



**VILLAGE OF SAYWARD
REGULAR COUNCIL MEETING AGENDA
DECEMBER 17, 2019 – 7:00 PM
KELSEY CENTRE GYMNASIUM**

1. Call to Order

2. Public Input (maximum 30 minutes)

Mayor: "Public Input is for the purpose of permitting people in the gallery to provide input and shall be no longer than 30 minutes unless approved by majority vote of Council; each speaker may provide respectful comment on any topic they deem appropriate and not necessarily on the topics on the Agenda of the meeting; the public input opportunity is meant for input and questions and answers. Each speaker may not speak longer than 2 minutes but may have a second opportunity if time permits. Each speaker must not be allowed to speak regarding a bylaw in respect of which a public hearing has been held. For the record please state your name and address."

3. Introduction of Late Items

4. Approval of Agenda

Recommended Resolution:

THAT the agenda for the Regular Meeting of Council for December 17, 2019 be approved.

5. Minutes of Previous Meetings

Recommended Resolution:

THAT the minutes from the Regular Council meeting held on December 3, 2019 be adopted.

THAT the minutes from the Committee of the Whole meeting held on December 10, 2019 be adopted.

6. Petitions and Delegations

- a) Nuka de Jocas, Sayward Community Capacity Coordinator – Sayward Physical and Community Wellness Project, mid mandate report.

7. Correspondence

Recommended Resolution:

THAT the following correspondence be received.

- a) Mayor Martin Davis, Village of Tahsis: Vancouver Island and Coastal Communities – Climate Leadership Plan
- b) MIABC Risk Management Tidbits – Fall 2019
- c) 2020 AVICC Resolutions Notice, Call for AVICC Executive Committee, Call for Presentations

- d) UBCM Funding & Resources Update
- e) BCEDA – Forestry Plus program
- f) 17th Annual BC Natural Resources Forum – Invitation Jan 28th – 30th, 2020

8. Council Reports

9. Reports of Committees - Committee of the Whole meeting December 10, 2019

a) Sayward Valley Folk Music Society – Kelsey Centre venue

Recommended Resolution:

THAT Council endorse recommendation C19/45 made by the Committee of the Whole, and;
THAT Staff work with the Sayward Valley Folk Music Society and Sayward Futures Society to hold the 2020 concerts at the Kelsey Centre.

b) Notice of Motion

Recommended Resolution:

THAT Council endorse recommendation C19/47 made by the Committee of the Whole, and;
THAT Council implement the Notice of Motion procedure starting in 2020.

10. Mayor's Report

11. Unfinished Business

12. Staff Reports

a) Staff Report: Evacuation Plan Project

{pg 62}

Recommended Resolutions:

THAT Council receive the Evacuation Plan Project report for information and discussion, and;

THAT the contract for developing an evacuation plan be awarded to Behr Integrated Solutions Inc. in accordance with its November 13, 2019 quotation, and;

FINALLY, THAT the Mayor and Chief Administrative Officer be authorized to execute the contract on behalf of the Village of Sayward.

b) Staff Report: 2020 Flood Planning Grant

{pg 64}

Recommended Resolutions:

THAT Council receive the Grant Opportunity – Flood Planning report for information and discussion, and;

THAT the Village of Sayward supports the submission of an application to the CEPF 2020 Flood Risk Assessment, Flood Mapping and Flood Mitigation Planning stream, and will provide overall grant management if the application is approved.

13. Bylaws

a) Five Year Financial Plan Amendment Bylaw No. 461, 2019

Recommended Resolution:

THAT Five Year Financial Plan Amendment Bylaw No. 461, 2019 be fourth and final reading.

14. New Business

15. Public Question Period (maximum 15 minutes)

Mayor: "The purpose of the public question period is to permit people in the gallery to ask questions about the issues discussed by Council during the meeting. Speakers will be allowed to ask one question each. If time permits, after everyone has had an opportunity to ask questions, speakers will be allowed to ask a second question. For the record, please state your name and address."

16. In-Camera

17. Adjournment

Recommended Resolution:

THAT the Regular Meeting of Council for December 17, 2019 be adjourned.



**VILLAGE OF SAYWARD
MINUTES
REGULAR COUNCIL MEETING
DECEMBER 3, 2019
KELSEY CENTRE GYMNASIUM**

Present: Mayor John MacDonald
Councillor Joyce Ellis
Councillor Wes Cragg
Councillor Bill Ives
Councillor Norm Kirschner

In Attendance: Lisa Clark, CAO/CFO
Mavis Alkenbrack, Deputy Finance/Admin Officer

1. Call to Order

Meeting was called to order at 7:00 PM.

2. Public Input (maximum 30 minutes) – None

3. Introduction of Late Items

MOTION R19/312

MOVED AND SECONDED

THAT the Delegation from Mr. Bob Sampson, Sayward Valley Folk Music Society be added to the agenda.

CARRIED

MOTION R19/313

MOVED AND SECONDED

THAT an In Camera session be held at the end of the meeting in accordance with Section 90 (1)(k) of the Community Charter to discuss negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

Opposed: Cllr Cragg **CARRIED**

4. Approval of Agenda

MOTION R19/314

MOVED AND SECONDED

THAT the agenda for the Regular Meeting of Council for December 3, 2019 be approved as amended.

CARRIED

5. Minutes of Previous Meetings

MOTION R19/315

MOVED AND SECONDED

THAT the minutes from the Regular Council meeting held on November 19, 2019 be adopted.
CARRIED

6. Petitions and Delegations

- a) Bob Sampson – Sayward Valley Folk Music Society

MOTION R19/316

MOVED AND SECONDED

THAT the presentation by Bob Sampson, Sayward Valley Folk Music Society be received.

CARRIED

7. Correspondence

MOTION R19/317

MOVED AND SECONDED

THAT the following correspondence be received.

- a) VIRL – Prototype Libraries: Re-imagining the Rural Library Landscape, presentation at the 2020 American Library Association Annual Conference, Chicago, IL.
- b) Letter from Selina Robinson, Minister of Citizens' Services – UBCM 2019
- c) Island Health Community Wellness Granting Program, 2020/2021

CARRIED

8. Council Reports - None

9. Reports of Committees - None

10. Mayor's Report – ORV Bylaw

MOTION R19/318

MOVED AND SECONDED

THAT the verbal report from Mayor MacDonald regarding Off-Road Vehicle Regulation Bylaw No. 446, 2019 ORV bylaw be received.

CARRIED

Note: Mayor MacDonald indicated that Off-Road Vehicle Regulation Bylaw No. 446, 2019 will not be amended by Council at this time.

11. Unfinished Business - None

12. Staff Reports

- a) **Staff Report: Strategic Plan 2020**

MOTION R19/319

MOVED AND SECONDED

THAT Council receive the Strategic Plan 2020 report for information and discussion, and;

THAT Council approves the 2020 Strategic Plan.

CARRIED

b) **Staff Report: MOU – Emergency Program**

MOTION R19/320

MOVED AND SECONDED

THAT Council receive the MOU – Emergency Program report for information and discussion and;

THAT Council authorizes the Mayor and Corporate Officer to sign the MOU with Mainroad North Island Contracting LP.

CARRIED

c) **Staff Report: 2019 – 2023 Five Year Financial Plan Bylaw Amendment**

MOTION R19/321

MOVED AND SECONDED

THAT Council receive the 2019-2023 Five Year Financial Plan Bylaw Amendment report for information and discussion and;

THAT Council move to adopt the 2019-2023 Five Year Financial Plan Amendment Bylaw.

CARRIED

d) **Staff Report: Projects Update – November 2019**

MOTION R19/322

MOVED AND SECONDED

THAT Council receive the Projects Update – November 2019 report for information and discussion.

CARRIED

13. Bylaws

a) **Five Year Financial Plan Amendment Bylaw No. 461, 2019**

MOTION R19/323

MOVED AND SECONDED

THAT Five Year Financial Plan Amendment Bylaw No. 461, 2019 be given first, second and third reading.

CARRIED

14. New Business- None

15. Public Question Period - None

16. In-Camera

MOTION R19/324

MOVED AND SECONDED

THAT in accordance with Section 92 of the *Community Charter*, this Council meeting will be closed to the public at this time in order that Council may give consideration to matters in accordance with Section 90 (1)(k) of the *Community Charter* to discuss negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

CARRIED

17. Adjournment

**MOTION R19/325
MOVED AND SECONDED**

THAT the Regular Meeting of Council for December 3, 2019 be adjourned.

CARRIED

The meeting was adjourned 8:03 PM.

Mayor

Corporate Officer



**VILLAGE OF SAYWARD
MINUTES
COMMITTEE OF THE WHOLE
DECEMBER 10, 2019
KELSEY CENTRE MULTI PURPOSE ROOM**

Present: Mayor John MacDonald
Councillor Joyce Ellis
Councillor Bill Ives

In Attendance: Lisa Clark, CAO/CFO
Mavis Alkenbrack, Deputy Finance/Admin Officer

Absent: Councillor Wes Cragg
Councillor Norm Kirschner

1. Call to Order

Meeting was called to order at 7:00 PM.

2. Introduction of Late Items

MOTION C19/43

MOVED AND SECONDED

THAT the Notice of Motion report (verbal) from Mayor MacDonald be added to New Business as 7 a)

CARRIED

3. Approval of Agenda

MOTION C19/44

MOVED AND SECONDED

THAT the agenda for the Committee of the Whole Meeting for December 10, 2019 be approved as amended.

CARRIED

4. Correspondence - None

5. Unfinished Business

a) Sayward Valley Folk Music Society – Kelsey Centre venue

MOTION C19/45

MOVED AND SECONDED

THAT the Committee receive the Sayward Valley Folk Music Society report for information and discussion, and;

THAT the Committee recommends Staff work with the Sayward Valley Folk Music Society and Sayward Futures Society to hold the 2020 concerts at the Kelsey Centre.

CARRIED

6. Staff Reports

a) **Staff Report: Financial Plan 2020-2024**

MOTION C19/46

MOVED AND SECONDED

THAT the Committee receive the Financial Plan 2020-2024 report for information and discussion.

CARRIED

7. New Business

b) Notice of Motion – verbal report from Mayor MacDonald

MOTION C19/47

MOVED AND SECONDED

THAT the Committee receive the verbal report from Mayor MacDonald, and;

THAT the Committee recommends the implementation of the Notice of Motion procedure starting in 2020.

CARRIED

8. Adjournment

MOTION C19/48

MOVED AND SECONDED

THAT the Committee of the Whole Meeting for December 10, 2019 be adjourned.

The meeting was adjourned at 9:15 PM.

Mayor

Corporate Officer

Sayward Physical and Community Wellness Project

2019-2020

Mid-mandate Report



About the Sayward Physical and Community Wellness Project

This is a collaborative project that aims to improve the physical and mental wellbeing of members of the community living in the Village and the Valley of Sayward. It is also meant to give the community the capacity to make healthy decisions in regards to their general health.

The project is focused on providing the community with the skills and expertise to access funding and start programs. Activities are planned to:

- Engage the community and family around healthy habits;
- Hold information-based, drop-in and workshops on topics such as healthy nutrition and physical literacy;
- Identify and implement policies in our community facilities to encourage healthy habits;
- Develop consulting opportunities for physical literacy and nutrition;
- Make grant applications for identified priority projects;
- Engage in community actions to encourage mental wellbeing.

As a collaborative project it is touching on a number of the social determinants of health, including healthy aging, positive mental health, social connectedness, family connectedness, healthy early childhood development, healthy eating and physical activity

Funder

This project was funded by Island Health.



Report Author

Nuka de Jocas, Sayward Community Capacity Coordinator

Desired Outcomes

We hope that the overall long term effects of this project will make Sayward a stronger, more dynamic community. We would like to have more opportunities and stronger connections between the different partners. Sayward is full of strong, successful people set in a beautiful environment. We would like to increase people's desire to get outside, exercise, socialize and help grow this community together. To address this the project focused on:

- The Sayward Village and Valley communities become healthier and more connected as a whole.
- Bridging the gap between the Valley and the village as well as between different generations.
- Offering more programs for young families and opportunity for youth to grow in a healthy and vibrant community.
- Offering more options for those with mental health issues and set a non-judgemental standard.

