



**VILLAGE OF SAYWARD
REGULAR COUNCIL MEETING AGENDA
OCTOBER 22, 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 October 22, 2019 be approved.

5. Minutes of Previous Meetings

Recommended Resolution:

THAT the minutes from the Regular Council meeting held on October 8, 2019 be adopted.

6. Business Arising

7. Petitions and Delegations

a) Cpl. Kim Graham, Detachment Commander - Sayward Policing Report

Recommended Resolution:

THAT the Sayward Policing Report for the period 1 Jan 2019 to 30 Sep 19 be received.

8. Correspondence

Recommended Resolution:

THAT the following correspondence be received.

a) Letter of support for ORV Management Framework – City of Campbell River

b) Social Procurement training – SP 201, November 15th, Campbell River

9. Mayor's Reports

10. Council Reports

11. Old Business

12. Staff Reports

a) Staff Report: Financial Statements/Variances to Sept 30, 2019

Recommended Resolution:

THAT Council receive the Financial Statements/Variances to Sept 30, 2019 report for information and discussion.

b) Staff Report: Projects Update – October 2019

Recommended Resolution:

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

c) Staff Report: Tree Management Bylaw

Recommended Resolutions:

THAT Council receive the Tree Management Bylaw report for information and discussion, and;

THAT Council provide direction to Staff.

d) Staff Report: Policy Updates Project

Recommended Resolutions:

THAT Council receive the Policy Update Project report, and;

THAT Council approves 100-01 Council Conflict of Interest Policy.

13. Bylaws

a) Permissive Tax Exemption Bylaw No. 459, 2019

Recommended Resolution:

THAT Permissive Tax Exemption Bylaw No. 459, 2019 be given fourth and final reading.

b) Royal Canadian Legion No. 147 Permissive Tax Exemption Bylaw No. 460, 2019

Recommended Resolution:

THAT Royal Canadian Legion No. 147 Permissive Tax Exemption Bylaw No. 460, 2019 be given fourth and final reading.

14. New Business

a) Revenue Canada contacts update

Recommended Resolution:

THAT Council authorizes the following Village of Sayward Finance Staff members, Lisa Clark CAO/CFO and Mavis Alkenbrack Deputy Finance/Admin Officer, to access data and information from the Canada Revenue Agency for account numbers 10817 9920 RP0001, 10817 9920 RT0001, and 10817 9920 RC0001.

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

Prepare to go In-Camera

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.

17. Adjournment

Recommended Resolution:

THAT the Regular Meeting of Council for October 22, 2019 be adjourned.



**VILLAGE OF SAYWARD
MINUTES
REGULAR COUNCIL MEETING
OCTOBER 8, 2019
KELSEY CENTRE GYMNASIUM**

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

In Attendance: Lisa Clark, Acting CAO
John France, Consultant

1. Call to Order

Meeting was called to order at 7:02 PM.

2. Public Input (maximum 30 minutes)

Debbie Coates	Village priorities should be focused on supplying services such as water and not in buying properties to protect tress.	No answer was required as Council was in agreement
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3. Introduction of Late Items

4. Approval of Agenda

MOTION R19/250

MOVED AND SECONDED

THAT the agenda for the Regular Meeting of Council for October 8, 2019 be approved.

CARRIED

5. Minutes of Previous Meetings

MOTION R19/251

MOVED AND SECONDED

THAT the minutes from the Regular Council meeting held on September 17, 2019 be adopted.

CARRIED

6. Business Arising

7. Petitions and Delegations - None

8. Correspondence

MOTION R19/252

MOVED AND SECONDED

THAT the following correspondence be received.

CARRIED

- a) Letter: Saving Sequoia Trees on Ambleside

MOTION R19/253

MOVED AND SECONDED

THAT Staff look into tree protection policies/bylaws in other jurisdictions and report back to Council on options and a letter be sent to the requestor advising of the action taken.

CARRIED

- b) Letter: Darryl and Jackie Lyons - RCMP Reports

Note: Mayor noted that an RCMP report would be available at the next Council meeting.

- c) Sayward Futures Society – Canada Day Volunteers

MOTION R19/254

MOVED AND SECONDED

THAT a letter be sent to Sayward Futures Society advising the Village will donate park space and employees to maintain the park to support the event.

CARRIED

- d) Kelly's Bridge – Email from Jeremy Araki Engineer for the project.

MOTION R19/255

MOVED AND SECONDED

THAT Staff bring an estimate to install slats on the bridge to the 2020 budget discussions.

CARRIED

- e) SRD News Release - Community Wildfire Protection Plan

- f) Western Forest Products – Burning Notice

MOTION R19/256

MOVED AND SECONDED

THAT Staff advertise the burning notice on the Village of Sayward website, Facebook and bulletin boards.

CARRIED

9. Council Reports - None

10. Mayor's Reports

- a) Report on the 2019 UBCM convention

MOTION R19/257

MOVED AND SECONDED

THAT the Mayor's report on the 2019 UBCM convention be received.

CARRIED

- b) Appointment of Deputy Mayor, SRD Rep, and signing authorities:

MOTION R19/258
MOVED AND SECONDED

THAT Cllr Ellis assume the role of Deputy Mayor effective September 21, 2019, and;

THAT Cllr Ellis be appointed as Alternate Director to the Strathcona RD effective September 21, 2019, and;

THAT the Council of the Village of Sayward authorize Mayor John MacDonald, Deputy Mayor Joyce Ellis, Chief Financial Officer Lisa Clark, and Deputy Finance/Admin Officer Mavis Alkenbrack to be the signing authorities respecting municipal financial matters effective October 8, 2019.

CARRIED

11. Staff Reports

a) Staff Report: FTE Admin 2019 – Brought Back as per Council Direction

MOTION R19/259
MOVED AND SECONDED

THAT Council receives the Consultant's report on the FTE Admin 2019 for discussion.

CARRIED

b) Staff Report: Strategic Plan & 2020-2024 Financial Plan Timetable

MOTION R19/260
MOVED AND SECONDED

THAT Council receives the Acting CAO's report titled Strategic Plan & 2020-2024 Financial Plan Timetable, and;

THAT Council provide Staff with direction on a Strategic Planning session date, and;

THAT Council approve the Financial Plan timetable proposed by Staff. **CARRIED**

Note: The Strategic Planning session was set for November 5, 10-2 with lunch to be brought in.

c) Staff Report: Dam Update Report

MOTION R19/261
MOVED AND SECONDED

THAT Council receives the Dam Update Report for discussion.

CARRIED

Note: The financial numbers were not available at time of writing. Another report will come to the November 5th meeting of Council with any new developments and the costs to complete the project.

d) Staff Report: Fireworks Bylaw Report

MOTION R19/262
MOVED AND SECONDED

THAT the report on Fireworks Bylaw Report be received, and;

THAT Council provides direction to Staff.

CARRIED

Note: A staff report regarding this bylaw will be provided at the November 5th meeting of Council.

e) Staff Verbal Report on Water Treatment Plant

**MOTION R19/263
MOVED AND SECONDED**

That the verbal report on the WTP be received.

CARRIED

Note: Staff advised that operations were not 100%, still working out a few “bugs”, looking at a generator proposal for the 2020 budget process, and working on Staffing issues to attend the plant on a daily basis until such time that it is fully operational.

f) Staff Report: Policy Updates Project

**MOTION R19/264
MOVED AND SECONDED**

THAT Council receives the Acting CAO’s report on the Policy Updates Project for discussion, and;

THAT Council directs Staff to obtain legal advice on a zero-tolerance policy on drugs/alcohol while operating a municipal vehicle,

AND FURTHER THAT policy 200-01 be amended to include criminal record checks on Finance Staff.

CARRIED

12. Old Business

13. Bylaws

a) Indemnification Bylaw No. 458, 2019

**MOTION R19/265
MOVED AND SECONDED**

THAT Indemnification Bylaw No. 458, 2019 be given fourth and final reading.

CARRIED

b) Permissive Tax Exemption Bylaw No. 459, 2019

**MOTION R19/266
MOVED AND SECONDED**

THAT Permissive Tax Exemption Bylaw No. 459, 2019 be given first, second and third reading.

CARRIED

c) Royal Canadian Legion No. 147 Permissive Tax Exemption Bylaw No. 460, 2019

**MOTION R19/267
MOVED AND SECONDED**

THAT Royal Canadian Legion No. 147 Permissive Tax Exemption Bylaw No. 460, 2019 be given first, second and third reading.

CARRIED

14. Financial – None

15. New Business

PNP Program Update - Cllr Ives reported that a recent applicant appeared not to be properly prepared for the requirements of the program nor what economic activities the Village was

interested in seeing happen through the PNP program. He will share this info with the program managers.

MOTION R19/268

MOVED AND SECONDED

THAT the verbal report from Cllr Ives on the PNP program be received.

CARRIED

16. Public Question Period (maximum 15 minutes)

Irene Callaghan	Asked why the ORV route stops at her home?	Advised that Council made this the designated route to get to the campground.
Debbie Coates	General discussion on the ORV bylaw – currently the bylaw does not state a permit is required, so until the bylaw is amended riders can drive on the designated route without a permit.	Cllr Ives indicated that the bylaw needs to be amended to include the requirement for a permit. Bylaw needs to come back for a review.
Tom Tinsley	Suggested Council report back to PNP managers the poor quality of applicants.	Cllr Ives reported he had already spoken to PNP managers on this issue.
Debbie Coates	Asked whether a bylaw preventing property owners from removing trees would lower the value of the property.	Advised that the permit process was more of a notice process and not necessarily to prevent removal of trees. Any bylaw would give Council the authority to grant permission to cut down trees protected in the Bylaw.
Debbie Coates	Asked a question on the limits of fireworks, the bylaw states that fireworks cannot be sold, but Schedule B contradicts this.	Staff indicated that the Bylaw needs to be refined and will be brought back to a future Council meeting.
Tom Tinsley	Comment regarding alternatives to fireworks.	
Irene Callaghan	Question on whether the fireworks Bylaw can include seal bombs.	Staff will go over the wording again, most of the information is being drawn from the provincial Fireworks Act and Regulations.

