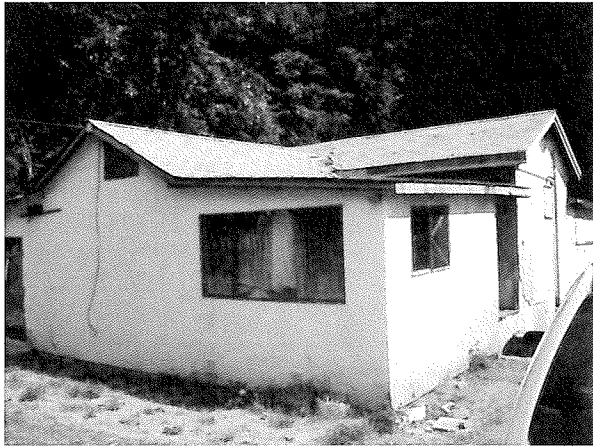


General Manager Concurrence

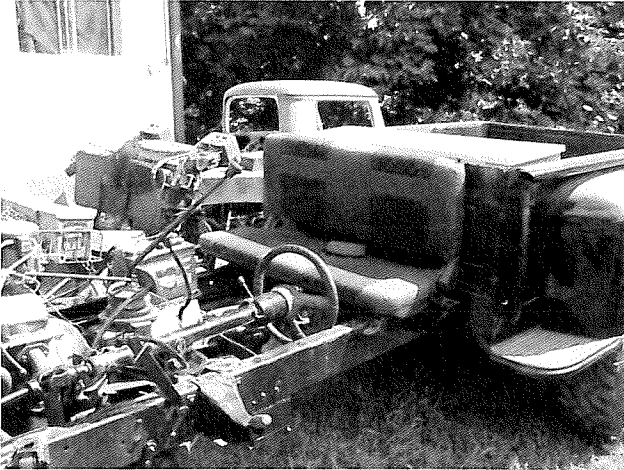
Attachment No. 1 (accessory building)



Attachment No 1, con't (fire damaged building)



Attachment No. 1, con't (unsightly premises)





RDN REPORT	
CAO APPROVAL <i>(Signature)</i>	
EAP	
COW	✓ Sept. 13/11
SEP - 6 2011	
RHD	
BOARD	

MEMORANDUM

TO: Tom Arnet, Manager
Building, Bylaw & Emergency Planning Services

DATE: September 2, 2011

FROM: Brian Brack
Bylaw Enforcement Officer

FILE: CE147B08

SUBJECT: Unsafe Building - 1038 Horseshoe Road, Electoral Area 'B'

PURPOSE

To obtain Board direction regarding an unsafe building on the subject property.

BACKGROUND

Property: 1038 Horseshoe Road, Electoral Area 'B'

Legal Description: Lot 7, Section 18, Plan 21586, Gabriola Island, Nanaimo District

Property Owner: Christine Melvina Eyjolfson (Deceased)
Jo-Anne Eyjolfson (Daughter and Executor)
2222 Hummingbird Drive, Cedar, BC V9X 1G6

The subject property is located in a rural residential neighbourhood on Gabriola Island, in an area of neat and well maintained properties. The property owner, who has been deceased for approximately 13 years, continues to be registered on title as the owner. The owner's common-law husband lived for a brief time on the property and then also passed away. The owner's daughter (and executor of the estate) has been paying the property taxes for several years while the estate settlement is being contested by other family members.

In May, 2008 complaints were received that the subject property was in an unsightly condition. Staff inspected the property on several occasions and found the abandoned property contained piles of debris and unsecured, deteriorating buildings. The former dwelling is in a state of advanced deterioration with rotting roof trusses, falling metal roof sheeting and damage from water penetration. In staff's opinion, the building is unsafe and presents a potential risk of damage to adjacent properties or injury to users of the building. The building is not salvageable and there is evidence to suggest it is being accessed by unknown persons.

Staff advised the Executor to bring the property condition into compliance however nothing was done in that regard. In July, 2010 the executor's lawyer was advised in writing that the buildings on the property were considered unsafe and to take steps to secure or remove the buildings. Two small accessory buildings were torn down following this direction however the main dwelling and demolition debris was not removed. Neither the executor nor her lawyer has responded to further staff requests to address the safety issues in relation to the abandoned building. Staff continues to receive complaints from area residents, concerned about the unsafe condition of the property.

ALTERNATIVES

1. Declaration by the Board that the abandoned building on the subject property creates an unsafe condition pursuant to section 73 “Community Charter” and impose remedial action requirements in relation to the building.
2. Take no action with respect to this property.

FINANCIAL IMPLICATIONS

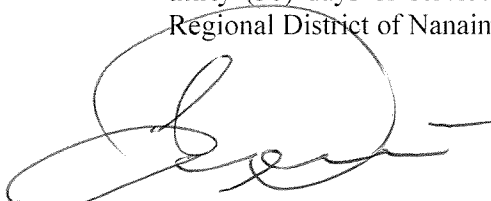
If the Board directs that remedial action be taken with respect to the unsafe building, any costs incurred by the Regional District of Nanaimo or its agents with respect to the demolition and removal of the building will be billed directly to the estate of the owner or agent. If unpaid on December 31 in the year in which the work is done, the expense may be added to taxes in arrears or be collected as a debt.

CONCLUSION

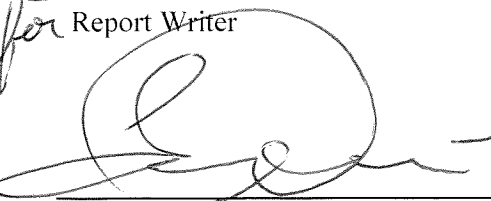
The subject property has been abandoned for several years while the estate of the deceased owner is under dispute. Staff has been advised there will be no resolution forthcoming in the near future as the Executor lacks the means to deal with safety and maintenance issues and no one else will take responsibility for the property. Area residents have expressed concerns that the condition of the property and building poses a significant risk of damage to adjacent properties and potential for injury to individuals accessing the building. Board direction appears to be the only remaining option to alleviate these hazards. Staff is recommending that the Board declares the building to be unsafe and directs that remedial action be taken pursuant to authorities under Section 72(2)(b) of the “Community Charter”.

RECOMMENDATIONS

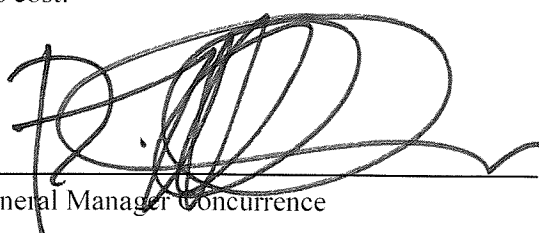
1. That the Board declares that the building at 1038 Horseshoe Road, Lot 7, Section 18, Gabriola Island, Nanaimo District, Plan 21586, creates an unsafe condition pursuant to Section 73(1)(a) of the “Community Charter”.
2. That the Board directs the Owner of the property or Agent, pursuant to Section 72(2)(b) of the “Community Charter”, to demolish and remove the building and debris from the property within thirty (30) days of service of the attached Resolution or the work will be undertaken by the Regional District of Nanaimo’s agents at the Owner’s cost.



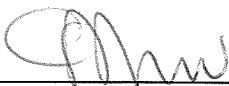
for Report Writer



Manager Concurrence



General Manager Concurrence



CAO Concurrence

Attachment No. 1





RDN REPORT	
CAO APPROVAL <i>(initials)</i>	
EAP	
COW	✓ Sept. 13/11
AUG 16 2011	
RHD	
BOARD	

MEMORANDUM

TO: Mike Donnelly
Manager of Water Services

DATE: August 15, 2011

FROM: Deb Churko, ASCT
Engineering Technologist

FILE: 5500-20-FC-01

SUBJECT: Bylaws No. 813.48 and 889.61 - Inclusion of Property into the French Creek and Northern Community Sewer Service Areas, Electoral Area 'G'

PURPOSE

To consider a request to include 869 Cavin Road into the French Creek and Northern Community Sewer Service Areas for the purpose of sanitary sewer connection (see Location Plan in Figure 1).