About Sayward

Sayward Valley, Village and Area are in Strathcona Regional District, approximately 75km from the larger community of Campbell River. Income and level of education in Sayward are significantly lower than the BC average and alcohol and drug-related deaths are significantly higher than the BC average. The Early Development Instrument indicates that 26% of children in the Local Health Area (LHA) are vulnerable, though this is likely higher in Sayward. Social and economic domains are areas of concern, with an increase in vulnerability over time. In 2015, Island Health reported that 46.1% of renters in LHA 72 spend more than 30% of their income on housing. Since then housing pressures in the region have continued to increase and studies such as the Shared Care MHSU Report from 2016 show what anecdotally we have heard from the School District and service providers: that housing pressures in Campbell River are forcing people on low incomes to move to communities such as Sayward where there is limited access to health services and public transport. Many of the families in the Sayward area have limited access to transportation and struggle to access services both inside and outside of the region. An informal parent survey completed by the Sayward Early Years Table in 2017 indicated that 85% of parents are not aware of services available to support child development provided in Campbell River, and getting to these services are problematic due to transportation. There are no grocery stores or public transport options in the community.

Evaluation

Evaluation was measured and reported based on:

- Number of community meetings held and number of community members Attending;
- Number of community capacity building and skills-based workshops held and

number of community members attending;

- Number of partnerships formed;
- Number of projects initiated;
- Number of funding sources identified, and grant applications written; and
- Number of ongoing community capacity building projects initiated.

Partners

The project was established on strong foundations of partnerships and community collaboration.



Community Capacity Steering Committee

The Community Capacity Steering Committee meetings are regular meetings of active members and professionals from Sayward and organization representatives from the larger Strathcona Regional District. The meetings are an opportunity to work with the Community Capacity Coordinator and to agree on actions to improve the community capacity. As well, the members of this community act as mentors for the Capacity Coordinator.

Members of the Steering Committee, Titles and Organisations:

- Joyce Ellis - Sayward Municipality Councillor - Municipality of Sayward
- Patricia Rusch - Unit Chief, Community Paramedic - North Island District, BC Ambulance Service
- Tracey Payne - Community Nurse Practitioner - Sayward Primary Health Care Clinic
- Mandy Dahlman - Presidente - Parent Advisory Council
- Lydia Powers - Community Registered Dietician - North Island Health
- Libby King - Community Coordinator - Strathcona Community Health Network
- Susan Poulsen - Chairperson - Sayward Futures Society
- John Macdonald - Mayor - Municipality of Sayward
- Nuka de Jocas - Community Capacity Coordinator

Date of meetings:

- Wednesday, August 14 2019
- Wednesday, September 4 2019
- Wednesday, November 6 2019
- Wednesday, December 4 2019

Consultation for Summer Events

During the Summer season, Sayward was host to a handful of events that involve physical activity and sport, the Kusam Klimb and the Oscar Daze Slo-Pitch Baseball Tournament being the main ones. These events attract numerous visitors so the Community Capacity Coordinator acted as a consultant for any logistical questions. As well, in the hopes of encouraging physical literacy and the P.L.A.Y. Sayward program, the P.L.A.Y. Sayward Facilitator in collaboration with Children's Health Hub had activities organized for the younger participants.

Physical Literacy and You Sayward (P.L.A.Y.)

P.L.A.Y. Sayward is a weekly opportunity for children and their families to come together to play and be physically active. Inspired by the physical literacy programming based in Campbell River, "P.L.A.Y. Campbell River" this weekly occurrence encourages families to come outside and be active. The Capacity Coordinator hired a member of the Sayward Community to facilitate games every week, but also to lend out sporting equipment to those who would rather play on their own. Through social media, the Capacity Coordinator encourages families to be active and to participate, but also shares fun facts about physical literacy and how it will benefit not only their children, but themselves as well. The activities happen every week on Saturdays and initially during the warmers months happened outside in the H'Kusam Park. This area is fairly unused by the community members, so this project also helped reintroduce this green space to the citizens. From November till March, the activities will be held in the gymnasium of the Kelsey Centre and parents will be able to drop off their children if they 6 and older. Sayward P.L.A.Y. is continuously evolving to encourage participation.

Partnerships:

- Municipality of Sayard
- P.L.A.Y. Campbell River
- Kelsey Recreation Centre
- Pacificsport Vancouver Island

Date of events:

- | | | |
|---|---|--|
| ● August 3 2019 <ul style="list-style-type: none">○ Participants: 11 | ● September 21 2019 <ul style="list-style-type: none">○ Participants: 2 | ● November 2 2019 <ul style="list-style-type: none">○ Participants: 0 |
| ● August 10 2019 <ul style="list-style-type: none">○ Participants: 0 | ● September 28 2019 <ul style="list-style-type: none">○ Participants: Cancelled | ● November 9 2019 <ul style="list-style-type: none">○ Participants: 3 |
| ● August 17 2019 <ul style="list-style-type: none">○ Participants: 11 | ● October 5 2019 <ul style="list-style-type: none">○ Participants : 6 | ● November 16 2019 <ul style="list-style-type: none">○ Participants: 6 |
| ● August 24 2019 <ul style="list-style-type: none">○ Participants: 10 | ● October 12 2019 <ul style="list-style-type: none">○ Participants: 0 | ● November 23 2019 <ul style="list-style-type: none">○ Participants: 6 |
| ● August 31 2019 <ul style="list-style-type: none">○ Participants: 6 | ● October 19 2019 <ul style="list-style-type: none">○ Participants: 1 | ● November 30 2019 <ul style="list-style-type: none">○ Participants: 3 |
| ● September 7 2019 <ul style="list-style-type: none">○ Participants: 11 | ● October 26 2019 | |
| ● September 14 2019 | | |

H'KUSAM PARK WEEKLY PLAY TIME

Bring the kids, bring the family, it's time to go play outside. We have a beautiful park here in Sayward, time to use it. Our facilitator is ready to receive you, play games and stay active. Summer, Winter, rain or shine

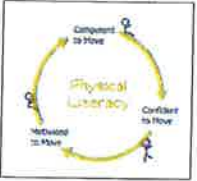


WHERE: H'KUSAM PARK
STARTS: Saturday, August 10 2019
ENDS: Saturday, March 28 2020
TIME: 1:00 pm to 3:00 pm

WHO: For the family, for the kids, for all who wish to have access to sporting equipment to play outside.

There will be healthy snacks distributed, please let the facilitator know of any known allergies.

MEETING SPOT



EXTRA INFORMATION:
 There will be a facilitator on site every Saturday to lend out equipment and to collect them at the end of the session. As well, the facilitator will organize activities that are addressed to kids. The facilitator is not responsible for any children, so we do encourage families to come together. All children may participate in the activities as long as he is respectful of others and the facilitator. **RAIN OR SHINE, BUT IF THERE'S THUNDER STAY INSIDE. PLEASE DRESS APPROPRIATELY**

PLEASE BE AWARE: LIFE IS FULL OF UNEXPECTED EVENTS. IN CASE THERE ARE LAST MINUTE CHANGES, WE WILL ADVISE THE COMMUNITY THROUGH "AROUND SAYWARD" ON FACEBOOK. FOR MORE INFO PLEASE WRITE TO: saywardcommunitycapacity@gmail.com

IN PARTNERSHIP WITH:  

WEEKLY PLAY TIME

TIME TO PLAY, OUTSIDE OR INSIDE, EVERY SATURDAY
 FROM AUGUST 10, 2019 TO MARCH 28, 2020

OUTSIDE: IN H'KUSAM PARK SATURDAY AUGUST 10, 2019 TO SATURDAY OCTOBER 26, 2019.	INSIDE: IN KELSEY CENTRE GYM SATURDAY NOVEMBER 2, 2019 TO SATURDAY MARCH 28, 2020.
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FROM 1:00 PM TO 3:00 PM

FREE

**ORGANIZED GAMES & SPORTS
EQUIPMENT WILL BE AVAILABLE
WITH OUR FACILITATOR SIERRA
ALLCROFT**

For additional information or for any questions, please contact Nuka de Jocas at saywardcommunitycapacity@gmail.com ; or call at (438) 830-3074

IN PARTNERSHIP WITH:  

P.L.A.Y. SAYWARD

PHYSICAL LITERACY AND YOU

KELSEY CENTRE GYMNASIUM
EVERY SATURDAY STARTING NOVEMBER 2,
2019 UNTIL SATURDAY MARCH 28, 2020.

FROM 1:00 PM TO 3:00 PM
FREE DROP-INS
 (CHILDREN UNDER THE AGE OF 5 MUST BE
 ACCOMPANIED BY AN ADULT)

**ORGANIZED GAMES WITH OUR
FACILITATOR SIERRA ALLCROFT**

For additional information or for any questions, please contact Nuka de Jocas at saywardcommunitycapacity@gmail.com ; or call at (438) 830-3074

IN PARTNERSHIP WITH:  



Sport Exhibitions:

Opportunities for Saywardians to experience new types of sports and physical activities vary mostly on the means of one's dwelling to travel important distances, to either Campbell River or further south Vancouver Island. Sayward, being an affordable location to rent or to buy housing, unfortunately does not benefit from a variety of organized active events within short distances. Considering that trying out new sports and physical activities helps in childhood development; sparks curiosity for participants of all ages; and creates potential lifetime passions, the Community Capacity Coordinator organized 4 sport exhibitions for the community. These free events are intended to be different to one another to encourage a broader participation.

Date of events:

- Sunday, August 11 2019 - *Sayward Paddling Exhibition*

- Participants: 16
 - This event brought Saywardians together to experience in a safe environment the arts of paddling. Participants could experience kayaking, canoeing and paddle boarding on one of the few local lakes in the Sayward Valley.
- Sunday, January 26 2019 - *Sayward Circus Exhibition*
 - Participants: Unknown
- Date to be confirmed - *Sayward Snow Day Exhibition*
 - Participants: Unknown
- Date to be confirmed - *Sayward Martial Arts Exhibition*
 - Participants: Unknown



FREE Sayward Paddling Exhibition



Have you ever tried a paddling sport: **canoeing, kayaking or paddleboarding**? Would you like to try it out? Or you just want an occasion to get out of the house and experience a bit of the Sayward Valley wilderness? Time to come out and play!



WHEN: SUNDAY AUGUST 11, 2019
FROM 9:00 AM to 12:00 AM

WHERE: KETA LAKE (9 KM NORTH OF THE SAYWARD JUNCTION)

HOW: TO REGISTER, EMAIL AT SAYWARDCOMMUNITYCAPACITY@GMAIL.COM. OR CALL (438) 830-3074 (leave a message for Nuka if there's no answer)

WHY: NATURE PLAY IS IMPORTANT FOR EVERYONE

A great opportunity to bring the family and meet up with the community! Can't get any more Canadian than this, eh!



Hmm, where's my paddle?



There will be snacks, participation prizes and a whole lot of fun!

IN PARTNERSHIP WITH:



the Village of
Sayward



island health



Playground Inaugural Event

At the end of June 2019, the Community of Sayward won major funding for the construction of a playground for the Elementary School by outvoting all other participating communities. To underline the work of the Parent Advisory Council of Sayward, the dedication of the community and to also encourage volunteers to come help set up the playground structure, the Community Capacity Coordinator organized an inaugural event with a barbecue. Prior to this event, during the entire week, community members and volunteers came together to build the tedious structure sometimes spending over twelve hours a day, for 5 days. Whether they came from the Valley of Sayward or the Municipality, people came in unison for the benefit of Sayward's

Youth. The ground was rocky and the weather was wet, but still, over 30 volunteers participated in the construction of the playground

Partnerships:

- Parent Advisory Council of Sayward
- Sayward Fire Department

Date of event:

- Sunday, October 6 2019
 - Participants: 75

SAYWARD PLAYGROUND INAUGURAL EVENT
WE HAVE A NEW PLAYGROUND, TIME TO CELEBRATE TOGETHER

BBQ - Hot dogs, burgers and more, free for all. The PAC's way of saying thank you for your support.