MOTION R19/269

MOVED AND SECONDED

THAT Council directs Staff to bring Off-Road Vehicle Regulation Bylaw No. 446, 2019 back to the November 5th meeting of Council for discussion.

CARRIED

17. In-Camera

**MOTION R19/270
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**

18. Rise and Report

**MOTION IC19/108
MOVED AND SECONDED**

THAT Council receives the report on the CAO contract for information and discussion, and;

THAT Council approves the CAO contract offer to Lisa Clark at a starting salary of \$87,500 with a term ending December 31, 2024 unless otherwise negotiated. **CARRIED**

**MOTION IC19/109
MOVED AND SECONDED**

THAT Council approves an extension of the consultant's contract October 15 -31, 2019 on an as needed basis only and using electronic means. **CARRIED**

**MOTION IC19/110
MOVED AND SECONDED**

THAT the report on the Newcastle Dam Decommissioning Project – Scope Change (May 7, 2019) be taken out of in camera. **CARRIED**

19. Adjournment

**MOTION R19/271
MOVED AND SECONDED**

THAT the Regular Meeting of Council for October 8, 2019 be adjourned. **CARRIED**

The meeting was adjourned at 8:47 PM.

Mayor John MacDonald

Chief Administrative Officer



Sayward Policing Report

2019-01-01 to 2019-09-30

To: Mayor, Council and Regional District

Policing and protective services address crimes related to substance abuse, property and traffic law enforcement, as well as crime reduction strategies and initiatives.

2019 Objectives

- **Traffic Enforcement:** The RCMP is committed to making roads safer by focusing on Speeding / Impaired Drivers

QUARTERLY PERIOD STATS 2019	VIOLATION TICKETS	WRITTEN WARNINGS	IMPAIRED CHARGES
January 1 – March 31	36	57	1
April 1 – June 30	25	32	1
July 1 – September 30	20	40	1

- **Police / Community Relations:** The RCMP is committed to continue to be visible and active within the community by participating in as many events as possible.
 - January – March : Wounded Warrior Run; School Fun Music Spectacle
 - April – June : Bike Rodeo; Kusum Klimb; Sayward Hub at School
 - July – September : Canada Day Parade, Oscar Daze Ball Tournament, Show & Shine; Aboriginal Youth Camp, Tour de Rock Chili Cook Off and Dinner
- **Safe Waterways:** The RCMP will continue to focus on safe and healthy waterways. This will be achieved through initiatives including patrols and proactive enforcement.
 - January – March: 5 patrols – No calls for service.
 - April – June: 4 patrols – Boat out of the water for the month of May, mechanical issues. No calls for service.
 - July – September: 4 patrols – Assist Canadian Coast Guard with vessel in distress.



Sayward Policing Report

2019-01-01 to 2019-09-30

Crime Statistics for the 1st Quarter of 2019

• Total Calls for Service January 1 2019 - March 31 2019	92
• Total Calls for Service Year 2019 to Date January - March	92
• Total Calls for Service January 1 2018 – March 31 2018.....	99
• Total Calls for Service Year 2018 to Date January 1 – June 30	99

Crime Statistics for the 2nd Quarter of 2019

• Total Calls for Service April 1 2019 - June 30 2019	110
• Total Calls for Service 2019 Year to Date January 1 – June 30	202
• Total Calls for Service April 1 2018 - June 30 2018	104
• Total Calls for Service Year 2018 to Date January 1 – June 30	203

Crime Statistics for the 3rd Quarter of 2019

• Total Calls for Service July 1 2019 - September 30 2019	135
• Total Calls for Service Year 2019 to Date January 1 – Sept 30	337
• Total Calls for Service July 1 2018 - September 30 2018	139
• Total Calls for Service Year 2018 to Date January 1 – Sept 30	342

Call for Service Q1 2019 - Village	Count of Case Number
ABANDONED VEHICLES	1
ASSAULT-COMMON	2
BREACH OF PEACE	2
CANADA SHIPPING ACT (CSA)	1
CANNABIS CNTRL LICENSNG ACT	1
COLLISION-DAMAGE	1
CORONERS ACT	1
FALSE ALARMS	1
LANDLORD/TENANT/NEIGH DISPUTES	1
MENTAL HEALTH ACT	1
MISCHIEF-LOSS ENJOYMENT PROP	2
QUERY TO LOCATE INDIVIDUAL	1
SHOTS FIRED	2
SUSPICIOUS PERS/VEH/OCCURRENCE	3
TRAFFIC-OTHER MOVING PROV	1
TRAFFIC-OTHER MUNICIPAL	1
UNSPECIFIED ASSISTANCE	4
Grand Total	26

Calls for Service Q1 2019 - Rural	Count of Case Number
911-FALSE/ABANDONED CALLS	4
ABANDONED VEHICLES	2
ASSIST PUBLIC OR UNWANT GUEST	1
BREACH OF PEACE	1
BREACH/BAIL VIOLATIONS	1
CAUSE A DISTURBANCE	1
CHLD FMLY&COMM SERVICES ACT	1
COLLISION-DAMAGE OR NON FATAL	9
FRAUD-FORGERY OR IDENTITY	2
IMPAIRED OP MOTOR VEH (ALCOH)	1
INSECURE PREMISES	1
MISCHIEF-LOSS ENJOYMENT PROP	4
MISSING PERSONS-HIGH RISK	1
OBSTRCT PEACE/PUBLIC OFFICR	1
PROV PROHIB/SUSP-NOT 215	1
QUERY TO LOCATE INDIVIDUAL	4
SHOTS FIRED	1
SUSPICIOUS PERS/VEH/OCCURRENCE	1
THEFT OTHER VEHICLE U/\$5000	1
THEFT-OTHER UNDER \$5000	1
TRAFFIC-DRIVING COMPLAINT	2
TRAFFIC-INSURANCE VIOLATION	1
TRAFFIC-OTHER MOVING PROV	1
TRAFFIC-OTHER NON-MOVE PROV	3
UNSPECIFIED ASSISTANCE	7
Grand Total	53

Call for Service Q2 2019 Village	Count of Case Number
911-FALSE/ABANDONED CALLS	2
ASSAULT	3
BREACH OF PROBATION-ADULT	1
CHLD FMLY&COMM SERVICES ACT	1
COLLISION-DAMAGE	1
FALSE ALARMS	1
MENTAL HEALTH ACT	1
MISCHIEF \$5000 OR UNDER	1
MISSING PERSONS	1
PROPERTY-LOST OR FOUND	2
PUBLIC MISCHIEF	1
SEXUAL ASSAULT/INTERFERENCE	2
SUSPICIOUS PERS/VEH/OCCURRENCE	3
THEFT-OTHER	5
TRAFFIC OTHER NON MOVING - PARKING VIOLATIONS	1
TRAFFIC-INSURANCE VIOLATION	1
UNSPECIFIED ASSISTANCE	5
WILDLIFE ACT (PROV)	2
Grand Total	34

Calls for Service Q2 2019 - Rural	Count of Case Number
911-FALSE/ABANDONED CALLS	6
ANIMAL CALLS	2
BREACH OF PEACE	1
BREAK & ENTER-RESIDENCE	1
CAUSE DISTURBANCE	1
COLLISION-DAMAGE OR NON FATAL	8
CORONERS ACT	2
DRIVE WHILE DISQL/SUSP (PROV)	1
FIREARMS-UNSAFE STORAGE	1
FRAUD-MONEY/PROP/SEC<\$5000	1
IMPAIRED OP MOTOR VEH (ALCOH)	3
MENTAL HEALTH ACT	2
MISCHIEF-LOSS ENJOYMENT PROP	1
MISSING PERSONS	2
OTHR PRV STATUTES-NO TRAFF	1
PROPERTY-LOST OR FOUND	4
QUERY TO LOCATE INDIVIDUAL	2
SUSPICIOUS PERS/VEH/OCCURRENCE	5
THEFT BOAT OVER \$5000	1
THEFT-OTHER UNDER \$5000	1
THFT AUTO UNDER \$5000	1
TRAFFIC-DRIVING COMPLAINT	11
TRAFFIC-OTHER MOVING PROV	4
UNSPECIFIED ASSISTANCE	4
UTTER THREATS AGAINST PERSON	3
WILDFIRE ACT/REGULATIONS	1
WILDLIFE ACT (PROV)	1
Grand Total	71

Calls for Service Q3 2019 - Village	Count of Primary Offence
911-FALSE/ABANDONED CALLS	2
ABANDONED VEHICLES	1
ANIMAL CALLS	1
ASSAULT-COMMON	2
BREACH OF PEACE	2
BREAK & ENTER-RESIDENCE	1
BYLAW-NOISE	1
COLLISION-DAMAGE	1
CORONERS ACT	2
CRIMINAL HARASSMENT	1
FALSE ALARMS	2
PROPERTY-LOST OR FOUND	6
PROV PROHIB/SUSP-NOT 215	1
QUERY TO LOCATE INDIVIDUAL	2
SUSPICIOUS PERS/VEH/OCCURRENCE	1
TAKE AUTO W/O CONSENT U/\$5000	1
THEFT-OTHER	2
TRAFFIC-OTHER MOVING PROV	1
UNSPECIFIED ASSISTANCE	2
WILDLIFE ACT (PROV)	2
Grand Total	34