BACKGROUND

The subject property is a 0.7 acre waterfront lot located off of Wright Road, just west of Parksville, BC. The property is currently occupied by one single family dwelling which was constructed before 1970. The owners of the subject property (Kim and Chris Howse) are renovating the home and property and wish to include the property in the French Creek Sewer Service in order to abandon the aging septic field and gain a permanent sanitary sewer connection. The owners have petitioned the RDN to be included in the French Creek and Northern Community Sewer Local Service Areas for the purpose of joining the community sewer system.

The long-term strategy for the French Creek Plan Area is to have all urban areas fully serviced by community sewer. The subject property is located within the engineered sewer catchment area for the French Creek Pollution Control Centre, and the French Creek Official Community Plan (OCP) recognizes that sewer system expansions may be required in order to avoid potential future problem areas from on-site sewage disposal systems. The French Creek Sewer Local Service Area boundary is located immediately adjacent to the property, thereby making a connection to the community sewer system possible.

Two Capital Charges are payable when being brought into the sewer service areas. A Capital Charge of \$684 (per lot) is payable pursuant to *French Creek Sewer Local Service Area Capital Charge Bylaw No. 1330* (for sewage collection), and a Capital Charge of \$1,961 (per lot) is payable pursuant to *Northern Community Sewer Local Service Area Capital Charge Bylaw No. 1331* (for sewage treatment).

Capital Charges are normally payable on the full development potential of the lot at the time a property joins the local service area. While this property is large enough to subdivide under the current zoning, the owners have indicated that they have no intention of subdividing the lot at this time. In this regard, Capital Charges can be paid on the parent lot only, and a covenant registered on the land title of the property indicating that additional Capital Charges would be payable in the event of future subdivision and/or multi-family development.

French Creek Sewer Local Service Area Bylaw No. 813 (1990), and Northern Community Sewer Service Area Bylaw No. 889 (1993) require amendment in order to include this property in the sewer service areas. Both bylaw amendments are addressed in this report.

ALTERNATIVES

1. Accept the application and include the property in the French Creek and Northern Community Sewer Local Service Areas.
2. Do not accept the application. The owner can explore options for improving the on-site sewage treatment and disposal.

FINANCIAL IMPLICATIONS

Under Option 1, if the application for 869 Cavin Road is approved for inclusion into the French Creek and Northern Community Sewer Local Service Areas, there are no financial implications to the RDN. All costs associated with connection to the community sewer system would be at the expense of the applicant. The owner has paid Capital Charges on the parent lot in the amount of \$2,645. A signed covenant has been received and registered on the Land Title to ensure payment of the remaining Capital Charges on the full development potential of the land.

Under Option 2, if the application is not approved, there are no financial implications to the RDN. The owner could explore options to improve the existing on-site sewage treatment and disposal system.

SUSTAINABILITY IMPLICATIONS

By including this property in the French Creek and Northern Community Sewer Service Areas, domestic sewage would be collected by the community sewer system and treated at the French Creek Pollution Control Centre, thereby allowing the owners to discontinue use of the aging septic tank and on-site sewage disposal field. Staff suggest that connecting this property to the community sewer system would be a more sustainable option than re-designing an on-site treatment and disposal system in an urban setting.

DEVELOPMENT IMPLICATIONS

The subject property is located within a "Neighbourhood Residential" land use designation pursuant to the *Electoral Area 'G' Official Community Plan (OCP) Bylaw No. 1540, 2008*. The long-term strategy for the French Creek Plan Area is to have all urban areas fully serviced by community sewer. The Electoral Area 'G' OCP recognizes that sewer system boundary extensions may be required in order to avoid potential future problem areas from on-site sewage disposal systems.

The subject property is located within the Urban Containment Boundary as described in the *Regional Growth Strategy Bylaw No. 1309 (2003)*, and is located within the engineered sewer catchment area for the French Creek Pollution Control Centre. The property is zoned Residential RS1-Q pursuant to *Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987*. The "Q" subdivision district provides a minimum parcel size of 700 m² when the property is serviced with community sewer. The subject property is approximately 0.284 hectares (2,848 m², 0.7 acres) in size, therefore subdivision of the property into several lots may be possible under the current zoning. As mentioned previously however, the owners have no intention of subdividing at this time, and a covenant has been registered on the land title indicating that additional Capital Charges would be payable in the event of future subdivision and/or multi-family development.

SUMMARY/CONCLUSIONS

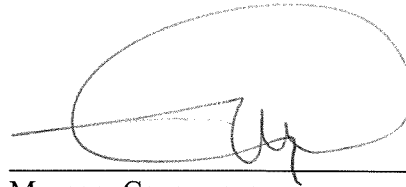
Petitions have been received from the owner of 869 Cavin Road to amend the boundaries of the French Creek and Northern Community Sewer Service Areas in order to abandon their aging septic field and gain a permanent sanitary sewer connection. The subject property is located within the Urban Containment Boundary, and within the engineered sewer catchment area for the French Creek Pollution Control Centre. The Electoral Area 'G' OCP supports the connection of urban properties to community sewer. All costs associated with the connection of 869 Cavin Road would be at the expense of the applicant. The owner has paid Capital Charges on the parent lot in the amount of \$2,568, and a covenant has been registered on the land title to ensure Capital Charges are applicable in the event of future development.

RECOMMENDATIONS

1. That "French Creek Sewerage Facilities Local Service Boundary Amendment Bylaw No. 813.48, 2011" be introduced and read three times.
2. That "Regional District of Nanaimo Northern Community Sewer Local Service Boundary Amendment Bylaw No. 889.61, 2011" be introduced and read three times.