WHEN:
Sunday October 6, 2019
FROM 1:30PM TO 3:30PM

WHERE:
BESIDE THE PLAYGROUND



IN PARTNERSHIP WITH:



the Village of
Sayward



island health

For additional information or for any questions, please contact Nuka de Jocas at saywardcommunitycapacity@gmail.com ; or call at (438) 830-3074



Nature Walks

The Sayward Village and Valley benefit from a beautiful array of terrain, plants and animals, its location is conveniently placed for those who enjoy nature and rural areas. For many, nature walks is a daily routine, but in such an isolated area, walking out on a path alone can be treacherous, especially for those with mobility issues. On the other hand, those uncomfortable walking alone in the wilderness, tend to stay in their homes, get less exercise and are more prone to suffer from social isolation. Hence, the Community Capacity Coordinator hired a local First Nation member of the community, very familiar with all species in the area, to host four walks through Sayward trails. Our intention was to create an enthusiastic participation so we polled a popular local social media group: "What would the community like to learn on their nature walks if they had that opportunity?" and the poll came back and mycologie was a very popular choice. We conveniently chose October to host these walks and the response was very positive. The walks where each approximately 2 hours and where fairly slow in pace to ensure that even the least experienced trailblazer would not be strained from the exercise. Community members learned on varied local mushroom species during the walks and wish to see this happen again next year. There was conversation of community members to organize to have these nature walks on a yearly basis.

Partnerships:

- Sayward Community Health Society
- Indigenous Local Guide, Bud Logan

Date of events:

- Tuesday, October 8 2019 - *Kellys Trail*
 - Participants: 24
- Tuesday, October 15 2019 - *Port Kusam Trail*
 - Participants: 7
- Thursday, October 24 2019 - *River Trail*
 - Participants: 11
- Tuesday, October 29 2019 - *Kellys Trail*
 - Participants: 4

NATURE WALKS

Feel like getting exercise? Feel like rediscovering Sayward's trails? Feel like learning a bit more about wild mushrooms?



TIME TO PUT THE "FUN" BACK IN "FUNGI"

THIS IS FOR YOU

Tuesday, October 8 : Kelly's Trail

Tuesday, October 15 : Port Kusam Trail

Thursday October 24 : River Trail
(Across from H'Kusam View Lodge)

Tuesday October 29 : Kelly's Trail

- From 1:00 to 3:00 pm
- Bring appropriate footwear, water bottle, raincoat & camera
- Rain or Shine
- Open to all
- Free for all



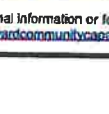
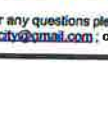
I am an artist, environmentalist, writer, amateur ornithologist and wilderness guide.

And I love Mushrooms









For additional information or for any questions please contact Nuka de Jocas at saywardcommunitycapacity@gmail.com , or call at (438) 830-3074

NATURE WALKS

GET EXERCISE, LEARN TO IDENTIFY DIFFERENT MUSHROOMS, MEET YOUR COMMUNITY AND LOCAL GUIDE

TIME TO PUT THE "FUN" BACK IN "FUNGI"

4 DIFFERENT OPPORTUNITIES:

Tuesday, October 8 : Kelly's Trail

Tuesday, October 15 : Port Kusam Trail

Thursday October 24 : River Trail
(Across from H'Kusam View Lodge)

Tuesday October 29 : Kelly's Trail

FROM 1:00PM TO 3:00PM
FREE; FOR ALL; RAIN OR SHINE

IN PARTNERSHIP WITH:



the Village of
Sayward



island health

For additional information or for any questions, please contact Nuka de Jocas at saywardcommunitycapacity@gmail.com , or call at (438) 830-3074





Sayward Community Dinner

The legacy of Sayward is closely intertwined with the forest industry and has been since its foundation. People often depend on these jobs to provide for themselves and their families. Their hard work creates a sense of pride and belonging; provides a roof over their family and puts food on the table. Unfortunately, for over five months now, workers have had no other choice but to go on strike, demanding fair wages, benefits and better working conditions. As we come closer to the half-year mark, the mediation is stagnant and people are suffering. It is within this reality that the Steering Committee came up with a plan to host once a month, starting in December, a community dinner free and accessible for all. In that same idea, many community members are on fixed or low income and they would also benefit from a nutritious meal. Food brings people together and our willingness to share, knits the fabric of our community. People have the chance to see their neighbours in a positive environment which creates greater community connectedness and encourages mental wellbeing.

Partnerships:

- Sayward Community Health Society
- Sayward Secret Santa
- Sayward Christmas Hampers

Date of events:

- Sunday, December 1 2019
 - Participants: 110
- Sunday, January 19 2019
 - Participants: Unknown
- Undetermined date in February
 - Participants : Unknown
- Undetermined date in March
 - Participants: Unknown



SAYWARD COMMUNITY DINNER



Do we really need a reason to eat a meal together?

WHEN : SUNDAY, DECEMBER 1, 2019

WHERE: KELSEY CENTRE GYMNASIUM

TIME : 5:30 pm, 'till the food is gone

FREE FOR ALL!







Spaghetti, (Veg & Meat options)
Salad,
& Desserts

For additional information or for any questions, please contact Nuka de Jocas at saywardcommunitycoordinator@gmail.com ; or call at (438) 830-3074

IN PARTNERSHIP WITH:



the Village of
Sayward



island health



Nutrition & Health Workshop & Consultation

In the first quarter of 2020, we will host a workshop accessible to all, on the importance of healthy eating and physical activity. The content will be, and is not limited to:

- How to plan weekly meals;
- Ideas for nutritious meals on a budget;
- How physical activity and nutrition are intimately connected;
- Non-nutritious meals and their impact on families;
- Cooking ideas and recipes (potential hands-on practice).

Our speaker has much experience in the domain of nutrition and physical activity, so any participants will be invited to schedule a free one on one consultation at a later date, that would be open to the participants family as well.

Leadership Development for Teenagers

Leadership development expands one's capacity to perform in leadership roles within communities or organizations. For this reason, the Capacity Coordinator is developing a program addressed to the teenagers of Sayward that would encourage them to take on leadership roles. Considering that Sayward is in a rural environment and that the great outdoors often help forge leadership capacities, the program will utilize nature and team building as its main tools. This project will happen either in February or March of 2020

Subject:

FW: Vancouver Island and Coastal Communities – Climate Leadership Plan

Attachments:

VICC CLP Steering Committee_Mission, Vision, Values, TOR_FINAL.docx; ATT00001.htm

Hello directors and alternates,

I attended the regional planning meeting for the climate action committee on monday but was unable to submit information at the regional board meeting yesterday as it wasnt available yet. It is now and I have included a document for your perusal. In the document, the 'fund holding local government' mentioned is the City of Victoria. Thanks to Mayor Lisa Helps of Victoria; Mayor Josie Osbourne of Tofino and Mayor Michelle Staples of Duncan along with everybody else who has contributed to getting this project off the ground.

I am also submitting it now for reception at our next regional board meeting. Thanks to the Board for volunteering me to attend these meetings!

Have a great holiday everybody!

cheers

Martin Davis

Mayor of Tahsis

Vancouver Island and Coastal Communities – Climate Leadership Plan (VICC-CLP)

Mission, Vision, Values and Terms of Reference

Mission

To create a climate action plan for Vancouver Island and Coastal Communities that draws on and builds from the unique circumstances of our individual communities – rural and urban – at the same time as thinking and working as a whole region.

Vision

Vancouver Island and Coastal Communities working together to reduce emissions and mitigate climate change at the same time as adapting to a changing climate by creating resilient, regenerative, inclusive and prosperous communities and economies.

Values

We are committed to:

1. Working in a spirit of **reconciliation and decolonization**¹ with the First Nations on whose homelands all of our cities, districts and towns are located.
2. Recognizing that **we need each other to flourish** and that collectively we are more powerful and have greater impact than working alone.
3. Developing a Climate Leadership Plan that **benefits all of our communities** – rural, urban, and indigenous.
4. Working beyond climate considerations and taking an approach of **inclusive, regenerative community building**.
5. Respecting **local autonomy and decision making** and providing resources and support – especially to smaller local governments.
6. Using our time wisely, **staying focused**, and honouring the energy of those who are doing the work.
7. **Learning from each other** by making time in each meeting to share something we are excited about or struggling with.
8. Shifting the conversation about climate change to **joy, possibility and solutions** in order to create momentum and push through climate despair.
9. Bringing together First Nations, community-based, and academic ways of knowing and **valuing the areas of overlap and the differences**.

¹ Advancing reconciliation requires renewing and improving relationships with Indigenous peoples. One of the obstacles to this is that how we work together is often shaped by institutions, habits and ideas that reinforce colonial (unequal, unfair, discriminatory) relationships. We must actively commit to reshaping these institutions, habits and ideas so that we can create ways of working together that are fair, equitable and mutually supportive. When we commit to decolonization, then, we are committing to reflecting on and changing our institutions and ways of working, and our own ideas, to ensure that they support reconciliation.

10. **Engaging our communities** through the plan development phase and plan implementation.
11. Drawing on the **passion and energy of youth** in our communities and creating opportunities for youth involvement and participatory action research.
12. Working with a **sense of urgency while balancing** the need to build support and understanding and bring others along on the journey.
13. **Not duplicating** the efforts of others!

VICC-CLP Working Group Terms of Reference

Mandate

To develop a useful and practical Climate Leadership Plan for Vancouver Island and Coastal Communities with clear actions for emissions reduction, adaptation, and resilience and to deliver this plan for consideration at the Association of Vancouver Island and Coastal Communities (AVICC) conference in April 2021.

Subject to securing funding, to track our process and create a best-practices, how-to guide for other regions across the province and country.

Membership

- First Nations are invited to participate and have a standing invitation to the table
- One elected director from each Regional District appointed by motion of the Regional District board. Each board may also appoint an alternate but is not obligated to do so. Meetings will be attended by the representative and by the alternate if the representative is not able to attend.
- Representatives from Vancouver Island colleges and universities
- Regional District and local government staff are invited to the table as supports and advisers
- The group will be kept to a manageable size in order to maintain forward momentum
- The Mayors of Duncan, Tofino and Victoria will co-chair the working group until the Plan is completed in April 2021; if the working group continues beyond its initial mandate, new co-chairs will be elected by working group members

Reporting

The Working Group will report to Regional Districts through the board-appointed representative. A short summary of each meeting will be circulated for reporting purposes after each meeting.

The co-chairs of the Working Group will also send a short meeting summary after each meeting to:

- The AVICC Executive
- The UBCM Special Committee on Climate Action
- FCM

- Minister Heyman's Clean Growth and Climate Solutions Advisory Council
- The Climate Caucus
- First Nations Health Authority
- First Nations (by way of working group members sending to the Nations in their areas)

The working group will apply to present at the 2020 and 2021 AVICC conferences.

Areas of Focus

- Emissions reduction and energy efficiency through land-use planning, buildings, transportation, and waste
- Transitioning island and coastal communities to low-carbon sustainable, inclusive economies
- Building community and ecosystem resilience for adaptation
- Financing strategies

Decision Making

- Non-financial decisions will be made by consensus of all members present
- Financial decisions will be made by majority vote of the committee (See Appendix A)

Grants and Finances

- Grants will be applied for through the City of Victoria or through another local government if the City of Victoria is not eligible
- See Appendix A for relationship between the City of Victoria – or other grant holders – and the working group
- Opportunities to leveraging with or through other institutions

Meeting Schedule

- Meetings will be held in the following months:

2020

Feb
Apr
June
Aug
Oct
Dec

2021

Feb
Apr
June

Review and Changes to the Terms of Reference

- These Terms of Reference will be reviewed in June 2020
- Changes may be made at any time by the consensus of the group

APPENDIX A

Relationship between Vancouver Island and Coastal Communities Working Group (VICC-CLP Working Group) and the Fund-Holding Local Government

1. Responsibilities of the Fund Holding Local Government

The Fund Holder will:

- i. Provide in-kind support through its Department of Finance in tracking revenues and expenses for the term of the project and in managing one contractor.
- ii. Issue an RFP for a contractor in consultation with CAOs/CFOs from other Working Group local governments.