Calls for Service Q3 2019 - Rural	Count of Case Number
911-FALSE/ABANDONED CALLS	3
ABANDONED VEHICLES	3
ANIMAL CALLS	6
ASSAULT	4
ASSLT POLICE	1
BREACH OF PEACE	4
BREAK & ENTER-RESIDENCE	5
CAUSE A DISTURBANCE	2
COLLISION-DAMAGE OR NON FATAL	7
CORONERS ACT	2
CRIMINAL HARASSMENT	2
EMERG MANAGEMENT ACT/REGS	1
FALSE ALARMS	1
FIREARM-CARELESS USE	1
FIREARM-CARELESS USE OR SHOTS FIRED	2
IMPAIRED OP MOTOR VEH (ALCOH)	8
MENTAL HEALTH ACT	1
MISCHIEF	6
MISSING PERSONS	1
OTHER PROV STATUTES-NO TRAFFIC	1
PROPERTY-LOST OR FOUND	6
QUERY TO LOCATE INDIVIDUAL	3
SUSPICIOUS PERS/VEH/OCCURRENCE	4
THEFT OTHER VEHICLE OVER \$5000	1
THEFT-OTHER UNDER \$5000	4
TRAFFIC-DRIVING COMPLAINT	7
TRAFFIC-OTHER NON-MOVE PROV	1
UNSPECIFIED ASSISTANCE	5
UTTER THREAT PROPERTY/ANIMAL	1
Grand Total	93



City of Campbell River

From the Office of the Mayor

October 8, 2019

The Honourable Doug Donaldson
Minister of Forests, Lands, Natural Resources and Rural Development
PO Box 9049, Stn. Prov. Gov't
Victoria BC V8W 9E2

Dear Minister Donaldson:

Re: Letter of support for Off-Road Vehicle Management Framework

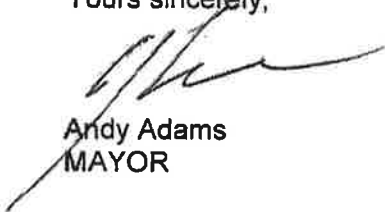
Further to Resolution B121 being discussed at the recent UBCM convention, at their October 7 meeting, City of Campbell River Council passed a resolution to encourage the Ministry's support for an Off-Road Vehicle (ORV) Management Framework.

The City anticipates that revising the ORV Act so that riders wishing to visit multiple areas could acquire a single Operation Permit for that purpose, would enhance recreational and tourism economic value in each community.

ORV tourism is a growing component in our area. Council respectfully encourages the Ministry to update the Off-Road Vehicle Management framework.

Thank you.

Yours sincerely,


Andy Adams
MAYOR

Subject: FW: Social Procurement 201- checking in

From: Kristi Fairholm-Mader <kfmader@scalecollaborative.ca>

Sent: October 15, 2019 10:26 AM

To: John MacDonald <john.macdonald@saywardvalley.ca>; Village of Sayward <village@saywardvalley.ca>; Bill Ives <bill.ives@saywardvalley.ca>

Cc: Teri Ejere <tejere@scalecollaborative.ca>

Subject: Social Procurement 201- checking in

Hello Team Sayward,

I hope that you all had a lovely Thanksgiving weekend!

We wanted to follow up and check-in around this upcoming Social Procurement 201 training- great to have had you attend the recent Social Procurement 101! I am reaching out to see you are planning to attend the 201 session as the next step-- we are wanting to confirm as many registrations as possible ASAP. There are a few upcoming dates and locations:

- Nanaimo on October 30
- Tofino on November 1
- Campbell River on November 15

You can register for any of the sessions for free through the CCSPI (www.ccspi.ca) membership portal. If you are having any issues accessing the portal or registering, please let us know ASAP.

Thanks!

Kristi

Project Manager
Coastal Communities Social Procurement Initiative

--
Kristi Fairholm Mader
Co-Founder, Scale Collaborative
778-679-4920

We support the following initiatives:

- Coastal Community Social Procurement Initiative
- seCatalyst
- Thriving Non Profits
- The Dock Centre for Social Impact
- Vancouver Island Buy Social

Social Procurement 201

For communities that have taken SP 101 or are already implementing social procurement, SP 201 is the next step. SP 201 will delve deeper into social procurement policies— development, review and best practices—, building a social value menu, aligning to strategic plans, and identifying 3 initial pilots to implement. At the end of SP 201, participants will have a plan for testing and piloting social procurement in your community. This would be an all day training event.

Facilitated by David LePage

Non-Member Cost: \$800

November 15, 2019

9:30 AM- 4:30 AM

Campbell River, BC



STAFF REPORT

For: Mayor and Council
Prepared by: Lisa Clark, CAO/CFO
Subject: Financial Statements/Variances to Sept 30, 2019
Meeting date: October 22, 2019

BACKGROUND

The 2019-2023 Budget and subsequent Financial Plan Bylaw was adopted by Council in early 2019. The budgeting process allows municipalities to prioritize projects, programs and service levels based on anticipated revenue and expenses. The budget document provides a framework to ensure project spending is on track, expenses are appropriate, and it provides a level of control over spending. It also identifies revenues to support Council's long-term financial plans.

A financial statement/variance report provides information to Council on the progress of the work plan approved during Financial Planning. The report also ensures that the actual results are aligning with approved budgets and any variances are investigated and explained.

DISCUSSION

The Village's operational revenues and expenses up to the end of September 30, 2019 are summarized below, with a comparison to the same period in 2018, as well as the variance to the 2019 approved budget. There are no material financial concerns identified in the operating budget. The operational budget analysis indicates the Village is generally on trend as compared to budget and prior year activity, indicating that the Village continues to operate in a fiscally responsible manner. Summary notes on select revenue sources and departmental expenditures is included for Council review and discussion.

Budgeted operating projects and capital projects will also be summarized and presented at the end of the report.

Summary	2018 Budget	2018 Actual to Sep 30, 2018	2019 Budget	2019 Actual to Sep 30, 2019	2019 Variance \$	2019 Variance %
OPERATING REVENUE						
Taxation - General Municipal Purpose	321,141	320,580	329,170	329,596	-426	100.13%
Other taxes	12,302	12,041	11,907	11,959	-52	100.43%
Federal Community Works Fund Grant	65,872	34,566	70,515	103,240	-32,725	146.41%
Provincial Govt Grants	360,622	375,333	392,000	392,397	-397	100.10%
CARIP Grant	0	0	2,500	0	2,500	0.00%
Interest & Tax Penalties	0	8,537	6,500	9,015	-2,515	138.69%
General Investment Income	15,000	19,665	7,000	2,196	4,804	31.38%
Other Revenue	8,600	13,531	14,800	11,116	3,684	75.11%
Licences, Permits & Fines	3,000	3,042	2,500	8,081	-5,581	323.24%
Internet Equipment Rental Revenue	6,200	4,998	6,500	5,500	1,000	84.62%
General Operating Grants	32,750	11,000	61,925	50,486	11,439	81.53%
Sale of Service - Recreation Centre	23,450	16,868	28,170	15,631	12,539	55.49%
Sale of Service - Other	10,600	11,006	16,800	10,815	5,985	64.37%
RCMP Rent	22,800	17,100	22,800	17,100	5,700	75.00%
RCMP Maintenance	9,748	7,311	9,748	7,311	2,437	75.00%
Sewer Revenue	68,909	70,189	70,902	71,928	-1,025	101.45%
Water Revenue	102,034	113,417	112,437	111,417	1,021	99.09%
Solid Waste Revenue	33,915	33,870	37,717	34,751	2,965	92.14%
Total Operating Revenue	1,098,643	1,073,056	1,203,891	1,192,539		99.06%
OPERATING EXPENDITURES						
Legislative Services	53,860	36,717	57,510	42,388	15,122	73.71%
Administration	310,301	220,521	347,623	259,124	88,499	74.54%
Election	9,150	1,486	2,525	0	2,525	0.00%
Recreation Centre	230,983	186,569	234,709	148,891	85,818	63.44%
Parks	31,000	37,671	42,690	22,585	20,105	52.90%
Public Works	92,663	80,749	56,363	41,996	14,368	74.51%
Roads	28,000	18,140	33,641	19,173	14,468	56.99%
Drainage	8,000	2,294	9,641	3,659	5,983	37.95%
Planning	6,500	492	1,700	3,813	-2,113	224.28%
Police	13,788	21,784	9,916	5,033	4,882	50.76%
Fire	37,365	15,849	33,960	18,117	15,843	53.35%
Emergency	4,500	10,292	37,525	8,423	29,102	22.45%
Health Clinic	0	293	500	386	114	77.15%
Bylaw	2,500	0	500	0	500	0.00%
Solid Waste	38,500	36,553	44,000	26,634	17,366	60.53%
Sewer Operations	68,085	48,623	68,035	44,959	23,077	66.08%
Water Operations	187,653	51,941	103,709	53,418	50,291	51.51%
Total Departmental Expenditures	1,122,849	769,975	1,084,548	698,598		64.41%
Surplus/(Deficit) Before Amortization	(24,206)	303,081	119,343	493,940		

REVENUES

- 1.) Federal Community Works Fund (CWF) Grant: The first payment has now been received (\$103k); the remainder will be received by the Village in December. Note: the 2019 doubling of this payment is not reflected in the budget above.
- 2.) CARIP (Climate Action Revenue Incentive Program) Grant: This grant is recorded as a receivable at year-end, funds are received in June of the following year. It is a recovery of carbon tax paid by the municipality; funds received are allocated to a reserve to be used for carbon reducing projects as directed by Council.
- 3.) Interest and tax penalties: Trending slightly higher for 2019. Property taxes outstanding and receivable at September 30, 2019 equal \$70,203.38.
- 4.) General Investment Income: Revenue is trending lower due to market conditions and entries now being recorded at year-end.
- 5.) Other Revenue includes tax certificate fees, general rent (library and weather station), snow removal revenue and other misc. items. 2018 included a \$6,000 catch up invoice for the weather station (5 years), removing this item from the analysis shows other revenue for 2019 to be trending higher than the prior year.
- 6.) Licenses, Permits and Fines: Revenues are trending higher in 2019 due to an increase in building permit fees and business license fees.
- 7.) General Operating Grants: This line item is trending higher in 2019 due to the Community Wellness Grant received from Island Health. This grant was not reflected in the budget. Other grants not yet posted include \$30k for the Asset Management project, \$24k for the Evacuation Training and Radio Communications Enhancement project, and \$24k for the Evacuation Planning project.
- 8.) Sewer, Water and Solid Waste Revenue: All trending slightly higher in 2019 due to rate increases approved by Council in the 2019 Financial Plan.