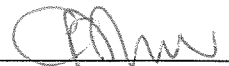
Report Writer



Manager Concurrence

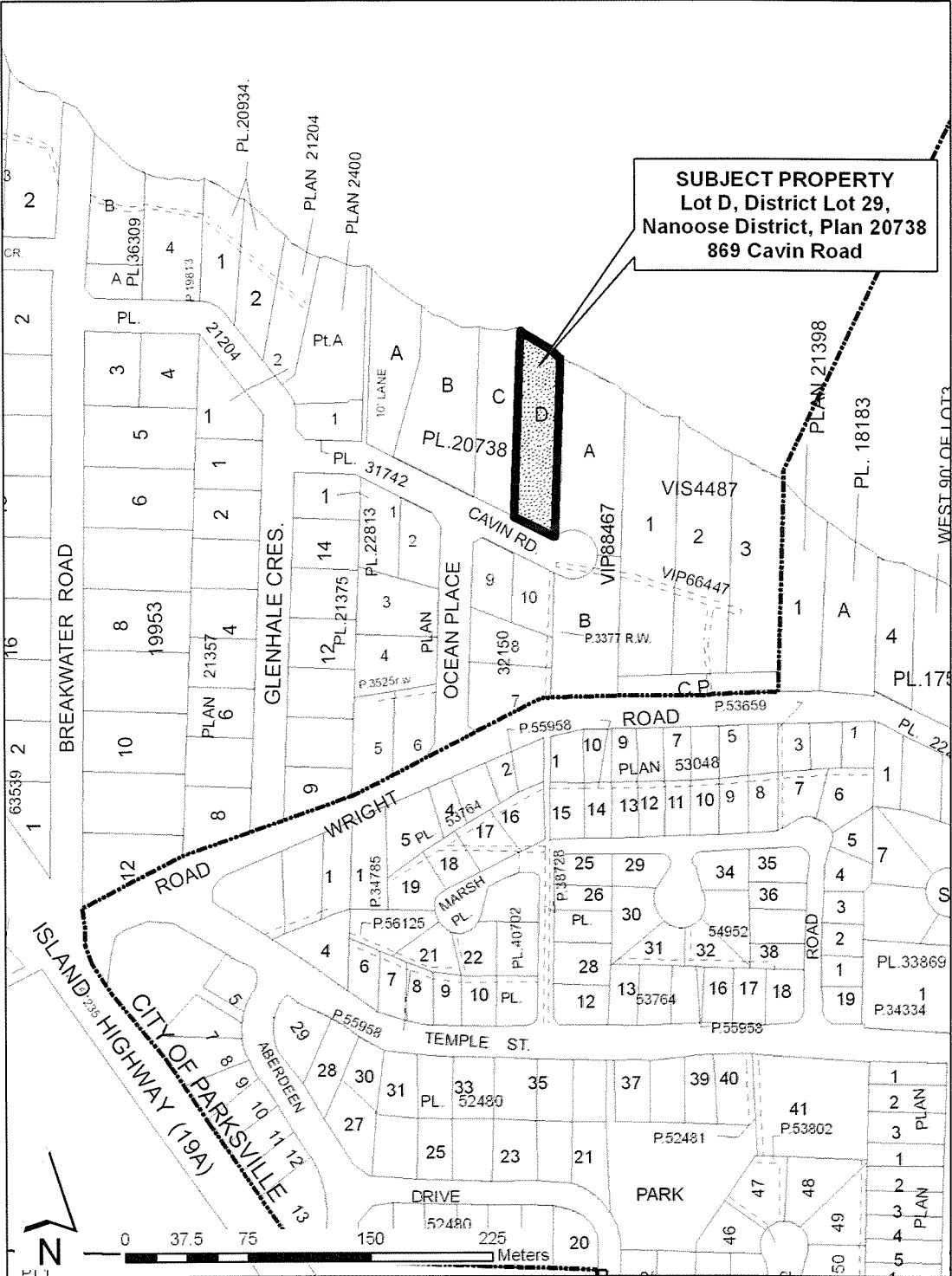


General Manager Concurrence



CAO Concurrence

Figure 1 - Location Plan



REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 813.48

**A BYLAW TO AMEND THE BOUNDARIES OF THE
FRENCH CREEK SEWER SERVICE**

WHEREAS the Regional District of Nanaimo established the French Creek Sewer Service pursuant to Bylaw No. 813, cited as “French Creek Sewerage Facilities Local Service Establishment Bylaw No. 813, 1990”;

AND WHEREAS the Board of the Regional District of Nanaimo has been petitioned by the property owners to extend the boundaries of the service area to include the land shown outlined in black on Schedule ‘B’ of this bylaw and legally described as:

- Lot D, District Lot 29, Nanoose Land District, Plan 20738.

AND WHEREAS at least 2/3 of the service participants have consented to the adoption of this bylaw in accordance with section 802 of the *Local Government Act*;

NOW THEREFORE the Board of the Regional District of Nanaimo, in open meeting assembled, enacts as follows:

1. Amendment

“French Creek Sewerage Facilities Local Service Establishment Bylaw No. 813, 1990” is amended as follows:

By deleting Schedule ‘A’ of Bylaw No. 813 and replacing it with the Schedule ‘A’ attached to this bylaw.

2. Citation

This bylaw may be cited for all purposes as “French Creek Sewerage Facilities Local Service Boundary Amendment Bylaw No. 813.48, 2011”.

Introduced and read three times this 27 day of September, 2011.

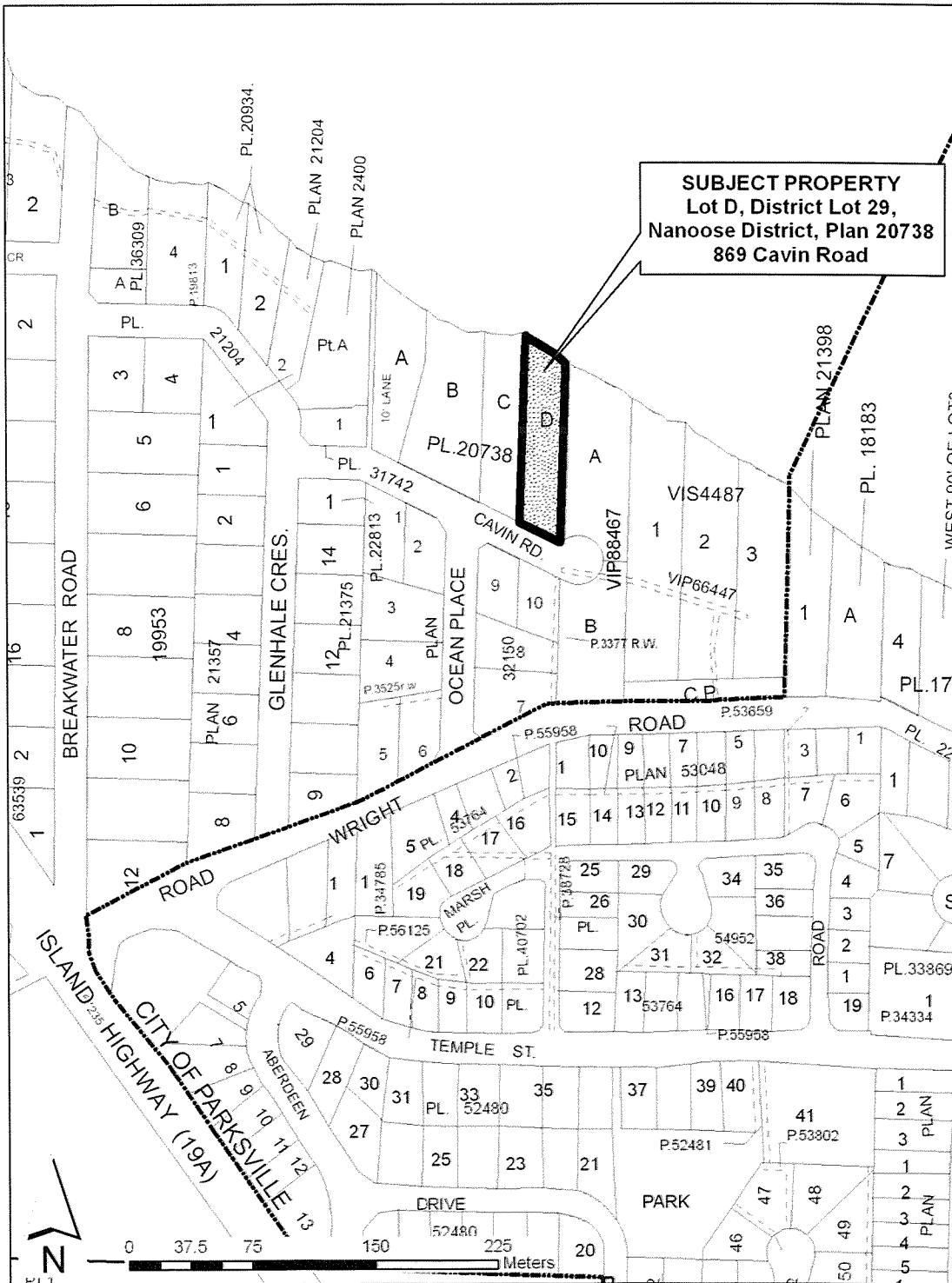
Adopted this ____ day of _____, 2011.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

Chairperson

Sr. Mgr., Corporate Administration



REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 889.61

**A BYLAW TO AMEND THE BOUNDARIES OF THE
NORTHERN COMMUNITY SEWER SERVICE**

WHEREAS the Regional District of Nanaimo established the Northern Community Sewer Service pursuant to Bylaw No. 889, cited as “Regional District of Nanaimo Northern Community Sewer Local Service Conversion Bylaw No. 889, 1993”;

AND WHEREAS the Board of the Regional District of Nanaimo has been petitioned by the property owners to extend the boundaries of the service area to include the land shown outlined in black on Schedule ‘B’ of this bylaw and legally described as:

- Lot D, District Lot 29, Nanoose Land District, Plan 20738.