2. Relationship with VICC-CLP Working Group

The VICC-CLP Working Group will support the Fund-Holding Local Government by:

- i. Taking a leadership role on grant writing and other fundraising initiatives.
- ii. Reporting at least quarterly to funding holding local government through its Working Group representative.

3. Disbursement of Funds Fund-Holding Local Government

- i. The Fund-Holding Local Government will have full discretion to release funds to the contractor based on the terms in the contract.
- ii. Should additional funding be raised by the Working Group a majority vote of the Working Group is required to allocate it. A conference call with quorum of a simple majority of the Working Group will be held. Following the conference call, an email from one of the Working Group co-chairs will be sent to the Chief Financial Officer of Fund-Holding Local Government, and copied to the entire Working Group, authorizing the disbursement of funds as per the Working Committee vote.

4. Withdrawal of Support by the Fund-Holding Local Government

The Fund-Holding Local Government may withdraw its support from the VICC-CLP with three months written notice to the Working Group by majority vote of the Working Group. At such time as the relationship is severed, all project funds remaining, and any contractual obligations will be transferred by the Fund-Holding Local Government to a new agency as determined by the Working Group and subject to any funding agreements and contracts that may be in place.

5. Severing Relationship with the Fund-Holding Local Government

The Working Group may sever the agreement with three months written notice to the Fund-Holding Local Government by majority vote of the Working Group. At such time as the relationship is severed, all project funds remaining, and any contractual obligations will be transferred by the Fund-Holding Local

Government to a new agency as determined by the Working Group and subject to any funding agreements or contracts that may be in place.

6. Obligation

The Fund-Holding Local Government is under no obligation to provide ongoing support to the VICC-CLP Working Group beyond June 2021.

MIABC RISK MANAGEMENT TIDBITS



FALL 2019 - SPECIAL EDITION - 2019 LEGAL ROUNDUP



ADDRESSING CLIMATE CHANGE: CAN NATURAL ASSET MANAGEMENT ACTUALLY REDUCE LIABILITY RISK?

By Adrienne Atherton, Partner, Civic Legal LLP

www.civiclegal.ca/

It has been widely acknowledged that climate change is having an impact on local governments. Lately, much has been written advocating for the use of natural asset management to reduce the impacts of climate change. But every novel approach carries with it uncertainty about the potential for increased risks. So, the next question that is trending is: what are the liability risks of addressing climate change through natural asset management?

Continued on next page...

At the MIABC we monitor legal developments over the course of the year to identify and highlight areas of emerging risk to provide the best risk management advice to our members. We thought it would be a good idea to collect our observations and advice in one place.

Inside this special edition of Tidbits, you will find a collection of the legal cases and issues our internal and external counsel found notable along with some practical risk management advice.

We hope you enjoy this edition.

1. Negligence

Negligence is the law that attributes liability to those who knew, or ought to have known, that their actions or inaction could cause harm to another party. Where there is a duty, local governments must meet a reasonable standard of care, given not only what the local government knew, but also what it ought to have known.

A local government can defend a claim in negligence if it has a bona fide 'policy' in place. A 'policy' is a clear, definable procedure or system based on social, political or economic factors.

As experts confirm that natural asset management is a reasonably effective approach, and the community adopts this practice, there are several ways that natural asset management can be defended from a potential negligence claim:

- a. a decision by a local government to adopt a climate adaptation plan that incorporates natural asset management (if done properly to meet the test) could be defended as a bona fide 'policy'; and
- b. there will be support for the defence that the local government acted reasonably and without negligence.

2. Nuisance

Nuisance is a substantial and unreasonable interference with the use and enjoyment of property. In the context of climate change, typical nuisance claims include flooding caused by infrastructure failures or limitations. Unlike negligence claims, it is no defence to a nuisance claim that the local government had a bona fide 'policy' in place or was not negligent.

There is case law that suggests that liability will only attach to those that cause or contribute to the nuisance. Therefore, generally speaking, a natural event like a deluge of rain will not attract liability in nuisance or negligence. However, a local government increases its risk of liability if it gets involved in some way that causes or contributes to the nuisance, such as approving a development that changes the direction of water. In the urban setting there is great potential for this type of liability



exposure because local governments are involved with the building of roads, sidewalks and other infrastructure, such as storm sewer systems and culverts, that alter the flow of water and impact the pervious nature of the earth's surface.

Given that the risk of liability in nuisance increases the more a local government is involved in changes to the natural flow of water, it arguably follows that the reliance on natural assets, rather than engineered solutions, could conceivably reduce the risk of liability in nuisance. This would be welcome relief given the limited availability of defences for nuisance claims.

3. Regulatory Risks

Climate change can result in various types of regulatory risks under federal or provincial legislation, including flooding that may cause a deleterious substance to enter fish bearing water or a drinking water source. Recent provincial legislation requires local governments to adopt targets, policies and actions to reduce greenhouse gas emissions in the community, which creates more regulatory requirements and resulting risks for local governments.

To defend a regulatory charge, a local government must show that it acted with

due diligence, or that reasonable steps were taken, considering what the local government knew or ought to have known.

Like potential negligence claims, expert evidence that supports the use of natural asset management as a reasonably effective approach will provide a potential due diligence defence to local governments.

Takeaway

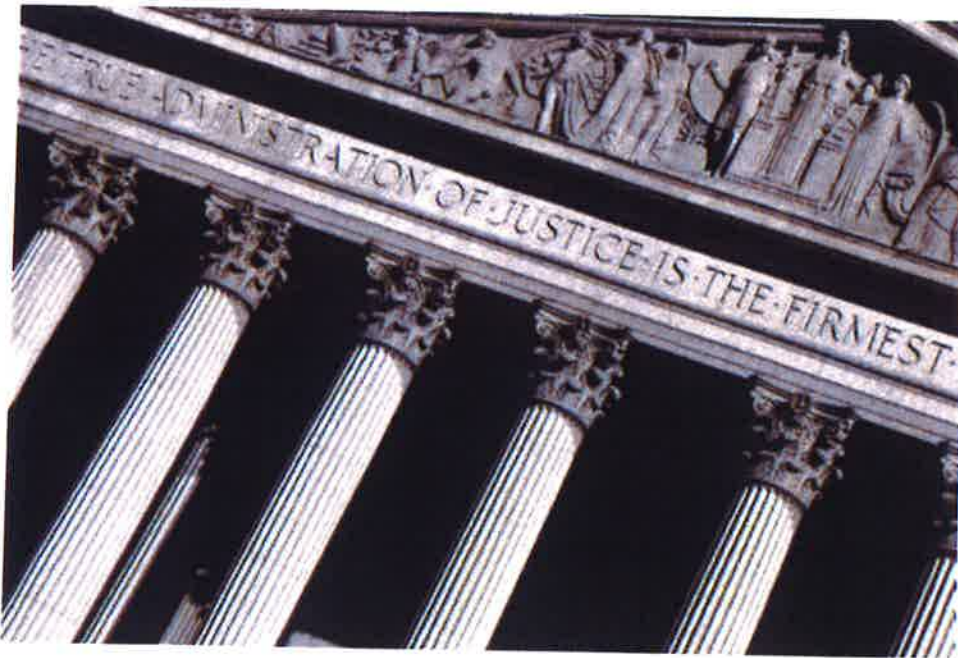
As research confirms that natural asset management is at least equally as effective as engineered approaches, and as the use of natural asset management becomes accepted by mainstream experts and adopted by local governments, in time, we should find that the courts too will accept natural asset management as a reasonable approach. In fact, we may find that reliance on natural asset management may even decrease the risk of liability for nuisance claims. It is not often we find the potential for such a perfect storm (so to speak) of effectiveness, lower cost and lower liability risk. Let us hope for such a storm as local governments adapt to climate change.

DECISION SAYS TORT OF HARASSMENT DOES NOT EXIST, BUT INTENTIONAL INFLICTION OF MENTAL SUFFERING DOES

MERRIFIELD V. CANADA (ATTORNEY GENERAL), 2019 ONCA 205

By James Yardley, *Lidstone & Co.*

www.lidstone.info/



Facts

The plaintiff was a member of the RCMP whose duties included protecting senior elected officials. His superior officers concluded that the plaintiff was in a conflict of interest after he decided to run as a candidate for the Conservative Party without complying with applicable RCMP regulations, and they transferred the plaintiff to a different unit. The plaintiff then commenced an action against the Crown and several senior RCMP members for mental distress from harassment and intentional infliction of mental harm (IIMH).

Decision

The trial judge recognized a new tort of harassment and held that it, along with IIMH had been established, and awarded general damages of \$100,000 to the plaintiff.

The trial judgment was reversed by the Ontario Court of Appeal, which ruled that the tort of harassment does not exist, that the trial judge erred in applying the test for IIMH, and that she erred in her findings of fact. Dealing with the issue of harassment, the appeal court noted that there was an evolutionary and incremental nature to the development of the common law, and that the case law relied on by the trial judge to find the existence of the tort did not actually support such a finding. That case law included a British Columbia case which had held that the law on the issue was unclear.

The appeal court then confirmed that the test for IIMS was for the plaintiff to prove that there was conduct that (1) was flagrant and outrageous, (2) was calculated to produce harm, and (3) resulted in visible and provable illness. The appeal

court also noted that unlike the proposed tort of harassment, which only required outrageous conduct, IIMH is an intentional tort that requires that there be an intention to cause the harm that occurred.

In reaching its conclusions, the appeal court also considered but ultimately rejected an argument by the plaintiff that a tort of harassment should be created because of increased societal recognition that harassment is wrongful conduct.

An application by the plaintiff to the Supreme Court of Canada for leave to appeal was dismissed.

Takeaway

The decision in Merrifield is a useful reminder of several things. First, notwithstanding the **significant** changes in the law that sometimes occur, generally speaking the law is supposed to change slowly and incrementally. Second, notwithstanding the growing awareness and appreciation in society that certain types of behavior are inappropriate, not everything can be litigated (although, it should be remembered that harassment can be the subject of a complaint under the *Human Rights Code*, and has resulted in significant monetary awards in recent years). Third, there is risk associated with conduct that meets the test for IIMS noted above. In that regard, as a matter of risk management local governments need to be vigilant in preventing such behavior, and addressing it when it occurs.

WATERWAY HOUSEBOATS LTD. V BRITISH COLUMBIA, 2019 BCSC 581

By Joshua Krusell and Jeff Locke, Stewart McDannold Stuart

www.sms.bc.ca/



The District of Sicamous ("the District") was recently found liable under the *Water Act* for damages totalling nearly one million dollars in a case where the District had undertaken dredging in a creek bed that was found to have contributed to the 2012 flooding of upstream private properties.

This case illustrates the importance of ensuring that conditional approvals provided by statutory decision-makers are strictly complied with. Furthermore, where risks and deficiencies are identified during inspections, local governments must ensure that they are fully addressed, even in cases where the statutory-decision maker has not taken further steps to prevent the works from proceeding to completion.

Facts

In this case, a privately-owned bridge had been removed as part of the emergency response to a flooding event in 1997, and recovery works were later required to restore Sicamous Channel ("the Channel").

Under the *Water Act*, engineers designated by the Province have authority to grant approvals subject to conditions for works in or about a stream that the engineers consider "advisable". As part of the recovery efforts after the 1997 flooding event, the Provincially-designated engineer (the "Engineer") approved the dredging and armouring of the Channel by the District as

well as the reconstruction of the privately-owned bridge by the owners (the "Works"). As part of the approval, the Engineer stipulated numerous mandatory conditions for how the Works would need to be carried out and constructed before final sign-off would be provided.