EXPENDITURES

Each area of the Village's operations has been analyzed below.

Legislative

Expenses are trending higher than the prior year due to an increase in Mayor & Council stipends (approved in the Financial Plan) and additional training and education for the new Council.

Administration

Total overall department expenses are on target with budget. Admin salaries are over budget due to the CAO replacement. When comparing to 2018, expenses are higher due to an increase in wages and staff restructuring (approved in the Financial Plan).

Recreation

Expenses are trending lower than the prior year due to a reduction in programming and staff hours (approved in the Financial Plan). The Rec Centre was closed for an additional 4 weeks over the summer – 12 weeks total compared to 8 weeks in 2018. 2019 expenses are on target with budget, some uncertainty remains with operations for the fall, which has been discussed at a prior meeting.

Parks

Expenses are trending much lower than 2018 due to the completion of the gazebo in the prior year. This expense was approved in the 2018 Financial Plan. Council will recall the Village received a Community Award of Merit from the Canadian Wood Council at AVICC 2019 for this project. Expenses for 2019 are on track to be below budget.

Public Works

Expenses are on target with budget. Compared to 2018, expenses are lower due to a redistribution of where Public Works staff wages are being charged.

Roads

On trend with 2018. Sand and salt expenses typically do not show up in this department until December/January and remain uncertain as they are weather dependent.

Drainage

Expenses are on target with budget. Expenses are trending slightly higher than 2018 due to a redistribution of PW wages in the 2019 budget.

Planning

This department includes fees for building inspections which is contracted through the SRD. Due to a higher than average number of building permits in 2019, expenses in this department are trending higher and are over budget. This overage is offset by the increase in building permit fee revenue mentioned earlier.

Police

Expenses are trending lower in 2019 due to a redistribution of wages. M&R is under budget. Note: M&R is recovered from the Federal Government at year-end.

Fire

On trend with 2018. For 2019, expenses are on track, note there are several items still outstanding in the approved budget that will be purchased before the end of the year including a compressor, radio equipment and new pagers.

Emergency

Overall, expenses are trending lower than 2018. When looking at the current year's budget, expenses are on track, the increased budget in 2019 includes several grants the Village received for Emergency Planning.

Health Clinic

Nothing to note, these expenses are recovered from the Sayward Community Health Society at year-end.

Bylaw

Nothing to note, budget is earmarked for ticketing supplies once Council adopts the Village of Sayward Ticketing Bylaw.

Solid Waste, Sewer and Water Operations

Expenses are on target with budget.

OPERATING & CAPITAL PROJECTS

Most projects in the 2019 Financial Plan are on track. The chart attached (appendix A) shows projects that are either on track for the 2019 budget (green), possibly delayed (yellow) or cancelled/delayed to a future budget (red). For the remainder of the year, Staff will be working to ensure projects in the Financial Plan are completed within budget. No overages are expected, Council should keep in mind that unexpected issues do arise from time to time. As per normal practice, any issues or variances will be brought to Council for discussion and direction.

STAFF RECOMMENDATIONS

THAT Council receive the Financial Statements/Variances to Sept 30, 2019 report for information and discussion.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Lisa Clark', with a long horizontal stroke extending to the right.

Lisa Clark, CAO/CFO

Appendix A

On track for 2019 budget

Possible delay

Cancelled/delayed to future budget

Operating & Capital Projects

Item	Department	Project Name	30-Sep-19	Budget	Variance \$	Variance %	Status	Comments
Strategic Plan Projects								
1	Admin	Update and enhance the village website.	-	-	-	-	On track for 2019 budget	Not in original budget, \$10k pond grant being reused for website updates.
2	Mayor & Council	Work with the Tourism committee to promote tourism and attract business investment to the Sayward area.	2,200.00	2,200.00	-	100.00%	On track for 2019 budget	Funds issued to Tourism Committee, Mayor & Council continue to work with the committee on tourism initiatives.
3	Admin/Mayor & Council	Asset Management Plan	28,908.00	30,000.00	1,092.00	96.36%	On track for 2019 budget	Nearing completion.
4	Roads	Kelsey Way & K'Husam Way resurfacing	-	-	-	-	Possible delay	Staff looking into grant funding, some research needed as the SPF is not accepting applications at this time.
5	Sewer	Generators for liftstations	-	120,000.00	120,000.00	0.00%	On track for 2019 budget	Fully funded by grant money if approved - application made in early 2019, results available Fall 2019
6	Water	Newcastle Dam project	146,190.61	986,213.00	840,022.39	14.82%	Cancelled/delayed to future budget	Project on hold, Staff will provide updates as they become available.
7	Admin	Climate Action project (carbon reducing)	-	10,000.00	10,000.00	0.00%	Cancelled/delayed to future budget	Delayed due to staff time constraints
8	Mayor & Council	Community Forest with FN	-	-	-	-	Cancelled/delayed to future budget	Moved to 2020 budget per Mayor & Council
9	Emergency	Evacuation Training and Radio Communications Enhancement project	-	24,428.00	24,428.00	0.00%	Possible delay	Delayed due to staff time constraints, staff looking at details.
Other Projects								
11	Water	Water Treatment Plant	3,363,864.31	3,368,704.00	4,839.69	99.86%	On track for 2019 budget	Nearing completion.
12	Public Works	Equipment shed	18,774.23	21,000.00	2,225.77	89.40%	On track for 2019 budget	Work will be finished by the end of the fiscal year.
13	Parks	Working Waterfront Project	467,323.00	517,500.00	50,177.00	90.30%	On track for 2019 budget	Nearing completion.
14	Sewer	Liftstation electrical upgrade	-	150,000.00	150,000.00	0.00%	Possible delay	Funded by grants, staff researching grant opportunities.
15	Admin	Accounting software (MAIS)	4,745.00	4,800.00	55.00	98.85%	On track for 2019 budget	Software implemented, project nearly complete.
16	Recreation	Community Wellness project	10,168.75	43,776.00	33,607.25	23.23%	On track for 2019 budget	Ongoing, not in original budget - entirely funded by grant money.
17	Public Works	Rear tires for Kubota tractor	2,267.00	1,800.00	467.00	125.94%	On track for 2019 budget	Complete.
18	Emergency	Seacan	23,502.00	23,502.00	-	100.00%	On track for 2019 budget	Complete.
19	Emergency	Evacuation Planning project	-	24,500.00	24,500.00	0.00%	Possible delay	Delayed due to staff time constraints, 8FP issued Oct 16th, closing Nov 13th



STAFF REPORT

For: Mayor and Council
Prepared by: Lisa Clark, CAO/CFO
Subject: Projects Update – October 2019
Meeting date: October 22, 2019

BACKGROUND

Council should receive regular updates on strategic plan progress, municipal projects and directions to Staff. Resolutions passed by Council that involve Staff follow-up should also be tracked so Council can see the progress being made.

DISCUSSION

Attached is the progress report for projects for October 2019. The attached report shows item, description, progress and priority for major projects but does not include the day to day items which take up a considerable amount of Staff time. There is a huge time commitment to completing these projects. Therefore, as new projects come up, consideration should be given to what is already approved and in the work plan.

Staff will go through the list and Council should ask questions if clarity is needed.

ATTACHMENTS

- Project Update spreadsheet (October 2019).

RECOMMENDATION

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

Respectfully prepared,

Lisa Clark, CAO/CFO

Item	Description	Progress	Priority
1 a	Water Treatment Plant Project	Nearing completion, a few minor items OS. Operational testing should be completed shortly Staff will get a completion date. There are a few items stemming from operating permit that Council/staff will have to work on. First is a Watershed Protection Plan which will require outside resources - budget for 2020, cost unknown (Staff will look into costs and project complexity). Second, update our cross connection regs into a policy. Staff should be able to do this, timeline 2020. Some final work needed on deficiencies, Staff are engaging IDL/AWP, final holdback remains in place.	High
b	WTP Reporting Requirements - Cross Connection Control Program	Cross Connection Control Program - update our program requirements to meet standards, Tony looking at options	Medium
c	WTP Reporting Requirements - Watershed Protection Plan	Watershed Protection Plan: This is a huge project and will require financial resources and considerable staff time.	High
d	WTP Reporting Requirements - Asset Management Plan	Assess new plant and include in AMP, Onsite Engineering to complete, added cost unknown but in works. Asset management plan to include life cycle of plant and plans to finance replacement.	Medium
e	WTP Reporting Requirements - Progress and UBCM claim for funds (SPF)	Staff to submit final claim to UBCM, but need to confirm final reporting requirements in order to receive funds. \$438,412.50 owing to VOS	High
2 a	Dam Project	Budget approved, contract approved, budget verified with consultant. First Nations OK to proceed, permits in process. Expect mobilization towards end of July completion September end. Issues - sand trap and alternate water source. Project moving along - all permits in place, sign construction project next. Project stalled due to major weather event. Staff to report to Council on options for 2020. Funding an issue.	High
b	Dam Reporting Requirements - Final Report	Final Report: Staff to complete	High
c	Dam Reporting Requirements - Drinking Water Protection Act	Submit info certifying design meets drinking water protection act, construction permit, and water sustainability Act requirements Staff to complete	High
d	Dam Reporting Requirements - Asset Management Plan	Assess the weir and include in AMP, 2020 item as dam project delayed	High
e	Dam Reporting Requirements - Water Conservation Plan	Water quality requirement, staff training is complete. Water Conservation Plan will need to be updated, Staff to complete.	High
3 a	Working Waterfront Project	Staff met to discuss deficiencies and next steps - report to Council in September. Lighting in progress for main structure (solar). Info on forestry and Village to be installed, working on First Nations and Fishing info. Totems also to be installed. One totem installed, as well as concrete barriers. To do: finalize expenditures, place benches, install lighting and eaves troughing, install railings (second quote before end of October).	Medium