AND WHEREAS at least 2/3 of the service participants have consented to the adoption of this bylaw in accordance with section 802 of the *Local Government Act*;

NOW THEREFORE the Board of the Regional District of Nanaimo, in open meeting assembled, enacts as follows:

1. Amendment

“Regional District of Nanaimo Northern Community Sewer Local Service Conversion Bylaw No. 889, 1993” is amended as follows:

By deleting Schedules ‘C’ and ‘E’ of Bylaw No. 889 and replacing them with the Schedules ‘C’ and ‘E’ attached to this bylaw.

2. Citation

This bylaw may be cited as “Regional District of Nanaimo Northern Community Sewer Local Service Boundary Amendment Bylaw No. 889.61, 2011”.

Introduced and read three times this 27 day of September, 2011.

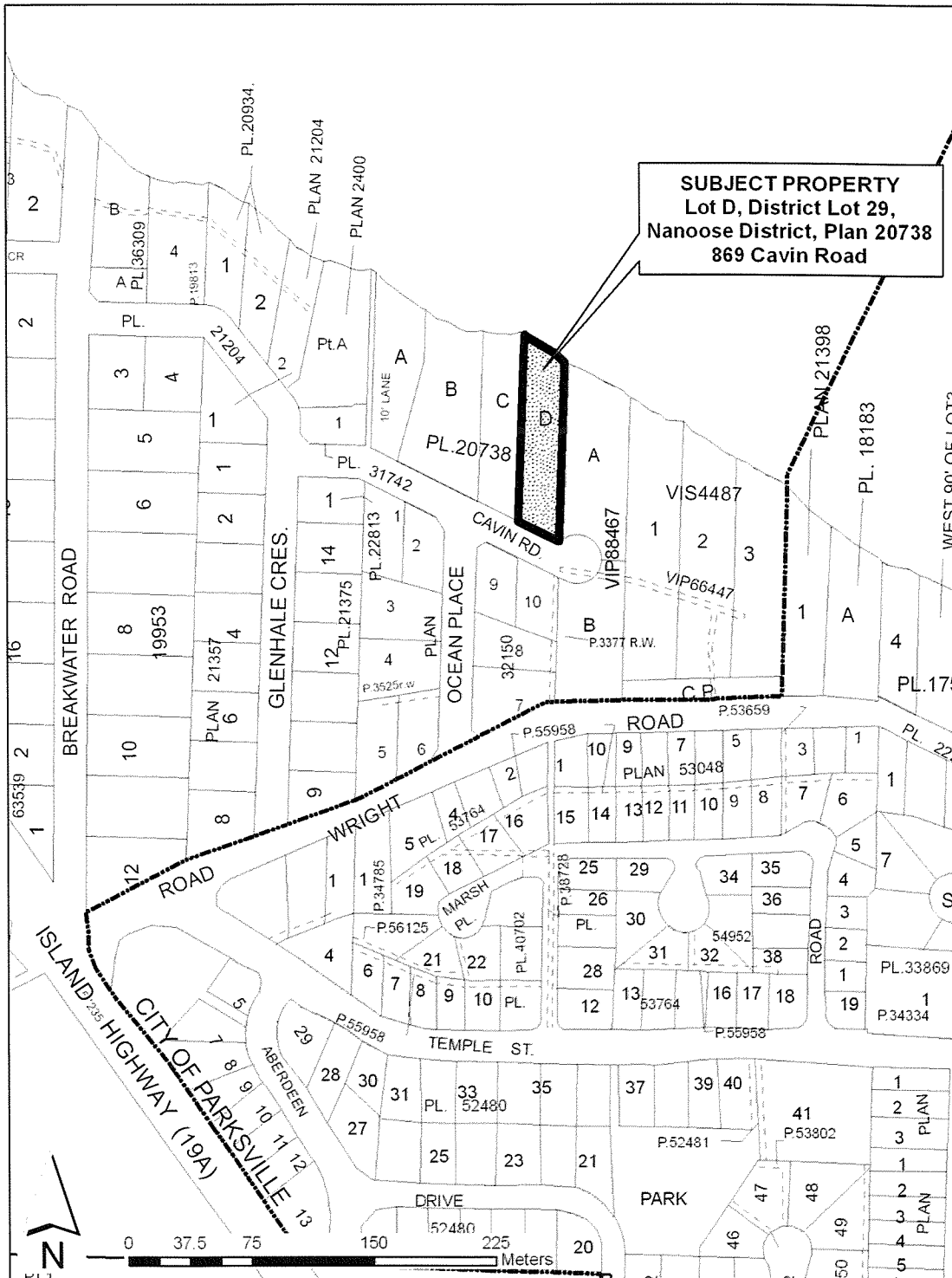
Adopted this ____ day of _____, 2011.

CHAIRPERSON

SR. MGR., CORPORATE ADMINISTRATION

Chairperson

Sr. Mgr., Corporate Administration



NANAIMO REGIONAL HOSPITAL DISTRICT

**MINUTES OF THE REGIONAL HOSPITAL DISTRICT SELECT COMMITTEE
MEETING HELD ON TUESDAY SEPTEMBER 6, 2011 AT 11:30 AM
IN THE RDN BOARD CHAMBERS**

Present:

Director T. Westbrook	Chairperson
Director J. Stanhope	Electoral Area 'G'
Director M. Lefebvre	City of Parksville
Director C. Haime	District of Lantzville
Director J. Kipp	City of Nanaimo
Director D. Johnstone	City of Nanaimo

Also in Attendance:

C. Mason	Chief Administrative Officer
N. Avery	General Manager, Finance & Information Services

CALL TO ORDER

The Chairperson called the meeting to order at 11:30 am.

DELEGATIONS

Harold Waldner, CEO Vancouver Island Health Authority presented an overview of the Oceanside Health Center project.

MINUTES

MOVED Director Stanhope, SECONDED Director Lefebvre, that the minutes of the Regional Hospital District Select Committee meeting held February 22, 2011 be adopted.

CARRIED

REPORTS

Request for Cost Sharing – Oceanside Health Centre

MOVED Director Stanhope, SECONDED Director Lefebvre, that correspondence be sent to the Vancouver Island Health Authority advising that the Regional Hospital District supports the Oceanside Health Centre project and is prepared in principle to cost share in an estimated \$14.4 million dollar budget, pending confirmation of Provincial cost sharing and a final budget.

CARRIED

ADJOURNMENT

MOVED Director Stanhope, SECONDED Director Lefebvre, that the meeting terminate.

CARRIED

TIME: 12:20 PM

CHAIRPERSON



RDN REPORT	
CAO APPROVAL	
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AUG 31 2011	
RHD	
BOARD	
✓ RHD Select Comm	

**MEMORANDUM
NANAIMO REGIONAL
HOSPITAL DISTRICT
SELECT COMMITTEE**

TO: C. Mason
Chief Administrative Officer

DATE: August 29, 2011

FROM: N. Avery
General Manager, Finance & Information Services

File:

SUBJECT: Request for Cost Sharing in Oceanside Health Centre

PURPOSE:

To introduce a request to cost share in the construction of the Oceanside Health Centre.

BACKGROUND:

The Vancouver Island Health Authority (VIHA) has been exploring opportunities to provide additional health care services in the Oceanside area of District 69 for some time. As the Project Brief attached to this report outlines, the Authority received proposals in June 2010 and has selected a proponent to construct a two-storey 3,300 m² building on property which currently houses the Trillium Lodge Long Term Care facility. The estimated cost of the facility is \$14.4 million dollars (plus or minus 10%). The project is called the Oceanside Health Centre (OHC).

One of the desired outcomes for persons residing in the Oceanside area is a reduction in the distance travelled for urgent care – that is, travel to the Emergency Department at the Nanaimo Regional General Hospital. In 2010/2011 approximately 8,125 patients visited Nanaimo from the Oceanside area. The project brief notes that while not all of these visits will go to the OHC, there is an expectation of high use of the facility by both permanent residents and seasonal visitors.