Once the District had completed the Channel restoration works, the Engineer performed a site inspection and set out in a memorandum his findings that the restoration did not meet the conditions of the approval. The Engineer foresaw that if the bridge reconstruction subsequently went ahead, the completed package of bridge and channel would be more hazardous under high flow conditions than they had been before the 1997 flood.

Despite these findings, the Engineer took no steps to remedy the problem or to prevent the Works from proceeding and the bridge reconstruction was completed in 1998.

With respect to the District, it had hired a contractor to undertake the Channel restoration works and the Court found that the contractor had, as noted by the Engineer, left the Channel too narrow and constricted after dredging and had installed improper riprap stone that further reduced the size of the Channel.

When flooding later occurred in 2012, a truck fell into the creek and became lodged under the reconstructed bridge. This plugged the channel and caused floodwaters to back up and cause extensive damage to upstream properties.

Decision

The Court held that the Engineer was negligent as he owed a duty of care to the Plaintiffs to not grant approvals in excess of his statutory jurisdiction (by issuing approvals that were inadvisable). Furthermore, the Court found he had breached the standard of care by approving

inadvisable works, which was outside his statutory jurisdiction, and was negligent.

As for the District, the Court found that, as a holder of *Water Act* approval for the Channel restoration, it was required to comply with s. 9(2) and ss. 21(1)(a) and 21(1)(b) of the Act, and if the construction, maintenance, use, or operation of the Works were to fail, full compensation was required to be made to the property owners. Even if the District took reasonable care, it was still liable to make full compensation to those who met the definition of "owners" under the Act for any damage incurred from the implemented Works.

Takeaway

This case illustrates the importance of ensuring that approvals issued by statutory decision-makers are strictly complied with. Where risks and deficiencies are found during inspections, those issues must be addressed and dealt with accordingly. In this case, even where the Engineer had failed to take further steps to prevent the Works from being completed and passing final inspection despite having noted deficiencies in the Works performed by the District's contractor, the Court still found the District liable under the *Water Act* for not having ensured that its own contractor had met all of the Engineer's stipulated conditions.

Local governments need to be vigilant in ensuring compliance with professional standards and the conditions set out by statutory decision-makers even in the face of pressures from property owners and constituents requesting "shortcuts" that address their own personal constraints.

Finally, we note that an appeal of this decision has been brought by the Province and District and will likely be heard in 2020.

SLOPED DECKS “COMMON GROUND” AT SWIMMING POOLS; LACK OF UNIFORMITY DID NOT CAUSE FALL *SIMPSON V. QUALICUM BEACH (TOWN)*, 2019 BCSC 1310

By Aron Bookman, Carfra Lawton LLP Lawyers

www.carlaw.ca/

Facts

On February 5, 2015, the 69 year-old plaintiff was walking across the pool deck to the change room after swimming at the Ravensong Aquatic Centre (Ravensong) in Qualicum Beach when he slipped, fell, and struck his head.

The plaintiff sued the Town of Qualicum Beach (which owns Ravensong) and the Regional District of Nanaimo (which operates Ravensong) alleging that the steep grade of the pool deck slopes and their lack of uniformity were hazardous and caused him to fall.

Arguments

The plaintiff claimed that the pool sloped in a “steep and aggressive” way toward a circular drain, and that the slope lacked uniformity. These, he argued, were conditions that did not meet the required standard of care owed to patrons of the pool and therefore made the defendants liable in negligence and pursuant to the *Occupiers Liability Act*. The plaintiff relied heavily on the use of the word “uniform” in the Pool Design Guidelines (Guidelines), arguing that non-compliance with these Guidelines was further evidence of negligence.

The defendants argued that the plaintiff had simply taken an awkward step on a wet surface with wet feet, and that the undefined use of the word “uniform” could not possibly apply in the way the plaintiff argued; pools are, by their very nature, constructed of slopes with varying grades with the purpose of reducing standing water for health and safety reasons.



Decision

In an interesting twist, Mr. Justice Thompson personally attended at Ravensong during trial with counsel to “take a view” of the pool deck and the area where the plaintiff fell. He observed that, despite the non-compliance with the recommendations in the Guidelines, the slope in question was not “steep and aggressive”, nor did it appear to lack uniformity.

Justice Thompson went on to find that “the laws of physics require pool decks to be sloped so that water will move to and down drains”, reducing hazards created by standing water. The plaintiff had not proven that the slopes were a hazard or that the slopes had caused him to fall. The plaintiff’s claim was dismissed.

Takeaway

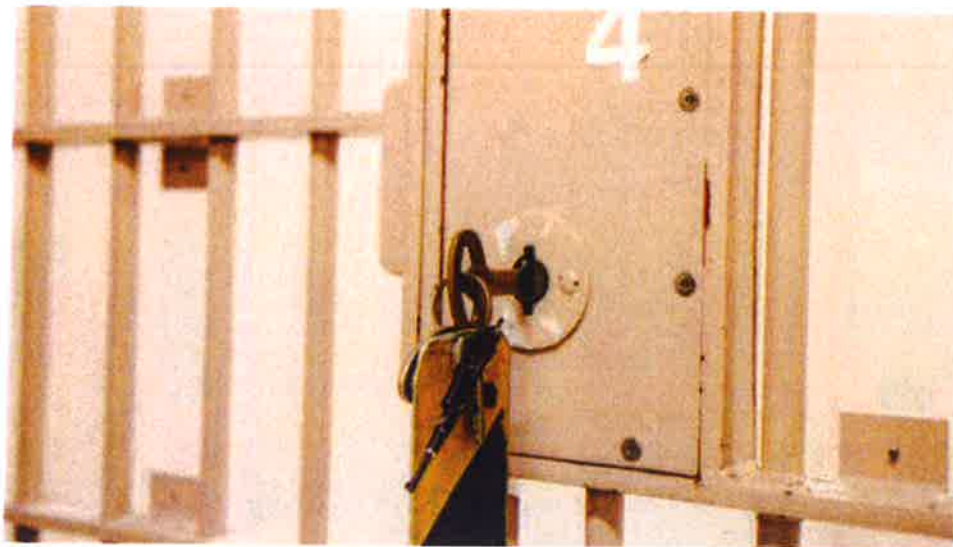
This case reiterates the principal that a plaintiff must show that there was a causative link between his or her injuries and a proven hazard. The fact that a person falls does not automatically mean that something beyond their own physical movement caused them to fall. Finally, even if some outside force caused him to fall, a plaintiff must still prove that this outside force was hazardous. If a plaintiff cannot do this, their claim will fail.

The Town provided evidence to the Court of its system for recording and responding to incidents. The Court had ample evidence demonstrating a system of reasonable inspection and maintenance of the pool including years of safe use by patrons on the same pool deck surface. Such documentation is vital to defence counsel’s assessment.

IS THERE A DUTY TO DETECT AND RESPOND TO CRIME? MCALLISTER V CALGARY (CITY)

By Samantha Boyce, Municipal Insurance Association of British Columbia

www.miacbc.org



Facts

In the early hours of New Year's Day, the Plaintiff was walking along an overpass towards a "C-Train" light rail transit station. While walking to the station, the Claimant was attacked in an unprovoked assault that lasted almost 20 minutes. The City had security measures throughout the station, but evidence showed that the personnel monitoring the video surveillance footage did not notice the assault. The City only became aware of the incident two days later when it was reported to them.

The Plaintiff sued the City for its failure to prevent or intervene in the assault, claiming it had breached the statutory duty of care under the *Occupiers Liability Act*.

Trial Court Decision

In the lower court decision, the Trial Judge identified but did not separately analyze three possible branches of the City's duty of care: the duty to prevent and deter crime; the duty to detect crime occurring on its premises; and, the duty to respond in a timely way. The trial judge blurred those duties together, ultimately finding that the City owed a duty of care to install and maintain enough lighting, surveillance, and staffing levels to deter crime or allow

detection as well as an appropriate and timely response to any such incidents.

Decision

The Court of Appeal reviewed the Trial decision and found that the City owed a duty to the Plaintiff to take reasonable care that he was safe in using the premises. The Court was careful to clarify that there was no duty of care for a municipality to "prevent crime," so to speak. The fact that crime happens and damage results does not mean that an occupier is liable. Rather, the duty of care owed by an occupier is depends on the circumstances.

In this situation, the Court considered that that the City had encouraged the use of the transit system on New Year's Eve as a safe mode of travel, publicized the efficacy of the transit security system, and had exercised a "high degree of control" over individuals using transit that night. This included conducting around-the-clock patrols, as well as constantly and actively monitoring a large network of CCTV cameras. The security system was put into place with the intention to detect and respond to incidents that could threaten C-train users' safety. As a result, the City had a wider duty of care than in other circumstances.

The Court went on to decide that offering a transit system to the public creates a duty on the City was to have systems in place that could reasonably detect and respond to assaults and other events, although the duty to prevent crime was still low. In other words, a transit user could not rely on the City to guarantee their safety but could rely on it to have a reasonable system of detection and response in place.

Ultimately the Court of Appeal found that the City breached its duty for failing to detect and respond to the crime in a timely manner. Important factors in this case included that it was New Years Eve and the City had invited members of the public to use the transit system for free to deter drinking and driving. It should have anticipated that given it was New Years Eve, there would be an increase in the number of intoxicated patrons, particularly between the hours of 11 p.m. and 1 a.m. and should have increased the number of security staff and cameras to monitor the premises. As such, the City was found liable for the incremental damages suffered by the respondent, after the reasonable response time.

Takeaway

This case illustrates that where our members are representing to the public that users will be reasonably safe, they should plan to have adequate security in place, whether that be by way of CCTV, security personnel or otherwise. This is particularly the case during peak times or when crime is most likely to occur (i.e. during events when large numbers of intoxicated individuals may be using a transit system).

Members may also consider whether their transit system premises meet or exceed the "Crime Prevention Through Environmental Design" standards, which were used in this case to assess whether the City had a adequate security system in place.

THE CIVIL RESOLUTION TRIBUNAL

By Maryam Sherkat and Nim Sian, Municipal Insurance Association of British Columbia

www.miabc.org



Background & Jurisdiction

The CRT is an administrative online tribunal that seeks to resolve disputes in a speedy and affordable way. The Tribunal was implemented in phases, starting with the early intake of strata disputes in July 2017 and on June 1, 2017, began resolving most small claims up to \$5,000. The "tribunal members" are the decision-makers appointed by the provincial government who render decisions that are binding on both parties.

The CRT's jurisdiction includes resolution of:

1. motor vehicle injury disputes up to \$50,000;
2. small claims disputes for damages up to \$5,000;
3. shared accommodation and some housing disputes up to \$5,000;
4. strata property disputes of any amount; and
5. societies and cooperative associations disputes of any amount.

Procedure

The CRT is designed to allow individuals to be actively engaged in the justice system without having to involve lawyers. Individuals can access the CRT 24 hours a day, seven days a week, from any computer or mobile device with internet connection.

There are four steps in the CRT process. The first, dubbed "Solution Explorer", asks simple questions about the dispute, gives free legal information and tools, and classifies the dispute to provide the correct online application form.

Once an individual formally commences a claim and a response to the dispute is filed, the next step is the "Negotiation" phase. This is effectively an open forum in the on-line process where the parties can try to resolve issues while they await the "Facilitation" phase. If an agreement is reached during Negotiation, the tribunal waives the consent resolution order fee. All communications between the parties at this stage – as well as the Facilitation stage – are confidential.

The third step in the CRT process is the "Facilitation" phase. This step involves a case manager who helps the parties clarify the claim, exchange evidence, and mediate the dispute.