	WWP Reporting Requirements - ICET final report		Final Report: Staff to complete, some funds outstanding and receivable.	Medium				
4	Van Brocklin Road Exchange – Bylaw and Notification.	Van Brocklin, RROW process	Has been to Council June 18, legal issues to resolve, roadway identified. VB to get QEP to identify error then survey. Have spoken to QEP, directions given on how to proceed. Await survey from QEP. Lisa spoke to Van B on Aug 20th to follow-up, he will respond after Labour Day weekend. No other updates at this time.	Medium				
5	Bylaws							
a	Ticketing Bylaw	R19/224 - THAT Council receives the report on Ticketing Bylaw 422, And Further THAT, Council directs Staff to include a provision in the bylaw for early payment of fines and to create a policy on requiring the issuance of a warning letter prior to the issuance of a bylaw ticket.	First draft to Council, a few additions required, draft clean up, policy on warning letter	Medium				
b	Fireworks Bylaw		Plan change: New bylaw being prepared, repeal of existing provisions in Fire Protection Bylaw, report to Council Nov 5th meeting	High				
c	ORV Bylaw		Staff directed to bring back to Council for review, Nov 5th Regular meeting. Bylaw to be amended to include requirement for permit.	High				
d	Cannabis Bylaw		Completed	High				
e	Backyard Burning Bylaw:			High				
	R 19/89 - THAT staff revamp and revise the Village's backyard burning bylaw and bring back before Council for consideration.		In progress	Medium				
	R 19/153 - THAT Council, in collaboration with the Sayward Fire Chief/Deputy Fire Chief, amend the Fire Burning by-law; and THAT the Village of Sayward add provision in our burning bylaw 272 as follows: 1) New provision in bylaw to include a Recreational Backyard firepits, Special Occasion/Ceremonial Fires, Outdoor Cooking Stations, and wood fired Saunas & Hot Tubs each to have a separate and distinct permit process, which may be required to have measurements and current photographs showing placement of the apparatus and/or fire pit, 2) Backyard recreational fire pits would be yearly permits based on the calendar year with a cost of \$50.00 per year or part thereof.		In progress, Staff to meet with Fire Chief late October, early November	Medium				
f	Public Nuisance Bylaw:							
	R 19/94 - THAT third reading of Public Nuisance Bylaw No. 417, 2019 be rescinded to permit an amendment to the Bylaw to allow the running of backup generators (24 hours a day) in the event of power interruptions to the Village; and THAT Public Nuisance Bylaw No. 417, 2018 be amended at second reading; and THAT Public Nuisance Bylaw No. 417, 2018 remain at second reading to allow the gallery to send comments to the CAO.		Staff asks for direction - Unknown if Gallery input was asked for or received	Medium				
g	Traffic And Highways Bylaw		Bylaw needs to be updated and then sent to MOTI for input before bringing to Council.	Medium				

h	Business License Bylaw		Needs updating for artisans at gift store, Staff to review	Medium					
i	Fees & Charges Bylaw		Needs to be updated to only include administrative items, removal of regulatory bylaw fees and charges, Staff to review	Medium					
j	Building Bylaw		SRD in process of providing a building bylaw template for their building inspection customers, staff will follow up on progress. Working in conjunction with SRD, Gold River - on new Building Bylaw. Time resources are challenging - we need to do this, may have to look at other resources.	Medium					
k	Reserve Bylaw		Asset Management Plan needs to be reviewed so recommendations are used when creating Bylaw.	Medium					
l	Financial Plan Bylaw - amendment	Due to dam budget increase, transfers from surplus, grants received and other items approved by Council during the year, the 2019-2023 FP Bylaw will need amending before the end of the fiscal year.	Staff to prepare report to Council for Dec 3rd Regular meeting, 1st/2nd/3rd readings. Public Notice end of November.	High					
m	Bylaw Review Project	Staff anticipate a need for a bylaw review as several old bylaws need updating.	Report to be brought to Council early 2020, Staff will include with FP discussions.	Medium					
6	Reports								
a	CARIP		Complete	High					
b	Annual Report		Complete	High					
c	SOFI		Complete	High					
7	Grants								
a	Evacuation Route Planning Grant	R 19/160 - THAT the Mayor and EOC Director/Councillor Ives consult with Strathcona Regional District Protective Services Coordinator Shaun Koopman to issue an amended Request for Proposal to BC Bid for evacuation planning for the Village of Sayward.	RFP provided to Village for review. Staff will respond week of July 8. Work with SRD, RFP issued Oct 9th, closing date Nov 13th. Report to Council after RFP closing.	Medium					
b	Emergency Operations Centres Grant	R 19/163 - THAT the Mayor, EOC Director/Councillor Ives and the CFO liaise with Protective Services Coordinator Shaun Koopman regarding evacuation planning, and, training and radio communications enhancement.	Onto Council for info September 3. Work with SRD. Staff looking into status, Councillor Ives and DF/C Paul Hibbert follow-up.	Medium					
c	Rural Dividend Pond Grant	R19/220 - THAT Council endorses the recommendation C19/34 made by the Committee of the Whole; And Further THAT, the Rural Dividend Pond Grant be repurposed to provide funds for website redesign to improve economic development content.	Council approved plan to redirect funding to website development. Next step, RD to approve new project - application in progress.	Medium					
8	Fire Services Agreement	Fire Services Agreement - to review service and funding mechanism	In progress Meeting Aug 20 with Mayor and VFD staff to look at options. Deputy Fire Chief to send Staff data on call-outs.	Medium					

9	Recreation Services Agreement	Recreation Services Agreement - to expand financial support	Unknown/incomplete; Rec Centre shared agreement with Strathcona Regional District – a survey was supposed to be put on the website and advertised in the Sayward News for residents of the area to participate in. Staff to follow up with SRD.	Medium					
10	MAIS: final training and installation	MAIS: final training and installation - full accounting system	Complete, a few minor outstanding items	High					
11	Projects/issues report	List of all projects, grants, bylaws, other items that Staff are working on	Update full report, Oct 22 Regular meeting	High					
12	Budget Variance	Budget to Actual, quarterly report starting Sept 30th.	August 31 variance sent to September meeting. September 30 variance will be sent to October 22 meeting	High					
13	Policy Update Project	Several Village of Sayward policies are outdated and need revision. Some new policies required.	Project started by CAO in 2015, consultant prepared several new policies and a roadmap of which policies are to be rescinded. Staff working on this project as time permits.	Medium					
a	Permissive Tax Exemption Policy	New format	Done, report to Council April 2019	Medium					
b	Council Conflict of Interest Policy	New Policy	Draft policy to Council Oct 8th, final version Oct 22	Medium					
c	Criminal Records Search Policy	New format	Draft policy to Council Oct 8th, needs to be modified to include Finance staff as directed by Council, version 2 to be presented to Council in November	Medium					
d	Vehicle & Equipment Use Policy	New Policy	Draft policy to Council Oct 8th, clarification from legal needed as directed by Council, version 2 to be presented to Council in November	Medium					
e	Personnel – Hiring Policy	New format	In progress	Medium					
f	Reserve Policy	New Policy	In progress, to do in conjunction with AMP	Medium					
g	Procurement Policy	New Policy	In progress, to be completed with Social Procurement component, needs legal review	Medium					
h	Respectful Workplace Policy	New Policy	In progress	Medium					
i	Annual Property Tax Sale Policy	New format	In progress	Medium					
j	Personnel – Benefits, Leaves and Employment Conditions Policy	New format	In progress	Medium					
k	Public Works Inspection Policy	New Policy	To do, in conjunction with AMP	Medium					
l	Campground Policy	MOTION R19/232 THAT Council receives the report on the Campground for information and discussion, and, provide Staff with direction. And THAT Council directs Staff to advise Mr. Pringle that his request to use the campground for longer than one month is not approved. And THAT the campground policy dated 11/02 be rescinded, And Finally, THAT Staff develop a new campground policy for deliberation at a future Council meeting.	To do	Medium					

m	Ticketing Policy	MOTION R19/224 THAT Council receives the report on Ticketing Bylaw 422, And Further That, Council directs Staff to include a provision in the bylaw for early payment of fines and to create a policy on requiring the issuance of a warning letter prior to the issuance of a bylaw ticket.	To do	Medium					
n	Other small policies that need consolidation and review		To do	Medium					
14	Finalize Asset Management Plan		Field work complete, draft reports available, need to review study goals to output. Met with Onsite on AMP, revisions required and addition of new WTP per funding agreement. Another meeting scheduled for Oct 22nd	Medium					
15	UBCM Prep	UBCM Prep	Minister meetings requested and Binder prep - meeting confirmations being received and binder to be completed early September. Complete	Medium					
16	Entrepreneurial Immigration Program		Councillor lves initiative, phone and e-mail (Staff) - done, to-do: info on website, program committee. Program started, apps being received, logistics OK?						
17	Strategic Plan 2020-2022	Planning session with new Council to confirm strategic direction and goals for term.	Nov 5th COW meeting, 10am -2pm	Medium					
18	Financial Plan 2020-2024	Several meetings held to allow for public input and Council direction on financial plan	First COW meeting Nov 26th, additional meetings, Dec 10th, Jan 14th	High					
19	Records Management	Staff anticipate a need for a records management review as filing system not consistent and consolidation necessary.	Report to be brought to Council early 2020, Staff will include with FP discussions.						
	Resolutions								
	R 18/75 - That Council receives the Report on Water Sewer Garbage Rates 2018, That the water rate bylaw be amended to reflect 94 units for the dry land sort, That the water and sewer rate bylaws be amended to reflect 26 units for the school, That the water and sewer rates bylaw be amended to add a Grocery under Store, That the water and sewer rates bylaw be amended to add a rate for Campgrounds – Serviced Stalls times Months in Operation divided by 12 - times Motel Rate, And Finally That, a rates review be completed within the next two years to balance revenue streams and to modernise the bylaws.		Changes made as directed, review planned for 2020	Medium					
	R 18/207 - That Council authorize an application to be made to UBCM for a grant under the 2019 Age-Friendly Communities Program in the amount of \$15,000 for Stream 2, Age-Friendly Projects; and That Council set up a steering committee made up of seniors in the community to provide input into the development of a wellness program; and Further that Council commit to updating its Official Community Plan to be inclusive of age-friendly principles and planning.		Staff will follow-up with grant application, steering committee and OCP change on to do list. Follow up email sent. Staff unsure on status, looking into.	Medium					