The OHC will provide improved access to primary health care, increased chronic disease prevention, enhanced monitoring and management of chronic diseases, improved care for the frail elderly and improved access to specialty services through the use of Telehealth.

ALTERNATIVES:

1. Approve cost sharing in principle subject to a final budget and confirmation of Provincial cost sharing.
2. Receive this report for information.

FINANCIAL IMPLICATIONS:

Alternative 1

Under this alternative the Hospital District would indicate cost sharing in principle only. A final approval would be subject to a confirmed budget and Provincial funding. The Health Authority has advised that it has a relatively high level of confidence that the province will support the project. The timeline to complete the project is December 2012.

The projected additional debt which would be incurred by local taxpayers would be in the range of \$5.2 to \$6.3 million dollars. The annual cost to service this debt would be approximately \$468,000.

Schedule A attached to this report indicates that a significant increase in the Hospital District property tax levy might be required in 2013 and 2014 as a result of bringing this new project into the Health Authority's capital plan. While the property tax requisition increase would be substantial, staff estimate that the property tax impact to a residential taxpayer would be in the order of \$1.60 per \$100,000 of assessment.

Alternative 2

Under this alternative, this report would be received for information only at this time. This approach would be consistent with the resolution adopted by the Regional Board on November 26, 2009:

"That consideration of additional funding for the emergency department redevelopment be deferred pending final project approval by the Province and further that Regional Hospital District consideration and/or approval for funding any major capital projects be provided once Provincial approval of project funding is confirmed."

The foregoing resolution was passed as a result of a significant increase in the Emergency Department redevelopment budget, related to detailed design work and an increase in project scope. The changes had occurred some years after the initial project approval for which no detailed design work had been conducted. Given the design work done to date on this project and the expected short timeline for completion staff recommend a resolution under Alternative 1.


SUMMARY/CONCLUSIONS:

Correspondence has been received from the Vancouver Island Health Authority, seeking support for cost sharing in an Oceanside Health Centre with an estimated budget of \$14.4 million dollars (+/- 10%). At this time, the indication of the impact of this project to a residential taxpayer is \$1.60 per \$100,000 of property value.

In 2009, following concerns regarding approving projects too far in advance and being confronted with higher budget estimates at a later date, the Board adopted a resolution requiring that Provincial cost sharing be confirmed before the Regional Hospital District consider a project. Considerable design work has been done on this project and staff have been advised that Provincial cost sharing is under active discussion. Staff recommend approving cost sharing in principle, subject to a final budget and confirmation of Provincial cost sharing.

RECOMMENDATION:

That correspondence be sent to the Vancouver Island Health Authority advising that the Regional Hospital District supports the Oceanside Health Centre project and is prepared in principle to cost share in an estimated \$14.4 million dollar budget, pending confirmation of Provincial cost sharing and a final budget.



Report Writer



CAO Concurrence

Pro-forma Projection
Oceanside Healthcare Center

NANAIMO REGIONAL HOSPITAL DISTRICT
BUDGET PROJECTIONS
2011 to 2015

	2011		2012		2013		2014		2015		2016		2017	
	2.0%		4.0%		9.0%		12.0%		3.0%		3.0%		Revised	3.0%
Current Projection														
Prior Projection														
Revenues														
Property taxes	6,420,840		6,677,674		7,278,665		8,152,109		8,396,672		8,648,573		8,906,030	
Grants in lieu	26,000		26,000		26,000		26,000		26,000		26,000		26,000	
Interest income	32,155		32,155		32,155		32,155		32,155		32,155		32,155	
Prior year surplus applied	2,196,325		743,145		466,175		22,325		34,191		100,000		100,000	
	8,675,320		7,476,974		7,802,995		8,232,588		8,489,019		8,806,728		9,114,030	
Expenditures														
Administration	20,500		21,525		22,601		23,731		24,918		26,164		27,472	
Debt payments	2,948,965		3,410,127		3,928,398		4,355,528		4,425,674		3,910,287		3,693,227	
Debt issue expense/temp financing	316,355		237,401		385,635		271,780		19,136		0		0	
Equipment grants	2,046,355		2,143,746		3,444,037		3,547,358		3,653,779		3,763,363		3,876,297	
Special debt pay down	2,600,000		1,200,000											
Reserve for Future Projects	7,932,174		7,012,798		7,780,671		8,198,397		8,389,016		1,006,884		1,417,035	
Surplus for future years' expenditures	743,145		466,175		22,325		34,191		100,000		100,000		100,000	



Our Vision: Healthy People, Healthy Island Communities, Seamless Service

July 18, 2011

Ref: 12449

Ms. Wendy Idema
Acting General Manager, Finance and Information Services
Nanaimo Regional Hospital District
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

Dear Ms. Idema:

Re: Oceanside Health Centre

I am writing to request Nanaimo Regional Hospital District capital cost-sharing for the Oceanside Health Centre. This new facility will provide better access to health care services for the Oceanside population by bringing existing and new health services together under one roof.

Attached is a Project Brief associated with the project. VIHA staff would be available to meet with NRHD representatives to discuss this project at your convenience.

Please call me at (250) 370-8912 if you have any questions.

Yours truly,

A handwritten signature in cursive script that reads "Chris Sullivan".

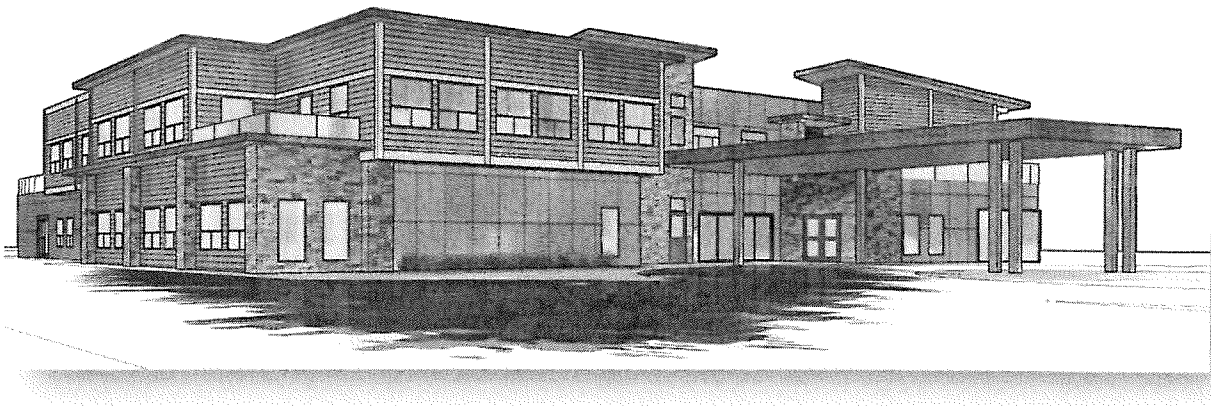
Chris Sullivan
Director, Capital Planning

Attachment

cc: Howard Waldner, President & CEO



Oceanside Health Centre



Project Brief for Nanaimo Regional Hospital District

July 15, 2011

Contents

Summary.....	3
Part A Rationale for the Project	5
Part B Service Delivery	8
Part C Request	11
Appendices	12

Summary

Oceanside is an area that is also described as Local Health Area (LHA) 69. It includes Qualicum, Parksville and much of the surrounding areas to these two towns.

The population of Oceanside was approximately 47,000 in 2009 and is forecast to grow to 55,000 by 2020. This population is amongst the oldest in Canada (35% are 65+ and 18% are 75+) and has a high incidence of chronic illness (39% of the population).

The area lacks a clinic that has extended hours. Those requiring services after normal hours of business are required to travel a half hour or more to an already busy emergency department, to wait until business hours or to do without.



The Oceanside Health Centre (OHC) is planned to be a two storey, 3,300 m², (\$14.4 million +/-10%) facility that will provide care services to local residents and visitors to the area, on an extended hours basis, seven days a week. The planned opening for the facility is December 2012.