If a dispute is not resolved by agreement during Negotiation or Facilitation, applicants can ask for a CRT decision. This triggers the fourth and final phase of the CRT process, referred to as the "Tribunal Decision Process" where an independent tribunal member decides the dispute through the adversarial process. This requires the parties to provide evidence and arguments, with the CRT having discretion to decide the format of the hearing, and culminates in a binding and enforceable decision.

The MIABC's Experience

Given the aim of the CRT is to enhance access to justice and reduce legalese, the use of lawyers is not encouraged; in fact, one must obtain the CRT's permission to be represented by a lawyer. Accordingly, the MIABC has to apply at the outset of each claim to represent our members.



Fortunately, we have done well in this new forum, both in obtaining permission to represent our members and substantively. The MIABC currently has five active CRT files with a track record of two wins and no losses. Our wins to date are:

1. *Cran v. City of Port Coquitlam*

The Applicant sought compensation for damage to her fence and removal of tree stumps that allegedly emanated from trees on the City of Port Coquitlam's property.

The tribunal found that some of the trees in question were "straddle trees" meaning their trunk straddled the common boundary between adjoining properties at ground level. On this finding, both the City and the Applicant were owners of the trees and therefore responsible for the portion of the straddle

trees that impacted their property. Accordingly, the City was not held liable for tree-related costs or damages on the Applicant's property and vice versa.

Insofar as the fence repair was concerned, the Tribunal held that even if it had found the City liable, it would not have made an order for the amount sought to repair the fence because the amount sought was to replace the entire fence whereas only a portion of the fence was damaged by the straddle trees.

2. *435593 BC Ltd. v. District of Lillooet*

The Applicant operated an auto repair shop in the District of Lillooet and sought reimbursement of \$618.94 in legal fees incurred to dispute a bylaw enforcement notice issued by the District. The District had issued bylaw infraction notices because the Applicant was keeping derelict vehicles and parts on private property contrary to the District's bylaws.

The District advanced several substantive defences as well as a limitations defence under Section 736 of the *Local Government Act* ("LGA"). The CRT found in favour of

the District and held the Applicant's claim for damages arose on the date the law firm completed its legal work, not the date the law firm sent the Applicant an invoice. On this analysis, the Applicant had failed to provide notice within two months from date on which the damages were allegedly sustained. Further, the Applicant provided no explanation for its delay in providing notice to the District as required under the *LGA*. The decision went on to address the main substantive argument advanced by the District being that, even absent the delay in providing notice to the District, the Applicant's claim for legal fees was unfounded because the tribunal does not award a party legal fees as a dispute-related expense except in extraordinary cases. This decision is currently under appeal to the Provincial Court.

Raptor's Room Pitch Proposal

Do you have a great idea for a risk management project? Do you need money to make your idea come to life?

Apply now to make a pitch for up to \$10,000 in Risk Management Grant funding at the Raptors' Room session during the MIABC's Risk Management Conference.

Modelled after the popular business reality television show, *Dragons' Den*, MIABC members will have the opportunity to pitch their ideas for risk management projects. Our Raptor judges will critique the pitches based on their efficacy in reducing risk, applicability of the idea to other members, innovation, and creativity.

Conference delegates will vote on which pitch gets funded.

Pitches not selected to present at the conference will be entered into a draw for a fabulous swag bag.

To submit a pitch proposal, fill out a proposal form which can be found on our website (www.miabc.org) and email it to memberservices@miabc.org on or before 5:00 PM, Friday, February 7th, 2020.

Creativity and theatrical presentations are highly encouraged!

MARCHI V NELSON (CITY OF), 2019 BCSC 308

By Steven Gares and Dana Romanick, Municipal Insurance Association of British Columbia

www.miabc.org



Facts

The City of Nelson (the "City") experienced heavy snowfall over January 4 and 5, 2015. City crews began plowing and sanding the City streets on January 5, 2015 pursuant to the priority schedule as set out in their long-established snow clearing and removal policy. This resulted in the build up of snowbanks along some City streets, including in the downtown core. Snow removal from downtown (including the removal of snowbanks) was completed by January 9, 2015.

On January 6, 2015, the 28 year-old plaintiff, who had grown up in the Kootenays, parked in an angled parking spot on Baker Street downtown and attempted to cross over the snowbank to get to one of the local shops. As she stepped onto the snowbank, her foot sank through the snow and she lost her balance, causing her injury.

The plaintiff sued the City of Nelson alleging that the snowbank represented a hazard and should have been cleared from the downtown core sooner so as to make it safe for pedestrians to access the sidewalk from the angled street parking.

Arguments

The plaintiff argued that the City ought to have prioritized the removal of snowbanks from the downtown core. In support of this the Plaintiff called the Manager of Operations from a nearby City with very different characteristics from Nelson as it related to the roadway and amount of snowfall in the area, and asked him to explain the way snow was removed in his municipality and what areas were given top priority.

The defendants argued that they followed their own policy which was set up to best serve the public and accommodate emergency equipment within budgetary guidelines. Further, it was argued that the plaintiff saw the snowbank and assumed the risk when she voluntarily attempted to cross it.

Decision

Mr. Justice McEwan reviewed and considered the City's policy. The City's budget, availability of manpower and equipment were all put into evidence.

Justice McEwan went on to find that the City followed its policy and that the policy was rational noting that, "it is very difficult

to fault the City on a policy basis." It was practically impossible to prioritize the removal of snowbanks, without opening other areas of the City to similar dangers. The Judge did not find the comparison of the City's snow removal practice to that of a different municipality very helpful.

Justice McEwan also found that the plaintiff voluntarily accepted the risk of stepping onto the snowbank and her claim was dismissed.

The plaintiff has appealed the decision and the appeal will be heard by the Court of Appeal in November 2019.

Takeaway

This case reiterates the principal that local governments are not held to a standard of perfection when setting their policies. They are entitled to set their policy based on budgetary, social and economic factors, which includes the availability of staff and equipment.

Comparing one municipality's snow removal policy to another is of limited use to the Court as urban layouts and precipitation levels vary significantly across the Province. If the municipal policy is rationally based on budgetary, social and economic factors it should remain free from judicial scrutiny.

COURT EXTENDS RIGHT OF AN OWNER TO CHALLENGE A TAX SALE - 521006 BC LTD. V PEMBERTON (VILLAGE)

By Devin Buchanan, Fulton & Company LLP

www.fultonco.com



Every year, municipalities are required to offer for sale at public auction, properties on which delinquent taxes are owed. For those properties sold at the tax sale, the *Local Government Act* ("LGA") requires the municipality to provide written notice to the owner (and charge holders) that the property was sold. The notice must be given within 3 months of the sale, by personal service or registered mail. The notice must set out the deadline for redemption, being one year from the day the tax sale began. These provisions are designed to provide plenty of opportunity for owners to redeem their property.

The LGA provides for relief to owners (and charge holders) who were not notified in accordance with the LGA. The relief available depends on whether the redemption period has lapsed, as follows:

Before the redemption period ends:

1. The owner can sue to set aside the sale; and
2. The municipal council can cancel a sale on the basis of a manifest error in the sale process.

After the redemption period ends:

1. The owner can sue for compensation for the loss of their property. *Note: This relief is not available if the owner had actual knowledge of the sale, prior to the expiry of the redemption period.

The LGA provides that, after the redemption period ends, no action may be brought to set aside the sale. Arguably, this provides certainty for the purchaser, who can be assured that the property is theirs once the redemption period ends.

After the *521006 BC Ltd. v Pemberton (Village)* decision, a purchaser no longer has this assurance, because the court extended the right of an owner to have the sale declared invalid after the end of the redemption period.

Facts

The Village of Pemberton sold two parcels at a tax sale, and notified the owner. However, through inadvertence the redemption deadline in the notice was incorrect by a day – when the owner attempted to redeem the properties on the deadline contained in the notice, he was in fact a day past the actual deadline. The owner sued for a declaration that the sale was invalid.

Decision

The court declared the sale to be invalid,

because the Village's notice was deficient. The court found that the prohibition in the LGA against bringing an action to set aside the sale after the redemption period, was not a bar to declaring that the sale was invalid. The court's reasoning is that without effective notice, no sale in fact occurred. This decision is currently under appeal.

Takeaway

This decision reinforces that a municipality is required to strictly adhere to the LGA in conducting the tax sale. In this case, getting the redemption deadline wrong by one day invalidated the sale.

This decision also reinforces that if a failure to provide notice is identified during the redemption period, a municipality should strongly consider cancelling the sale immediately, to avoid potential liability to the owner. Cancellation must be effected by council during the redemption period, so there may not always be time to cancel the sale.

Watch for the Court of Appeal's decision in this case.



OBLIGATIONS OF A LOCAL GOVERNMENT AS A LANDOWNER

Jeremy Poole, Partner, Alexander Holburn Beaudin + Lang LLP

www.ahbl.ca

In addition to the various services they provide, most local governments are also landowners in that they own municipal buildings, park areas and often undeveloped lands where title is held by the municipality. Like any other landowner, a local government can have liability to neighbouring landowners if activities or occurrences on its lands are the cause of damage or impaired use to a neighbouring property. This can be the case even where the local government has taken no steps to create the problem giving rise to the damage.

There have been numerous cases in both Canadian jurisdictions and the United Kingdom where local governments have been alleged to have legal responsibility where land movements from municipally-owned properties have impacted a neighbouring property. The law has developed to impose an obligation on local governments, where they know of a risk or a developing condition that could cause damage, to take positive steps to both warn the neighbouring landowner and to remedy the underlying cause. The extent of that obligation will depend on the nature of the problem and the role of the local government in the problem.

Where the local government takes active steps on its property that create an unreasonable impact on neighbouring properties, there is strict liability to the neighbours for the damages that ensue. For example, excavation on municipally-owned property that creates land movement negatively affecting neighbours will result in liability even if the municipality's actions are reasonable and appropriate.

However, where damage to neighbouring property results from naturally occurring land movements that are not in any way caused by the actions of the local government, the courts look more closely at the nature of the problem, the extent



of the municipality's knowledge and the availability and cost of solutions that could have been implemented to prevent or mitigate the problem. Once a municipality has knowledge of the problem, the municipality cannot ignore it even if the problem is not the result of any actions taken by the municipality. They must assess what is happening and determine whether solutions are available. The obligation on the municipality is to do something that fits with what it knows may assist and what resources it has available. Unlike an individual property owner who may have limited resources to address a problem, the courts will normally expect that a local government will have some resources of significance available to it to explore solutions.

The court will also examine the wherewithal of the affected property owner and there is some expectation that an owner with means will also take some responsibility for protecting their own property. So, for example, in the instance of known land movement from a municipally-owned property having an effect on a downhill

neighbour, the court would expect the municipality to take reasonable steps to determine the cause of the land movement, to investigate whether a solution is available and to also take steps to remove or minimize the effects on the neighbouring property. Similarly, the neighbouring property owner would have to examine what they could do to protect their property. This will be a situation that would call for some potential cooperation between the local government and the affected property owner.

A key take away here is that local governments should recognize they have obligations imposed upon them even in instances where they have not done anything to create a problem. There will likely be a need to call upon internal or external assistance relating to engineering, risk management and legal issues.



2020 MIABC EXCELLENCE IN RISK MANAGEMENT AWARDS

Think your local government's risk management initiative deserves recognition? Nominate it for the MIABC 2020 Excellence in Risk Management Awards!

Now in its third year, the MIABC's awards program recognizes members who have shown excellence in the advancement of risk management. Risk Management Grants of up to \$5,000 will be presented to three winners at the 2020 MIABC Risk Management Conference lunch on April 8th, 2020. Nominations are being accepted until **5:00 PM, Friday, February 7th, 2020.**

Download and complete the form at www.miabc.org/news-events/RiskManagementConference and e-mail it to Susan Ackerman (sackerman@miabc.org) along with any relevant supporting documents, reports or photos.