IC 18/41 - That staff be authorized to issue a residential building permit for 650 Kelsey Way in advance of the commercial component; and that the commercial component must be completed within two years of the issuance of the building permit for the residential dwelling.	Building permit application not submitted yet	Medium							
R 19/13 - THAT the presentation made by Alex Turner be received; and THAT staff work with the Tourism Committee and Nature Trust to facilitate a parking lot off Sayward Road and trail improvements to improve access to Kelly Bridge; and FURTHER THAT Staff arrange a meeting with Nature Trust.	Meeting with Nature Trust, Staff currently corresponding on the parking lot - NT has indicated not receptive due to intrusion on NT properties (Trail and parking lot). Emails exchanged, Nature Trust is not interested in creating a new parking lot. SFS to approach NT for a meeting with their Board.	Medium							
R 19/63 - THAT Council receive the CFO's report on the Climate Action Revenue Incentive Program for information and discussion; and THAT Staff be directed to implement a GHG measuring system and report on potential carbon reducing projects for 2019; and FURTHER THAT \$10,000 be added to the 2019 budget for the costs of carbon reducing projects.	Funds in 2019 budget, carry forward to 2020. Staff to look at next steps.	Medium							
R 19/76 - THAT staff liaise with Island Timberlands and create an MOU for VOS to use any and all Island Timberlands Forest service roads in a time of a called emergency for evacuation of the Sayward Community.	Staff have discussed with SRD Co-ordinator, draft MOU available. Contacted WFP, they are receptive, Mosaic has no assets in our area.	Medium							
R 19/77 - THAT staff liaise with Mid Island Co-op, Island Timberlands, Western Forest Products and Mainroad Inc, to create individual MOUs for provision of fuel to VOS (emergency vehicles and generators only) during a time of a called emergency.	Staff have discussed with SRD Co-ordinator, draft MOU available. Next contact Island Timber, Western and CO-OP for roads and fuel use. Western has expressed interest in an MOU, Mosaic has declined (they have no assets stationed in our area), road MOU not required, MOU with Co-op next, Mainroad receptive.	Medium							
R 19/78 - THAT in accordance with the Community Charter and other applicable provincial legislation, the Village of Sayward donate land (site to be determined) for an entrepreneur to build and operate a grocery store in the Village; and THAT Council consider waiving certain fees and charges in place at the time in support of the project; and THAT should Council be successful finding an individual to build and operate a store in the Village, that a Contract with that entrepreneur be put in place providing the entrepreneur with a timeline to get the store up and running; and FURTHER THAT the Contract provide in principle certain conditions to ensure the continual operation of the business over a certain number of years, to be determined by Council.	Staff note: Resolution is complex, Council has limited authority to provide assistance to a business - will require legal (partnering agreement).	High							
R 19/83 - THAT the letter prepared by the owner of 230 Spar Street regarding the leakage of diesel fuel from a regularly parked pickup truck on the boulevard be received.	Unknown	Medium							
R 19/92 - THAT the report titled "Spar Street Parking and Property Appearance Concerns" be received for information and discussion.	Discussion in report about Traffic Regulation Bylaw which is in progress	Medium							
R 19/120 - THAT a Dogwood Tree be planted near the new gazebo.	Tree will be planted in the fall, plaque to be installed beside tree, tree purchased and to be planted before October - photos and report to LGMA November	Low							
R 19/166 - THAT Staff be directed to advertise the tax exemption process as outlined in the Permissive Tax Exemption Report.	Advertised in Sayward News, notice boards and website. Deadline for applications Aug 1st, report to Council in September 3, on schedule. Done.	Medium							

R19/07 - THAT the report from the Chief Administrative Officer be received; and THAT the Council for the Village of Sayward supports an application to the Investing in Canada Infrastructure Program – Rural and Northern Communities grant program to purchase generators to operate the Village's sewer lift stations during a power outage, and further THAT the Council for the Village of Sayward supports the project and commits to its share of any ineligible costs or cost overruns associated with the project as currently provided for in the 2019 financial plan.	Decision on grant to be made late 2019	Medium					
R19/212 - THAT Council receives the report on the Campground Rental for the Nurse Practitioner, And THAT Council approves the rental of Site 2 at \$350/month for the Nurse Practitioner until July 31, 2020 when Council will revisit.	Letter done, back to Council July 2020	Low					
R19/213 - THAT Council receives the report on Sayward Harbour Authority – Request for Water/Sewer Fee Exemption, And THAT Council approves the request for a water and sewer fee exemption for 2019 on condition that the washrooms remain available for public use.	Letter done, fees returned. Done.	Low					
R19/232 - THAT Council receives the report on the Campground for information and discussion, and, provide Staff with direction. And THAT Council directs Staff to advise Mr. Pringle that his request to use the campground for longer than one month is not approved. And THAT the campground policy dated 11/02 be rescinded, And FINALLY, THAT That Staff develop a new campground policy for deliberation at a future Council meeting.	Letter to Mr Pringle done, policy to do	Medium					
R19/236 - That the report on Permissive Tax Exemptions (PTE) be received for information, discussion and direction; And THAT the Royal Canadian Legion PTE be approved for the years 2020-2023. And Further THAT the Sayward Community Futures PTE be approved for the years 2020 and 2021. And Finally, That the Sayward Health Society PTE be approved for the years 2020 and 2021.	Bylaws on Oct 8th meeting, final reading Oct 22nd	Medium					



STAFF REPORT

For: Mayor and Council
Prepared by: Lisa Clark, CAO/CFO
Subject: Tree Management Bylaw
Meeting date: October 22, 2019

BACKGROUND

At the October 8th Regular meeting of Council, direction was given to Staff to include the District of Metchosin's Tree Management Bylaw in the October 22nd Regular Council Meeting agenda package for discussion. This was in response to a letter received by the Village dated September 16, 2019 from a resident located at 230 Ambleside concerned about sequoia trees adjacent to her property.

DISCUSSION

Staff recommend that Council review the Official Community Plan for the Village of Sayward, along with Council's Strategic Goals and Priorities. Staff request direction from Council as information and best practices need to be researched to provide a full staff report regarding a Tree Management Bylaw.

ATTACHMENTS

- Letter from Ms. C. Remmelzwaal
- District of Metchosin Tree Management Bylaw 287

STAFF RECOMMENDATIONS

THAT Council receive the Tree Management Bylaw Report for information and discussion, and;
THAT Council provide direction to Staff.

Respectfully submitted,

Lisa Clark, CAO/CFO

Sept. 16, 2015
Village of Hayward

I reside at 230 Ambleside. There is a lot for sale adjacent my property on Hayward Heights. On this lot stands two beautiful mature Sequoia trees. I propose the village purchase the lot to preserve these grand trees. These are the same trees the library project moved to preserve one, a third of the size of these. I hope council will seriously consider saving these trees for future generations. They are rare.

282-3814. AmmeZoodal.

District of Metchosin

Tree Management Bylaw

Bylaw 287

This bylaw has been consolidated **for convenience only**. Please contact staff to verify that the information contained in this document reflects the most current bylaw provisions.

The following amendment bylaws are incorporated:
287, 517, 526, 534, 587 & 597

**DISTRICT OF METCHOSIN
BYLAW NO. 287**

A B Y L A W

To Regulate the Cutting of Trees

(For convenience, this document is an unofficial consolidation of Bylaws 287, 517, 526 & 534
(Amendments to Bylaw 287 are indicated in bold italic))

WHEREAS Part 22, Division 2 of the *Municipal Act* authorizes a municipal council to enact provisions to regulate the cutting and removal of trees in a Municipality;

AND WHEREAS it is Council's intention to regulate the cutting and removal of trees;

NOW THEREFORE the Council of the District of Metchosin, in open meeting assembled, enacts as follows:

1. Citation

This Bylaw may be cited as the "District of Metchosin Tree Management Bylaw, No. 287".

1.1 Purpose

This Bylaw is enacted for the purposes of regulating the cutting and damaging of trees within the municipality in the general public interest. It is not contemplated nor intended, nor does the purpose of this Bylaw extend:

- (a) to the protection of any person from injury or damage to property or economic loss as a result of the cutting or removal of trees;*
- (b) to the assumption by the Municipality or any employee of any responsibility or duty of care for insuring that the cutting of one or more trees will not result in injury to any person or danger to any property from erosion, flooding, landslip or other damage;*
- (c) to providing any person with a warranty with respect to tree cutting for which a permit is issued under this Bylaw that the tree cutting will not cause or increase the danger of erosion, flooding, landslip or other damage;*
- (d) to assuming liability of a property owner for any damage arising from nuisance or negligence arising from tree cutting carried out on the owner's property."*

(Bylaw 526, November 2006)

2. Repeal

This Bylaw repeals Metchosin Tree Cutting Bylaw No. 131, 1991, and its subsequent amendments.

3. Tree Protection Areas

Within the District of Metchosin, the prohibition and permitting provisions in:

- (a) Section 9 apply within the Shoreland Slopes Development Permit Area;
- (b) Section 10 apply in respect of significant trees;
- (c) Section 11 apply to areas within *any Riparian Assessment Areas*; and
(Bylaw 517, May 2006)
- (d) Section 8 applies to all other lands in the District.

4. Metric Dimensions

Metric dimensions are used in this Bylaw. Imperial equivalents provided in brackets are approximate and for convenience only and do not form part of this Bylaw.