In the summer of 2009, the Vancouver Island Health Authority (VIHA) issued an Expression of Interest (EOI) to build, own, and operate a new primary and urgent care centre. Following that process, a Request for Proposals was issued to those entities that responded to the EOI. Proposals were received in June 2010 and they were evaluated. Out of that evaluation process, Stanford Place Holdings Limited, a firm comprised of residential care providers (Ahmon Group) and a developer (Lark Group) was selected as the preferred partner. Negotiations have concluded and VIHA is ready to implement the project as described in this document.

As a hub for a wide variety of clinic services, the OHC will serve as an exemplar facility demonstrating leading edge innovation in the provision of patient care by placing the patient (and their care providers) at the centre of health care services. The service delivery model will be built on a foundation which includes e-health, Care Delivery Model Redesign (CDMR), Evidence Based Design (EBD) and lean.

The delivery of holistic care to the patient will be through the integration of all primary health care services including an inter-disciplinary primary care team and the existing multi-disciplinary Integrated Health Network. This extended team will enable closer collaborative working relationships with all providers - for example: social workers, mental health practitioners, nutritionists, pharmacists - to work together to address the overarching health and social needs of patients including end of life care.

The OHC will be a key element of VIHA's implementation of the Ministry's Key Result Area (KRA) #3 and will contribute to the improvement of health care services in a way that aligns with the objectives of the Provincial Primary Health Care Charter, namely:

- Improved access to primary health care;
- Increased chronic disease prevention;
- Enhanced monitoring and management of chronic diseases, including the use of Tele-home Monitoring;
- Improved coordination and management of co-morbidities;
- Improved care for the frail elderly; and
- Improved access to specialty services through co-location and the use of Telehealth.

The expected outcomes will be the foregoing goals of KRA 3 as well as the improved health of the population, improved chronic disease management, resulting in decreased Emergency Department visits (which VIHA's data suggests could go down by over 8,000 visits per year).

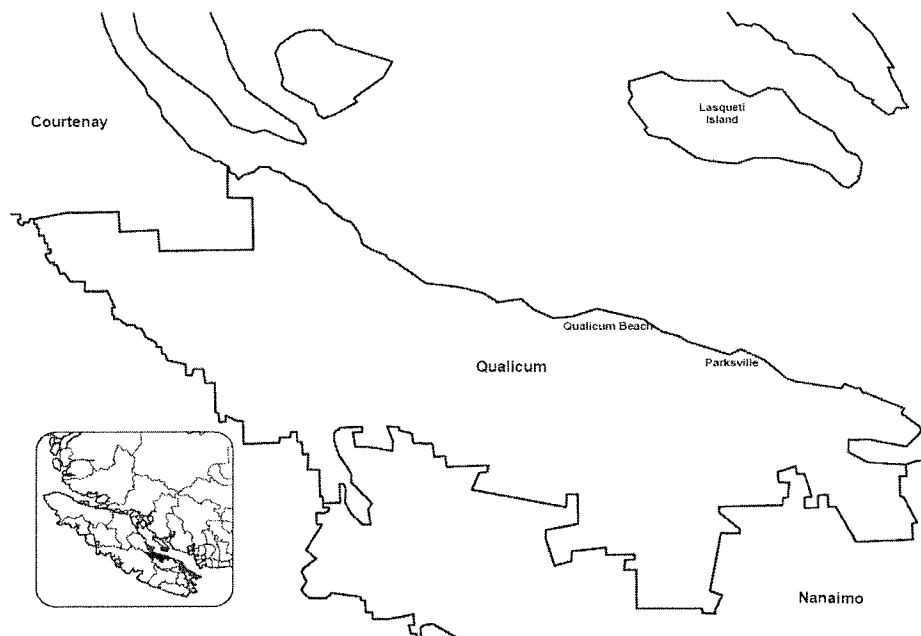
This new model will improve the cost effectiveness of clinical care - both in terms of decreasing hospital utilization and the interdisciplinary staffing model. In addition, VIHA expects that the new facility will result in significant process improvements which will gain efficiencies and increase overall capacity of the team/general practitioners.

Appendix A includes definitions for primary health care, primary care and urgent care.

Part A Rationale for the Project

Oceanside residents have a significant requirement for urgent care – only a portion of which is being met locally. For instance, in 2010/11 there were over 10,000 unscheduled visits by Oceanside residents at the emergency departments at Nanaimo Regional General Hospital, West Coast General and St Josephs. Lastly, the Oceanside area has a significant seasonal influx of visitors which also require urgent care services.

Oceanside is an area that includes Qualicum, Parksville and much of the surrounding area. The population of Oceanside was approximately 47,000 in 2009 and is forecast to grow to 55,000 by 2020. This population is amongst the oldest in Canada (35% are 65+ and 18% are 75+) and has a high incidence of chronic illness at 39% of the population.



However, the Oceanside area lacks a health care facility that provides clinic services (for CTAS 3, 4 and 5 patients) seven days a week and after hours. Local clinic services (primary and urgent care) are provided by local physicians, a walk in clinic, a local private diagnostic imaging service and an Integrated Health Network. (CTAS refers to the Canadian Triage and Acuity Scale National Guidelines and define a patient’s acuity level.)

In 2010/11, there were 8,125 CTAS 3, 4 and 5 visits to emergency departments from LHA 69 residents. Although not all of these visits may go to the OHC, the difference may be more than offset by the LHA 69 residents that would be more likely to get treatment now that it is closer to home and the seasonal influx of visitors from outside of LHA 69.

In light of this, as well as a high level of local interest in the concept of a new health centre, VIHA has recognized that the Oceanside residents would benefit from a new health centre that would increase access to afterhours care as well as integrate primary care services in a new and innovative way.

Urgent care, e.g. cases that could be treated in OHC include:

- Cuts;
- Ear and throat infections;
- Strains and sprains;
- Coughs, colds and flu like symptoms;
- Simple fractures;
- Chest pain; and
- Treatments requiring IV antibiotics.

In addition to Urgent Care, the OHC will deliver integrated primary care and support services such as diagnostic imaging, pharmacy and lab. The delivery of holistic care to the patient will be through the integration of all primary health care services including an inter-disciplinary primary care team and the existing multi-disciplinary Integrated Health Network. This extended team will enable closer collaborative working with all providers - for example: social workers, mental health practitioners, nutritionists, pharmacists - to work together to address the overarching health and social needs of patients including end of life care.

The OHC will be a key element of VIHA's implementation of KRA#3 and will contribute to the improvement of health care services in a way that aligns with the objectives of the Provincial Primary Health Care Charter, namely:

- Improved access to primary health care;
- Increased chronic disease prevention;
- Enhanced monitoring and management of chronic diseases, including the use of Tele-home Monitoring;
- Improved coordination and management of co-morbidities;
- Improved care for the frail elderly; and
- Improved access to specialty services through co-location and the use of Telehealth.

The objectives of the project are:

1. To provide comprehensive interdisciplinary services (primary care, home support and mental health) which wrap around the needs of the patient.
2. Reduce volume at emergency departments that are currently servicing urgent care cases from the Oceanside area.
3. Capacity to book an appointment at the health centre to see an appropriate primary health care professional within 24 hours, and a physician member of the group practice within 48 hours if necessary (Monday to Saturday).
4. Provide care and treatment, together with access to wellness screening, on an extended hours basis (e.g. between the hours of 0730 and 2200), seven days per week.

5. Provide high quality and accessible health care service to the residents of Oceanside in a community based setting, closer to their homes.
6. Provide patient focused care that reflects patient choice and reflects the need to provide care at the right time, in the right place by the right health care provider.

Opportunity for Investment

The concept is to leverage existing assets (Trillium Lodge's underutilized lot) and working capital into a new facility in a single location to consolidate and then integrate all of VIHA's clinic based services with those of local service providers.

The facility will reduce lease costs, improve patient focussed care and improve service delivery in an innovative way. It is designed using evidence based design (design elements shown to improve outcomes) to wrap services around the patient.