SAVE THE DATE

**NEW
LOCATION!**

2020 MIABC RISK MANAGEMENT CONFERENCE



JW Marriott Parq Vancouver
#MIABCRM2020



2020 AGM & CONVENTION

RESOLUTIONS NOTICE REQUEST FOR SUBMISSIONS

DEADLINE FOR RESOLUTIONS

All resolutions must be received in the AVICC office by: **Thursday, February 6, 2020**

IMPORTANT SUBMISSION REQUIREMENTS

To submit a resolution to the AVICC for consideration please send:

1. One copy as a **word document** by email to avicc@ubcm.ca; AND
2. One copy of the resolution by regular mail to:
AVICC, 525 Government Street, Victoria, BC V8V 0A8

Guidelines for preparing a resolution follow, but the basic requirements are:

- Resolutions are only accepted from AVICC member local governments, and must have been endorsed by the board or council.
- Members are responsible for submitting accurate resolutions. Local government staff must check the accuracy of legislative references, and be able to answer questions from AVICC/UBCM about each resolution. Contact AVICC/UBCM for assistance.
- Each resolution **must include a separate background**er that is a maximum of 3 pages and specific to a single resolution. Do not submit backgrounders for multiple resolutions. The backgrounder may include links to other information sources and reports.
- Sponsors should be prepared to introduce their resolutions on the Convention floor.
- Resolutions must be relevant to other local governments within AVICC rather than specific to a single member government.
- The resolution should not contain more than two "whereas" clauses.
- Each whereas clause must only have **one sentence**.

LATE AND OFF THE FLOOR RESOLUTIONS

- a. A resolution submitted after the regular deadline is treated as a "Late Resolution". Late Resolutions need to be received by AVICC by noon on **Wednesday, April 15th**.
- b. Late resolutions are not included in the resolutions package sent out to members before the Convention. They are included in the Report on Late Resolutions that is distributed on-site.
- c. The Resolutions Committee only recommends late resolutions for debate if the topic was not known prior to the regular deadline date or if it is emergency in nature. Late resolutions require a special motion at the convention to admit for debate.
- d. Late resolutions are considered after all resolutions printed in the Resolutions Book have been debated. The time is set out in the program, and is normally on Sunday morning.
- e. Off the Floor resolutions must be submitted in writing to the Chair of the Resolutions Session, and copies must be made available to all delegates no later than Sunday morning.

AVICC AGM & Convention – April 15-17, 2020 – Nanaimo

UBCM RESOLUTION PROCEDURES

UBCM urges members to submit resolutions to Area Associations for consideration. Resolutions endorsed at Area Association annual meetings are submitted automatically to UBCM for consideration and do not need to be re-submitted to UBCM by the sponsor.

UBCM and its member local governments have observed that submitting resolutions first to Area Associations results in better quality resolutions overall. If absolutely necessary, however, local governments may submit council or board endorsed resolutions directly to UBCM prior to June 30. Should this be necessary, detailed instructions are available on the UBCM website.

UBCM RESOLUTIONS PROCESS

1. Members submit resolutions to their Area Association for debate.
2. The Area Association submits resolutions endorsed at its Convention to UBCM.
3. The UBCM Resolutions Committee reviews the resolutions for submission to its Convention.
4. Resolutions endorsed at the UBCM Convention are submitted to the appropriate level of government for response.
5. UBCM will forward the response to the resolution sponsor for review.

UBCM RESOLUTIONS GUIDELINES

The Construction of a Resolution:

All resolutions contain a preamble and an enactment clause. The preamble describes *the issue* and the enactment clause outlines *the action being* requested. A resolution should answer the following three questions:

- a) What is the problem?
- b) What is causing the problem?
- c) What is the best way to solve the problem?

Preamble:

The preamble begins with "WHEREAS", and is a concise paragraph about the nature of the problem or the reason for the request. It answers questions (a) and (b) above, stating the problem and its cause, and should explain, clearly and briefly, the reasons for the resolution.

The preamble should contain no more than two "WHEREAS" clauses. Supporting background documents can describe the problem more fully if necessary. Do not add extra clauses.

Only one sentence per WHEREAS clause.

Enactment Clause:

The enactment clause begins with the phrase "THEREFORE BE IT RESOLVED", and is a concise sentence that answers question (c) above, suggesting the best way to solve the problem. The enactment should propose a specific action by AVICC and/or UBCM.

Keep the enactment clause as short as possible, and clearly describe the action being requested. The wording should leave no doubt about the proposed action.

HOW TO DRAFT A RESOLUTION

1. Address one specific subject in the text of the resolution.

Since your community seeks to influence attitudes and inspire action, limit the scope of a resolution to one specific subject or issue. Delegates will not support a resolution if it is unclear or too complex for them to understand quickly. If there are multiple topics in a resolution, the resolution may be sent back to the sponsor to rework and resubmit, and may end up as a Late Resolution not admitted for debate.

2. For resolutions to be debated at UBCM, focus on issues that are province-wide.

The issue identified in the resolution should be relevant to other local governments across BC. This will support productive debate and assist UBCM to represent your concern effectively to the provincial or federal government on behalf of all BC municipalities and regional districts. Regionally specific resolutions may be referred back to the AVICC, and may not be entered for debate during the UBCM Convention.

3. Use simple, action-oriented language and avoid ambiguous terms.

Explain the background briefly and state the desired action clearly. Delegates can then debate the resolution without having to try to interpret complicated text or vague concepts.

4. Check legislative references for accuracy.

Research the legislation on the subject so the resolution is accurate. Where necessary, identify:

- the correct jurisdictional responsibility (responsible ministry or department, and whether provincial or federal government); and
- the correct legislation, including the title of the act or regulation.

5. Provide factual background information.

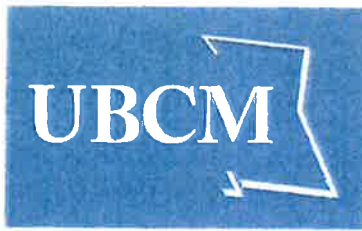
Even a carefully written resolution may not be able to convey the full scope of the problem or the action being requested. Provide factual background information to ensure that the resolution is understood fully so that members understand what they are debating and UBCM can advocate effectively with other levels of government and agencies.

Each resolution **must include a separate background**er that is a maximum of 3 pages and specific to a single resolution. Do not submit backgrounders that relate to multiple resolutions. The backgrounder may include links to other information sources and reports.

The backgrounder should outline what led to the presentation and adoption of the resolution by the local government, and can link to the report presented to the council or board along with the resolution. Resolutions submitted without background information **will not be considered** until the sponsor has provided adequate background information. This could result in the resolution being returned and having to be resubmitted as a late resolution.

6. Construct a brief, descriptive title.

A title identifies the intent of the resolution and helps eliminate the possibility of misinterpretation. It is usually drawn from the "enactment clause" of the resolution. For ease of printing in the Annual Report and Resolutions Book and for clarity, a title should be no more than three or four words.



Sample Resolution

CURTAIL JUMPING OVER DOGS
[SHORT TITLE]

City of Green Forest
[Sponsor]

WHEREAS the quick brown fox jumped over the lazy dog;

Semicolon precedes
"WHEREAS" clause.

AND WHEREAS the lazy dog does not enjoy games of leapfrog;

Colon precedes
"THEREFORE" clause.

THEREFORE BE IT RESOLVED that the quick brown fox will refrain from jumping over the lazy dog.

[A second enactment clause, if absolutely required:]

AND BE IT FURTHER RESOLVED that in the future the quick brown fox will invite a different partner to participate in games of leapfrog.

*Your resolution should follow the structure of this sample resolution.
Draft your resolution to be as readable as possible within these guidelines.*



2020 AGM & CONVENTION

CALL FOR NOMINATIONS FOR AVICC EXECUTIVE

AVICC members elect directors to the Executive Committee at the Convention. The Executive Committee ensures that the policies set by the general membership are carried forward, and provides direction for the Association between Conventions. This circular is notice of the AVICC Executive Committee positions open for nomination, and the procedures for nomination.

1. POSITIONS OPEN TO NOMINATIONS

The following positions are open for nomination:

- President
- First Vice-President
- Second Vice-President
- Director at Large (3 positions)
- Electoral Area Representative

2. NOMINATION PROCESS AND QUALIFICATIONS FOR OFFICE

Candidates must be an elected official of an AVICC local government member and must be nominated by two elected officials of an AVICC local government member. Background information on the key responsibilities and commitments of an AVICC Executive member is provided following the nomination form. The Chair of the 2020 Nominating Committee is Past President Edwin Grieve.

3. NEXT STEPS

The Nominating Committee will review the credentials of each candidate for eligibility. A Report on Nominations including a photo and 300-word biography will be prepared under the direction of the Nominating Committee and distributed prior to the Convention.

**To be included in the Report on Nominations,
Nominations Must Be Received by February 6, 2020**

4. AT CONVENTION

Candidates may also be nominated at the Convention from the floor. Candidates and their two nominators must be elected officials of an AVICC local government member.

5. FURTHER INFORMATION

All enquiries should be directed to:

Past President Edwin Grieve, Chair, 2020 Nominating Committee
c/o AVICC
525 Government Street
Victoria, BC V8V 0A8
Phone: (250) 356-5122
email: avicc@ubcm.ca

AVICC AGM & Convention – April 17-19, 2019 – Nanaimo, BC

NOMINATIONS FOR THE 2020-21 AVICC EXECUTIVE

We are qualified under the AVICC Constitution to nominate¹ a candidate and we nominate:

Candidate Name: _____

Local Government Position (Mayor/Councillor/Director): _____

Local Government Represented: _____

AVICC Executive Office Nominated For: _____

MEMBERS NOMINATING THE CANDIDATE:

Printed Name: _____ Printed Name: _____

Position: _____ Position: _____

Muni/RD: _____ Muni/RD: _____

Signature: _____ Signature: _____

CONSENT FORM

I consent to this nomination and attest that I am qualified to be a candidate for the office I have been nominated for pursuant to the AVICC Bylaws and Constitution². I also agree to provide the following information to avicc@ubcm.ca by **Thursday, February 6, 2020**.

- Photo in digital format
- Biographical information of approximately 300 words that may be edited by AVICC

Printed Name: _____

Current Position: _____

Muni/RD: _____

Signature: _____

Date: _____

¹ Nominations require two elected officials of local governments that are members of the Association.

² All nominees must be an elected official of an AVICC local government member. Nominees for the position of Electoral Area Representative must be an Electoral Area Director.

**Return To: Past President Edwin Grieve, Chair, Nominating Committee,
c/o AVICC, 525 Government Street, Victoria, BC V8V 0A8
or scan and email to avicc@ubcm.ca**



BACKGROUND INFORMATION FOR CANDIDATES TO THE AVICC EXECUTIVE

1. RESPONSIBILITY OF AVICC EXECUTIVE

Under the AVICC Bylaws:

"The Executive shall manage or supervise the management of the Society"

See <http://avicc.ca/about-the-avicc/constitution-bylaws/> for a complete copy of the AVICC Constitution and Bylaws.

2. AVICC EXECUTIVE STRUCTURE

- President
- First Vice-President
- Second Vice-President
- Director at Large (three positions)
- Electoral Area Representative
- Past President

COMMITTEES

The President may appoint Executive members to AVICC committees and to external committees and working groups as required. The Nominating Committee is a standing committee and is comprised of the Past President and the Secretary-Treasurer. All members of the Executive serve on the Resolutions Committee.

CONTRACTED EMPLOYEE

The Association contracts with UBCM for the provision of key services that support the Association. A staff person based in Victoria's Local Government House provides the key functions. The President is responsible for overseeing the regular activities of the Association and for providing direction to staff.

3. EXECUTIVE MEETINGS

The full Executive meets in person five times a year, following this general pattern:

- During the last day of the annual Convention (less than 15 minutes)
- Mid June
- End of October
- Mid January
- Thursday before the Annual Convention

Executive meetings (other than those in conjunction with the Convention) are generally held on a Friday or Saturday from 10:00 am to 3:00 pm and are typically held in Nanaimo. Meetings by teleconference occur 2-3 times per year on an as needed basis (60-90 minutes).