5. Definitions

In this Bylaw:

- (1) “Building Envelope” means an area of a lot required for the location and construction of a building and includes an area surrounding the building the distance of which is equivalent to the height of any tree located on the lot which has the potential to strike the building if it were to fall.
- (2) “Certified Arborist” means a person holding a current certification of “certified arborist” issued by the International Society of Arboriculture.
- (3) “Clerk” means the Clerk of the District of Metchosin or his authorized designate.
- (4) “Council” means the Council of the District of Metchosin.
- (5) “Cut Down” means to kill or remove a tree by any means and includes the topping of a tree and the removal of any branch or trunk of a tree having a diameter of more than 10 cm (3.9”) but does not include the normal pruning of a tree.
- (6) ***“DBH” means “Diameter at breast height” which means and refers to the diameter of a tree, outside the bark, at a point of 1.2 metres (4.0 feet) above the highest point on the tree where the ground meets the stump.***

Bylaw 597, August 2013
- (7) “Dangerous Tree” means a tree:
 - (a) which is dead, dying, severely damaged, unstable or severely leaning and in danger of falling;
 - (b) which is interfering with, or is in such close proximity to utility wires as to be a danger, or
 - (c) having a root system which is interfering with, blocking or damaging an existing drainage or sewer system or other major improvements.

- (8) “Diameter” means a measurement which is determined by dividing the circumference of the trunk of the tree measured 1.4 m (4.5’) above the ground by 3.142.
- (9) “Lot” means the smallest unit as shown on the records of the Land Title Office in which land is held and includes a strata lot created pursuant to the *Condominium Act*.
- (10) “Municipality” means the District of Metchosin.
- (11) “Natural Boundary” means the visible high-water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the bed of the body of water a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself.
- (11.1) ***“Principal Building” means a building which contains the principal use on a lot as set out in the Metchosin land Use Bylaw No. 259, as amended, and any successor bylaws.***
- (11.2) ***“Principal Use” means the main use of land, buildings and structures on a lot as set out in the Metchosin land Use Bylaw No. 259, as amended, and any successor bylaws.***
(Bylaw 587, May 2012)
- (12) “Professional Forester” means a registered member or holder of a special permit granted under Section 14(1) of the *Foresters Act*.
- (13) ***“Protected Tree” means***
(a) a Garry Oak tree (Quercus garryana);
(b) an Arbutus tree (Arbutus menziesii);
(c) a Pacific Dogwood Tree (Cornus nuttallii);
(d) a Pacific Yew tree (Taxus brevifolia);
(e) a Cascara tree (Rhamnus purshiana);
(f) a Manzanita (Arcotostaphylos columbiana);
(g) Seaside Juniper (Juniperus maritima);
(h) Trembling Aspen (Populus tremuloides);
(i) Oregon Ash (Fraxinus latifolia);
(j) Any native tree over 1m dbh;
 (Bylaw 597, August 2013)
- (14) ***“Qualified Environmental Professional” has the same meaning as set out in the Riparian Areas Regulation.***
(Bylaw 517, May 2006)
- (15) “Real Property” means land, with or without improvements so affixed to the land as to make them in fact and law a part of it.
- (16) ***“Riparian Areas Regulation” means the B.C. Riparian Areas Regulation, BC Reg. 837/2004, of the Fish Protection Act, S.B.C. 1997.***
(Bylaw 517, May 2006)
- (17) ***“Riparian Assessment Area” has the same meaning as set out in the Riparian Areas Regulation.***

- (18) "Security" means either cash or an irrevocable letter of credit, in a form acceptable to the Municipality, which is provided to the Municipality to guarantee performance of requirements of this Bylaw.
- (19) "Significant Tree" means any living, erect, woody plant, listed on Schedule "A" attached hereto, which has been identified because of its importance to the community including importance for heritage or landmark value or as wildlife habitat.
- (20) "Tree" means any living, erect, woody plant which is 10 cm (3.9") or more in diameter.
- (21) "Watercourse" means a natural drainage course or source of water, whether usually containing water or not, including a lake, pond, river, stream, creek, spring, ravine, swamp and gulch; and also includes a man-made depression with well-defined banks and a bed 0.6 m (2') or more below the surrounding land serving to give direction to a current of water at least 6 months of the year or having a drainage area of .32 km² (0.12 miles²) or more, any of which may be enclosed or in a conduit, but excludes roadside ditches, drainage ditches and irrigation works.

6. Measurement

In this Bylaw:

- (1) The diameter of a tree having multiple trunks at 1.4 m (4.5') above the ground shall be the sum of:
 - (a) 100% of the diameter of the largest trunk, and
 - (b) 60% of the diameter of each additional trunk.
- (2) The location of a tree shall be measured at the point at which the trunk of the tree meets the ground.
- (3) Where the trunk of a tree is growing on a building envelope line or other setback line prescribed by this Bylaw, the tree shall be deemed to be located on the same side of the line as the majority of the trunk is located.

7. Prohibition

No Permit shall be issued to cut down any tree required for provision of a building envelope on which to construct an accessory building having a gross floor area of less than 25 m² (269 ft²). Such buildings will be required to be located within existing clearings or those which may be created under other provisions of this Bylaw.

8. General Tree Cutting

- (1) No person shall cut down any tree except in accordance with a Permit.

- (2) Despite subsection (1), a Permit is not required to cut down any tree where ***none of the trees to be cut down are within the Riparian Assessment Area***, and where the following circumstances apply:

(Bylaw 517, May 2006)

- (a) the tree is a dangerous tree; or
- (b) on a particular 4,000 m² (.98 ac) area of a lot, in any 12-month period, where the number and size of trees to be cut down do not exceed:
 - (i) 50 trees having a diameter of 18 cm (7") or less, and
 - (ii) 10 trees having a diameter of more than 18 cm (7");

and for the purposes of this section:

- (iii) a lot of less than 4,000 m² (.98 ac) shall be considered to be 4,000 m² in area,

- (3) The Clerk shall issue a Permit to cut down any tree where:

- (a) ***the tree is not within a Riparian Assessment Area***, and the tree is located within a building envelope, or within an area to be used for the construction or installation of a driveway, required off-street parking area, sewage disposal system, or underground or above-ground utility corridor, where application for the Building Permit, Sewage Disposal Permit, or Road Access Permit has been submitted to the appropriate authority, the permit fee paid, and the cutting is directly related to the particular permit application; or

(Bylaw 517, May 2006)

- (b) the cutting is ***not within a Riparian Assessment Area*** and is reasonably required:

(Bylaw 517, May 2006)

- (i) for the determination of the location of or for the construction of highways, services, and utilities, and, in determining to what extent the cutting down of trees is reasonably required, the Clerk may refer to any approved or proposed subdivision plan for the lot, or
- (ii) except for lands located within the Bilston Watershed Development Permit Area as indicated on Schedule "B" attached hereto, to permit a use of land authorized by the Metchosin Land Use Bylaw.

9. Shoreland Slopes Development Permit Area

- (1) No person shall cut down a tree located within the Shoreland Slopes Development Permit Area as indicated on Schedule "C" attached hereto except in accordance with a Permit.
- (2) The Clerk shall issue a Permit to cut down any tree in the Shoreland Slopes Development Permit Area:
 - (a) where the tree is a dangerous tree;

- (b) where the tree has the potential to cause a failure of the shoreland slope or cause slippage of the shoreland slope if the tree were to fall;
- (c) where the tree is located within a building envelope, or within an area to be used for the construction or installation of a driveway, required off-street parking area, septic tank or field or underground or above-ground utility corridor, where application for the Building Permit, Sewage Disposal Permit, Road Access Permit, or other applicable permit has been submitted to the appropriate authority, the permit fee paid, and the cutting is directly related to the particular permit application; or
- (d) on a lot located within the Agricultural Land Reserve provided that the purpose of the tree removal is to enable the lot on which the trees are growing to be used for an agricultural use and the owner files with the Municipality a statutory declaration verifying the purpose.

10. Significant Trees

- (1) No person shall cut down a significant tree except in accordance with a Permit.
- (2) The Clerk shall issue a Permit to cut down a significant tree where:
 - (a) the tree is a dangerous tree; or
 - (b) the tree is located within a building envelope *of a principal building*, or within an area to be used for the construction or installation of a driveway, required off-street parking area, septic tank or field or underground or above-ground utility corridor, where application for the Building Permit, Sewage Disposal Permit, Road Access Permit, or other applicable permit has been submitted to the appropriate authority, the permit fee paid, the cutting is directly related to the particular permit application, and where the Clerk is satisfied that the tree cannot be preserved as no reasonable alternate site exists.
(Bylaw 587, May 2012)
- (3) The Clerk may place a plaque or marker on or near each significant tree upon receiving permission to do so from the owner of the lot on which the tree grows.

10.1 Protected Trees

- (1) *No person shall cut down a protected tree except in accordance with a Permit.*
- (2) *The Clerk shall issue a Permit to cut down a protected tree where:*
 - (a) *the tree is a dangerous tree; or*
 - (b) *the tree is located within a building envelope of a principal building, or within an area to be used for the construction or installation of a driveway, required off-street parking area, septic tank or field or underground or above-ground utility corridor, where application for the Building Permit, Sewage Disposal Permit, Road Access Permit, or other applicable permit has been submitted to the appropriate authority, the permit fee paid, the cutting is directly related to the particular permit application,*

and where the Clerk is satisfied that the tree cannot be preserved as no reasonable alternate site exists.

(Bylaw 587, May 2012)

- (3) *Despite section 10.1(1), a permit is not required to cut down no more than ten arbutus trees less than .5m diameter at breast height (dbh) on a particular 4,000 m² area of a lot in any 12 month period.*

(Bylaw 597, August 2013)

11. Watercourses

- (1) In this section, “tree” means any living, erect, woody plant.
- (2) No person shall cut down a tree growing *within a Riparian Assessment Area* except in accordance with a Permit.