Like other innovative models including the Diamond Centre and the Jim Pattison Outpatient and Surgery Centre, having all services under a single roof is inherently patient friendly and efficient. Services such as diagnostic imaging, pharmacy, lab, nurse practitioners, health prevention and promotion, allied health and home support will be provided.

The inclusion of an advanced electronic health record for primary care (a first for the Cerner system in Canada) and the deliberate integration of care will enhance the health of the citizens of Oceanside, reduce the utilization of acute care and improve access.

Talks are well underway with BC Ambulance Service on how best to integrate their services, and support the provincial strategies related to BCAS, with the urgent care services.

Part B Service Delivery

Service delivery for the Oceanside Health Centre is guided by the following principles:

- Focus on the patient, family and caregiver;
- Informed by evidence and elder-friendly;
- Promote excellence and innovation in a full range of services to support health;
- Independent living in the community;
- Flexible and adaptable to support future changes in health care delivery;
- Collaboration amongst employees, physicians and volunteers to promote health and wellness;
- Promote synergies between health care, teaching and research;
- Embrace “the art of the possible” and not be bound by traditional thinking and service models;
- Embrace connectivity with community service providers;
- Flexible care models which optimize skills and abilities of all team members; and
- Technology optimized to improve cost effectiveness, integrate services and achieve better health outcomes.

The facility will be able to house up to 10 FTE physicians/nurse practitioners. “New” health services planned for OHC include:

- Improved care coordination and better management of peoples’ health care needs through an integrated interdisciplinary service model and an Integrated Health Network;
- Augmented hours to include 14.5 hours per day, 7 days per week;
- Urgent Care;
- Nurse Practitioners;
- Access to Seniors Mental Health consultation team;
- Advanced Electronic Health Record;
- Tele health and consultation access with medical specialists;
- Application of technology in a coordinated manner to enable the public to self-manage where possible;
- Coordinated programming and service for chronic disease management including diabetes education;
- Medication reconciliation;
- Close clinical support to residential services (to reduce transfers of residents to hospital); and
- Coordination.

Existing health services provided in the area are:

- Primary Health Services (e.g. family physicians) with a walk in clinic;
- Home & Community care;
- Mental Health & Addictions Services;
- Health Promotion/Public Health;
- Laboratory 6 days/week, office hours; mobile lab service;

-
- Medical Imaging (0800-1600 Monday to Friday for general x-ray, barium, ultrasound, and bone densitometry exams at the request of your Doctor;
 - Pharmacies; and
 - Diabetes Education.

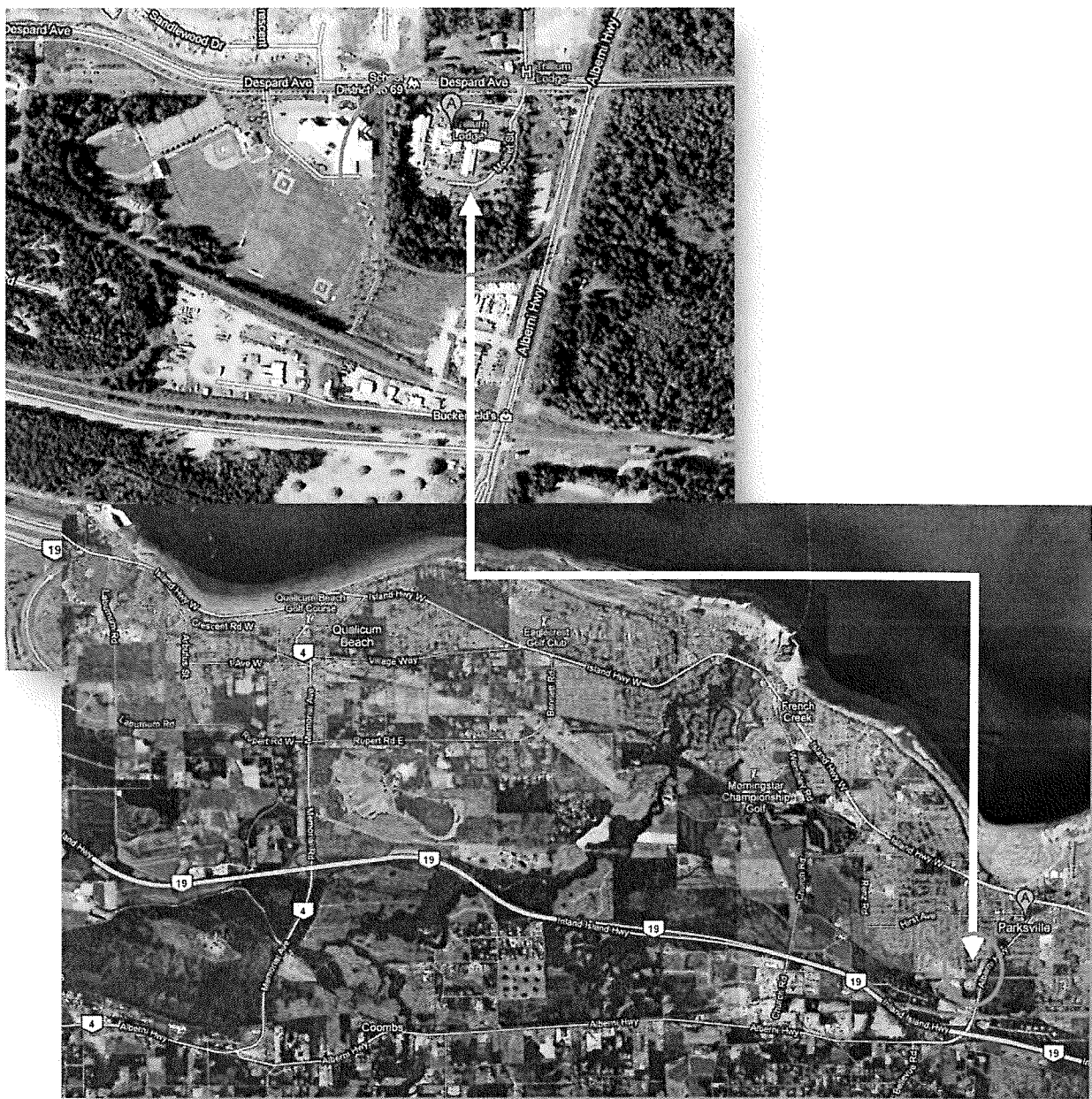
The formation of a 'campus' (or Health Mall) of health services for the primary care population will be a ground breaking step forward for this 'One Stop Shop' model of primary health care.

The feasibility of working with the UBC Island Medical Program to include this facility within its training program is being explored. In the interim, the building design takes training requirements into account.

While the design of the OHC fits on any 3+ acre site, the best location (as measured by cost, schedule, and approval risk) is the underutilized portion of Trillium Lodge – a wholly owned VIHA asset on the outskirts of Parksville with excellent access to the Island Highway and the Alberni Highway. See the aerial photos, below, for the location of the site within Oceanside. Note that Appendix B provides a site plan for the OHC design on the Trillium site.

The OHC will be a wood-frame facility on two floors and totals just over 3,000 m². The first floor will accommodate the urgent care services including access to private sector laboratory, pharmacy and diagnostic imaging. Reception, circulation, telehealth enabled meeting, collaboration and coffee shop services are also available on the first floor.

The second floor accommodates offices and workstations for those VIHA employees who serve the Oceanside area as well as additional primary care services, staff areas and telehealth enabled meeting spaces. Appendix C provides the current floor plans for both the first and second floors – both floor plans will be adapted to the newly developed, lean-based workflows.



Part C Request

The capital cost of the OHC is 14.4 million (+/- 10%). A 40 per cent capital cost share for this project is requested from the Nanaimo Regional Hospital District (NRHD). The remaining funds would be provided by VIHA/Province.

Once NRHD funding and Provincial project approvals are received, VIHA will immediately commence the construction process with the objective of completing the facility by September 2012 and opening it by December 2012.