Travel expenses and a per diem are provided for Executive Meetings. For the meeting held on the Thursday before the Convention, reimbursement is only for the added expenses that would not normally be incurred for attending the annual Convention.



AVICC 2020 Convention
April 17-19, 2020
Vancouver Island Conference Centre
CALL FOR SUBMISSIONS

Thank you for your interest in participating in the 2020 AVICC Convention. It will be held Friday through Sunday, April 17-19, 2020 at the Vancouver Island Conference Centre in Nanaimo.

To submit a proposal fill in the information requested below and email this document back as a **word document** to avicc@ubcm.ca

The deadline for submissions is November 27, 2019.

There are limited spots on the program including 45-60 minute plenary presentations, 60 minute concurrent workshops on Saturday afternoon, and two to three hour pre-convention workshops and study tours on Friday morning.

Delegates prefer sessions that involve multi-party perspectives and ones that are interactive rather than “talking heads”.

Title of Session:	
Name of Organization:	
Contact Person Name:	
Phone:	
Address:	
Email:	

Session Description (for review of AVICC Executive Committee in choosing sessions. This information will also be used in program materials):	
Proposed Session Length:	
Preferred Time and Day:	
Audio Visual Requirements:	
Travel or other expenses if any:	
# of Proposed Presenters:	
Name - Presenter #1:	
Bio and Organization - Presenter #1:	
Name - Presenter #2:	
Bio and Organization - Presenter #2:	
Name - Presenter #3:	
Bio and Organization - Presenter #3:	
Name - Presenter #4:	
Bio and Organization - Presenter #4:	

Any other Information or requirements:	
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Successful applicants must confirm their session description, session title, and final list of presenters with AVICC by February 21 for inclusion in the program. Changes to presenters or failure to meet this deadline may result in the session being cancelled.

Presenters must agree to submit all PowerPoint presentations by April 10th

I agree to the above conditions and deadlines:

Signature: _____

Name: _____

Date: _____



Funding & Resources Update

Dec. 11, 2019

Each month we provide an update on UBCM funding programs and information on other programs, events and resources that may be of interest to local governments and First Nations.

Local Government Program Services

A complete and chronological listing of grants currently offered by Local Government Program Services is available on the UBCM website.

Regional Community to Community Forums: With the goal of increased understanding and improved overall relations between First Nations and local governments, C2C Forum events are intended to provide a time and place for dialogue to build on opportunities, support reconciliation efforts, resolve issues of common responsibility, interest or concern, and/or advance tangible outcomes. The C2C program can contribute a maximum of 50% of the cost of eligible activities – to a maximum of \$5,000. The application deadline for forum events to be held by March 31, 2020 is December 6, 2019.

Indigenous Cultural Safety Training: This CEPF funding stream supports eligible applicants to provide emergency management personnel with cultural safety and humility training in order to more effectively partner with and provide assistance to Indigenous communities during times of emergency. The application deadline is December 13, 2019.

Age-friendly Communities: This program assists communities in BC to support aging populations by developing and implementing policies and plans, undertaking projects that enable seniors and Elders to age in place, and facilitating the creation of age-friendly communities. The application deadline is January 17, 2020.

Flood Risk Assessment, Mapping & Mitigation Planning: The intent of this CEPF funding stream is to support eligible applicants to ensure they have accurate knowledge of the flood hazards they face and to develop effective strategies to mitigate and prepare for those risks. The maximum available funding is \$150,000. The application deadline is January 24, 2020.

Community Child Care Planning: This program provides funding for local governments to engage in child care planning activities in order to develop a community child care space creation action plan. The Community Child Care Planning Program can contribute a maximum of 100% of the cost of eligible activities to a maximum of \$25,000. Applications are now being accepted for the second intake of the program. The application deadline is January 31, 2020.

Poverty Reduction: The intent of the Poverty Reduction Planning & Action program is to support local governments in reducing poverty at the local level and to support the Province's poverty reduction strategy. Deadline: February 28, 2020.

Other Funding

Physical Literacy for Communities - B.C. Initiative: The purpose of the Initiative is to improve the development of physical literacy through a multi-sector community approach, leading to increased physical activity which positively impacts the health and well being of British Columbians. Communities are invited to apply to the Sport for Life Society by January 31, 2020.

Water Conservation and Quality Improvement Grants: The Okanagan Basin Water Board (OBWB) has created a guide for applicants to the Water Conservation and Quality Improvement Grant Program. A total of \$350,000 is made available annually by the OBWB for this valley-wide program.

Wildfire Community Preparedness Day 2020: Wildfire Community Preparedness Day is a program designed to support communities across Canada with holding FireSmart events to proactively address wildfire issues at a local level. Successful applicants will receive \$500

and an event box to help make their FireSmart event a success. Applications accepted until January 17, 2020.

CivicSpatial Grant Program: Funding is available to support AddressBC data quality improvement. This grant program will provide a one-time grant of \$1,000 to eligible Local Government and First Nations ICI Society members to improve the accuracy of submitted address data.

First Nations Clean Energy Business Fund: The First Nations Clean Energy Business Fund (FNCEBF) promotes increased Indigenous community participation in the clean energy sector within their asserted traditional territories and treaty areas. The fund provides agreements between the BC Government and successful applicants for Capacity funding and Equity funding. It also provides revenue sharing agreements between the BC Government and eligible First Nations.

Ship-source Oil Pollution Fund: The SOPF is available to pay claims to victims of oil pollution damages from ships. In case of oil pollution, the Fund provides local governments with compensation for: clean-up costs and preventive measures; environmental damage repair costs; property damage; losses related to tourism and fishing; and other economic losses. The SOPF's priority this year is to increase awareness of the Fund, so that local governments bordering the sea, lakes or rivers can benefit from the Fund in case of oil pollution from a ship or boat.

Local Government Restructure Grants: This program supports the arms length, credible examination of the potential impacts of significant changes to the geography or services of a local government. These grants also cover the transition and implementation costs to reduce barriers to restructuring local governments.

Indigenous Agriculture and Food Systems Initiative: The objective of this initiative is to increase economic development opportunities of Indigenous Peoples and communities in Canada by supporting Indigenous communities and entrepreneurs who are ready to launch agriculture and food systems projects and others who want to build their capacity to participate in the Canadian agriculture and agri-food sector.

First Nations Adapt Program: This federal program supports First Nation communities to assess and respond to climate change impacts on community infrastructure and emergency management. It prioritizes communities most impacted by sea level rise, flooding, forest fires, and winter road failures. Applications are reviewed on an ongoing basis.

Vancouver Foundation Community Grants: This foundation supports thousands of projects every year to help build healthy, vibrant, and livable communities across BC.

FCM Funding Opportunities: Visit this site to learn about FCM's funding offerings, from plans and studies, to pilot and capital projects, and more.

Other Funding Opportunities: BC Healthy Communities has compiled a list of funding opportunities worth knowing about, along with guides and resources to support your grant writing activities.

Events & Resources

Adaptation Canada: Canada's national conference on climate change adaptation. Early Bird registration is open for this conference coming to Vancouver, February 19-21, 2020.

Financing tools for local climate action: Canadian municipalities are reducing greenhouse gas (GHG) emissions through pilot projects, municipal programs, and more. However, financing these initiatives can be a significant challenge. FCM's toolkit explains how your municipality can leverage private and community investors to help you take action on climate change in your community.

ReTooling for Climate Change: The Fraser Basin Council hosts this first-stop website on climate change adaptation. Here is the place to find top tools and resources for BC local governments, First Nations and the natural resource sectors as everyone prepares for the impacts of climate change, now and in the years ahead.

BC FireSmart Website: This website introduces the FireSmart program and its seven disciplines and is intended as a one stop shop for all things FireSmart. The site includes links to training, education, an events calendar, resource library and downloadable content. It also features a short video inviting everyone to become involved in prevention and to learn about the benefits of FireSmart.

Weathering the Storm - Developing a Canadian Standard for Flood-Resilient Existing Communities: This report from the Intact Centre on Climate Adaptation presents a flood hazard and vulnerability screening framework that can help identify areas in existing residential communities that require the most immediate attention for flood risk. Application of the framework will enable communities to make better-informed decisions when prioritizing areas for flood-resiliency programming.

The State of Forestry in Northern BC: Northern Dispatch reports are short reports that delve into portions of the State of the North report in greater detail, adding commentary and context on specific sectors or subjects. This recent report is timely given the continued importance of forestry to the BC economy and recent mill shutdowns.

Healthy Housing Action Guide: This new BC Healthy Communities guide explores ways that communities can bring an equity and health lens to housing policies, and includes definitions, case studies, funding information, legislation, and actions that local governments can take to support healthy housing in their community.

Resources for Rural & Small Communities: BC Healthy Communities has launched a collection of resources related to PlanH action areas, with a rural and small community lens.

Building sustainable communities with asset management: This guidebook is designed for staff or elected officials in medium and large municipalities who are responsible for green projects or who are interested in municipal sustainable development.

Asset management resources: Are you interested in learning more about asset management practices and infrastructure planning? Asset Management BC's website is an information rich resource for BC local governments, including the recently updated *Asset Management for Delivery: A BC Framework* and four new Sustainable Service Primers: Climate Change; Natural Assets; The Role of Operations & Maintenance; and Land Use Planning.

Introduction to Reconciliation Webinar: This Reconciliation Canada webinar creates a safe place for participants to explore our shared Canadian history, examine the meaning of reconciliation, and their respective roles to play. Join Charlene Seward in this recorded hour-long webinar, and explore your values and beliefs as they relate to reconciliation.

CivicInfo BC: British Columbia's local government information hub offers comprehensive organizational and grant directories, events listings, tools for training, research and career development, bids & tenders, and other resources.

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NEWS RELEASE

For Immediate Release

BC Economic Development Association Launches Forestry Plus program

CHILLIWACK, BC, December 12, 2019 - Communities in British Columbia continue to experience economic restructuring, caused not only by the loss or temporary closures of sawmills, but also by the direct and indirect economic impacts of the closures. These closures and curtailments will impact major centres throughout the Province, including Vancouver, Victoria and Kelowna.

"The British Columbia Economic Development Association [BCEDA] is committed to doing what it can to assist every BC community and is dependant on support," said Dale Wheeldon, president and CEO. "If a business or member of a community has ideas on other initiatives that could help those affected by the impacts of closures or curtailments or would like to partner with us on assisting communities, we encourage them to reach out."

Due to support received over the past several years by communities at its annual auction, BCEDA is announcing the launch of a "Forestry Plus" program. The first phase of the program will allow for increased dialogue between impacted communities – Indigenous and non-Indigenous, BCEDA and other partners. Bringing together a network of economic development professionals to share challenges and successes. Additional phases will be launched as resources become available.

The first phase of this program includes the following:

- Forestry Impacted Communities Webpage with resources: <https://www.bceda.ca/forestry.php>
- Forestry Impacted Communities Group Email – Peer-to-peer intranet tool. One single email address reaches a network of impacted community representatives
- Informal roundtable discussion at 2020 BC Economic Summit for forestry-impacted communities
- Forestry Impacted Communities Message Board

BCEDA was the first Canadian association that launched an Economic Disaster Recovery Program to assist communities impacted by natural or economic disasters, including the closure of a major employer. The program has been used extensively throughout BC, Alberta, Saskatchewan, US Virgin Islands, and in January one of the modules will be implemented in the US Mariana Islands.

For more information about the BCEDA Economic Disaster Recovery Program, please visit:
https://www.bceda.ca/disaster_preparation_and_recov.php

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About BCEDA

The BC Economic Development Association (BCEDA) is the leading professional association of economic development practitioners in the Province of BC. BCEDA currently has over 450 members from communities throughout the province. BCEDA provides services that help member communities grow and expand new and existing businesses, attract new business investments, and work towards strategic infrastructure investment, land use planning, and community enhancement.

BCEDA services include an annual summit and networking event, educational and professional development opportunities, public relations, advisory services and resources and partnering with communities and the Province of BC to market British Columbia for business investment.