Appendices

Appendix A – Definitions

Appendix B – Site Plan (Preliminary)

Appendix C – Floor Plans (Preliminary)

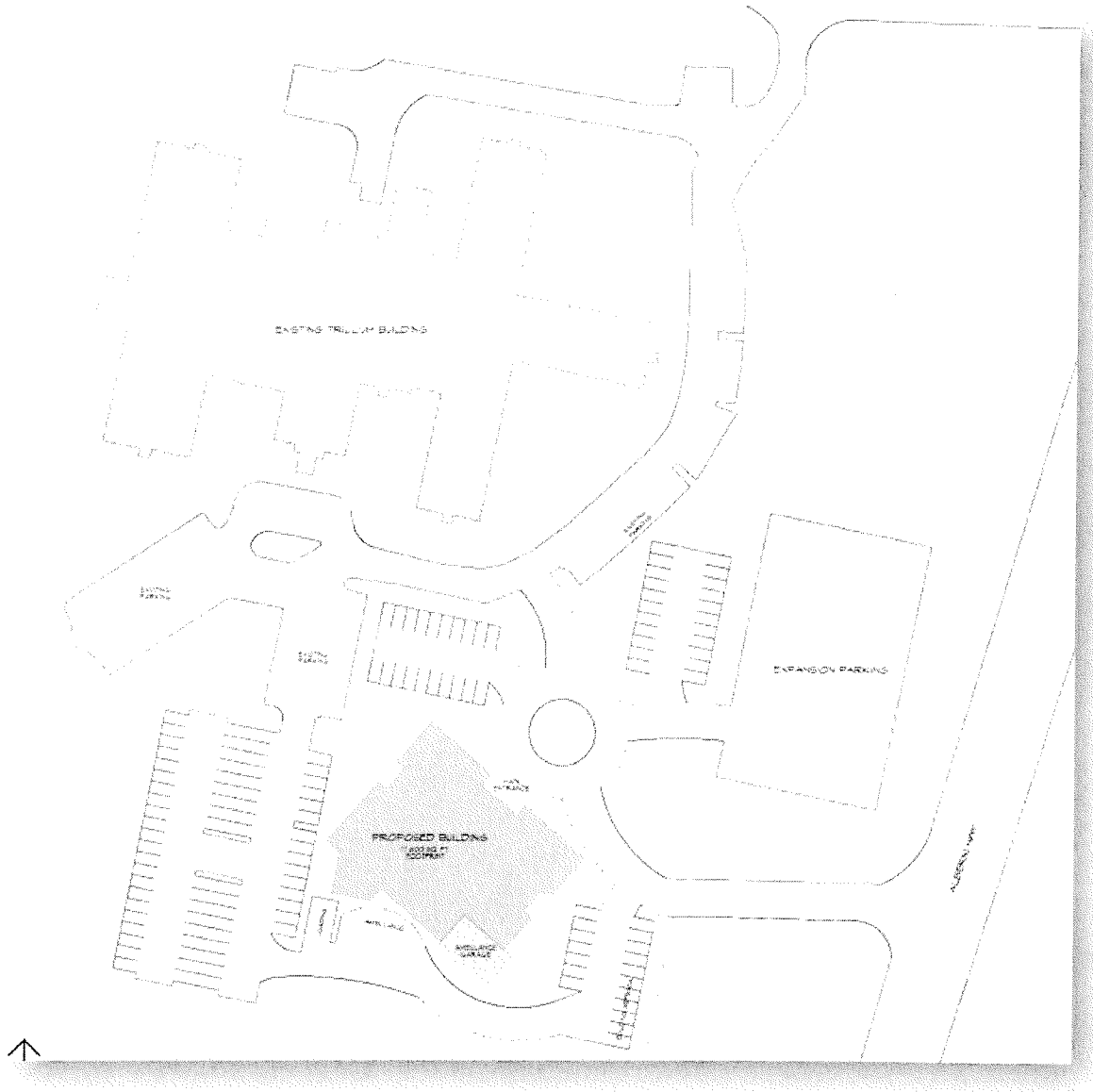
Appendix A – Definitions

Primary health care is a term used to reflect a broad range of services targeted at prevention and health promotion/chronic disease management. Primary care deals more with the first level of intervention or care or the principle point of consultation for patients in the health care system.

The VIHA Primary Health Care Plan defines primary health care as the range of supports and services individuals and communities receive on a regular, ongoing basis in order to stay healthy, get better, manage ongoing disease or illness and cope with end of life.

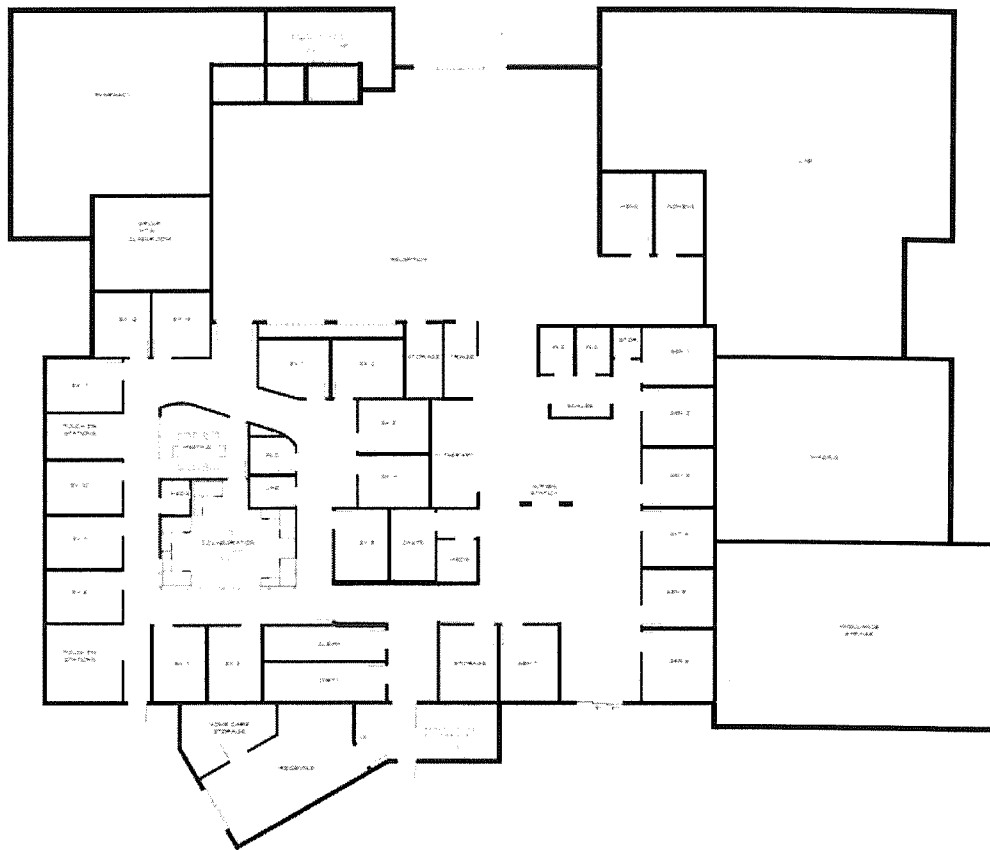
Oceanside Health Care primary care services will be augmented by urgent care services which targets people who have unexpected but non-life-threatening health concerns that usually require same-day treatment. It is available with extended hours (e.g. 8:00 am to 10:00 pm), 7 days per week to care for medical conditions that require immediate assessment and treatment. Examples include acute pain, asthma, chest pain, simple fractures, lacerations, acute pain, shortness of breath, infections and allergic reactions and treatments requiring IV antibiotics and therapy. Urgent care also includes assessment and stabilization for transfer by Ambulance to emergency care, if required.

Appendix B – Site Plan (Preliminary)



Appendix C

First Floor Plan (Preliminary)



Second Floor Plan (Preliminary)