(Bylaw 517, May 2006)

- (3) The Clerk shall issue a Permit to cut down a tree where *written confirmation has been provided by a Qualified Environmental Professional, at the applicant’s expense , that the tree cutting will be undertaken in compliance with Section 4(2) or Section 4(3) of the Riparian Areas Regulation and:*

(Bylaw 517, May 2006)

- (a) the tree is a dangerous tree;
- (b) the tree or the roots of the tree are blocking a watercourse or reducing its drainage capacity;
- (c) it is necessary to cut down the tree to carry out works in or about the watercourse provided that the said works have been authorized by a permit or approval issued by the Ministry of Environment, Lands and Parks; or
- (d) *any introduced invasive tree.*

(Bylaw 597, August 2013)

12. Development Permits

Within the Bilston Watershed Development Permit Area or the Shoreland Slopes Development Permit Area, where any person proposes to cut down trees and the cutting does not comply with this Bylaw, a Development Permit shall be required under the terms and conditions specified in the Metchosin Official Community Plan.

13. Emergency Removal

- (1) Despite any other provision in this Bylaw, a person may cut down a tree the cutting down of which is prohibited by this Bylaw if:
- (a) the tree is a dangerous tree; and
- (b) the tree is in imminent danger of falling and injuring persons or property.

- (2) If a tree which has been cut down pursuant to subsection (1) is a significant tree, or located within the Shoreland Slopes Development Permit Area, or, if a tree has been cut down within a *Riparian Assessment Area*, the person who cut it down must report that information to the Municipality within 3 days and the stumps and roots of the tree are not to be removed without the specific written permission of the Municipality.

(Bylaw 517, May 2006)

14. Permits

- (1) Every application for a Permit shall be made to the Clerk and shall be accompanied by the following non-refundable application fee:
- (a) \$40.00 for the first 50 trees or portion thereof; and
 - (b) \$2.00 for each additional tree.
- (2) No application fee shall be charged for the removal of a dangerous tree.
- (Bylaw 597, August 2013)
- (3) The form of the application for a Permit and the form of the Permit shall be as established by the Clerk.
- (4) An applicant for a Permit shall:
- (a) provide a plan of the lot identifying:
 - (i) the location, species and diameter of the trees which are proposed to be cut down; and
 - (ii) the location of any proposed activities, including areas required for buildings, building envelopes, driveways, off-street parking, sewage disposal systems, utility corridors and uses permitted by the Metchosin Land Use Bylaw, which relate to the trees proposed to be cut down;
 - (b) identify with flagging on the lot each tree that is proposed to be cut down, or, if clearcutting an area, mark on the ground with paint, stakes or flagging, the area that is to be cut; and,
 - (c) if applicable, mark on the ground with paint, stakes, or flagging the location of any proposed activities, including areas required for buildings, building envelopes, driveways, parking, sewage disposal systems, and utility corridors, which relate to the trees proposed to be cut down.
- (5) The purpose for which any tree is to be cut down shall be stated on the application for the Permit.
- (6) A Permit is valid for the period specified on the Permit which shall not exceed 1 year.

15. Permit Conditions

The Clerk may, as a condition of issuance of a Permit, require that:

- (a) replacement trees be planted as specified in **Section 19**;
 - (b) stumps remain in place in order to assist in the prevention of erosion.
- (Bylaw 597, August 2013)

16. Engineering Reports

- (1) The Clerk may require an applicant for a Permit:
 - (a) to submit, at the applicant's expense, a report prepared by a qualified geotechnical or hydrological engineer certifying that the proposed tree removal will not create a danger from erosion, flooding, or landslip; or
 - (b) for a lot within the Shoreland Slope Development Permit Area, to submit, at the applicant's expense, a report prepared by qualified geotechnical engineer certifying that if the tree were to fall, it has the potential to cause a failure of the shoreland slope or cause slippage of the shoreland slope.
 - (c) ***to submit, at the applicant's expense, written confirmation that cutting of a tree or trees within a Riparian Assessment Area will be undertaken in compliance with Section 4(2) or Section 4(3) of the Riparian Areas Regulation.***

(Bylaw 517, May 2006)
- (2) If the report of the engineer recommends the construction of works necessary to prevent erosion, flooding or landslip, no Permit shall be issued unless the applicant provides to the Municipality security in the amount of 120% of the cost of the works as estimated by the engineer.
- (3) The applicant shall be responsible for and, at his own expense, execute all work required by the engineer in his report in order to prevent erosion, flooding, or landslip or to ensure the stability of the slope.
- (4) Upon completion of the required works and certification of the engineer that the works satisfy his requirements to prevent erosion, flooding, or landslip, or to maintain the stability of the slope, the security will be released.
- (5) The works shall be completed within the period specified on the Permit. Should the works not be completed within the stated period or not be completed according to the engineer's recommendations, the Municipality may use the security to complete the works at the applicant's expense.
- (6) Where the Municipality is required to complete the works and the amount of security provided is insufficient, the applicant shall pay the balance forthwith to the Municipality upon receipt of the invoice.

17. Removal of Hazardous Trees

- (1) Every owner or occupier of real property shall cause all trees, hedges, bushes or shrubs on the property to be trimmed, removed or cut down if the Council considers that it is:
 - (a) a hazard to the safety of persons;
 - (b) likely to damage public property, or
 - (c) seriously inconveniencing the public.
- (2) The Council may serve upon the owner or occupier of the real property notice that the Municipality will be entitled to take the required action at the expense of the person given the notice if the person does not take the required action within 5 days service of the notice upon him.
- (3) If the person given the notice does not take the required action within 5 days of service, the Municipality, by its employees or other, may enter the real property, and take the action specified in the notice at the expense of the person given the notice.
- (4) If the person referred to in the preceding sub-section does not pay the costs of the action taken on or before December 31 in the year in which the costs were incurred, the costs shall be added to and form part of the taxes payable on the real property as taxes in arrears.

18. Report of Certified Arborist or Professional Forester

The Clerk may require, at the applicant or property owner's expense, confirmation in writing by a certified arborist or a professional forester stating that:

- (a) a tree for which an application for a Permit has been made is a dangerous tree; or
- (b) that a tree which has been the subject of emergency removal under Section 13 of this Bylaw met the criteria for removal.

19. Replacement Trees

Where required as a condition of issuance of a Permit or where any person cuts down a tree in contravention of this Bylaw or of a Permit issued pursuant to this Bylaw, he shall:

- (1) within a time period prescribed by the Clerk, plant a replacement tree as prescribed below:
 - (a) in the case of the cutting down or damaging of a significant tree, plant a replacement tree of the same species as the tree that has been cut down or damaged and of the largest size that may be obtained from a commercial nursery on Vancouver Island; or
 - (b) in the case of the cutting down of a tree in the Shoreland Slopes Development Permit Area that is not a significant tree, plant a replacement tree of a species and size that is appropriate to stabilize and retain soil on the slope in accordance with sound soil engineering practice; or

- (c) in the case of the cutting down of a tree in any other area that is not a significant tree, plant a replacement tree of a coniferous species if the tree that was cut down was a coniferous tree and of a deciduous species if the tree that was cut down was a deciduous tree, and in either case of the largest size that may be obtained from a commercial nursery on Vancouver Island;
- (2) water, fertilize and maintain the replacement tree in accordance with sound horticultural practice; and
- (3) provide to the Municipality security in the amount of 120% of the total cost of replacing and maintaining the tree for a period of 3 years.

20. Reconsideration of a Decision of the Clerk

- (1) The applicant for a Permit that is subject to a decision of the Clerk may request that Council reconsider, pursuant to Section 715 of the *Municipal Act*, the decision or any conditions attached to the decision.
- (2) A request for reconsideration under this section shall:
 - (a) be made in writing;
 - (b) include a return address; and
 - (c) be submitted to the Clerk within 30 days of the date of his decision.
- (3) Following receipt of an application for reconsideration under this section, the Clerk shall notify the applicant of the time, date and place that the application will be placed before the Council.
- (4) Notification from the Clerk in accordance with subsection (3) shall:
 - (a) state that the reconsideration by the Council at the time, date and place specified will include a reasonable opportunity to be heard or make written submission on the matter either in person, or through an agent, or both; and
 - (b) be mailed or otherwise delivered to the applicant at least 10 days before the date set for reconsideration by the Council.

21. Municipal Works

Nothing contained in this Bylaw shall apply to a tree growing on a highway, park, right of way or easement belonging to the Municipality nor to any public utility works where the works are carried out by or under the authority of the Municipality.

22. Entry on Property

The Clerk, Bylaw Enforcement Officer, or authorized designates may enter at all reasonable times on any property which is subject to the regulations in this Bylaw to make an assessment or inspection for any purpose pursuant to this Bylaw and to ascertain whether the regulations of this Bylaw are being observed.

23. Offence

- (1) *Any person who contravenes the Bylaw or who causes, suffers or permits actions contrary to this Bylaw is guilty of an offence against this Bylaw and is liable to penalties imposed under this Bylaw.*

24. Penalty

- (1) *Any person who cuts a tree without a permit is subject to a minimum fine of \$500.00 for each tree unlawfully cut down.*
- (2) *Any person who commits an offence against this bylaw is liable to a fine and penalty of not more than \$10,000.00 for each tree unlawfully cut or damaged as pursued through the Courts, with a maximum of \$100,000.00 per offence.*
- (3) *In addition to any penalty that may otherwise be imposed under the Bylaw, the Clerk may require specific equivalent replacement trees to be planted for the purpose of restoring a damaged site.*

Bylaw 597, August 2013

District of Metchosin

TREE MANAGEMENT BYLAW NO. 287

SCHEDULE "A"

LEGAL DESCRIPTION	ADDRESS	SPECIES	COMMON NAME
Part of Sec. 2, East of Metchosin Rd., & South of Plan 1184	4609 William Head Road - <i>Ben Acre</i>	Fraxinus americana Juniperus scopulorum Populus trichocarpa Ulmus procera	North American White Ash Rocky Mountain Juniper Black Cottonwood English Elm
Pcl. C, Sec. 40 & 41, Met. Dist.	5447 Rocky Point Road - <i>Glenrosa</i>	Acer macrophyllum Ilex aquifolium Juglans regia	Bigleaf Maple English Holly English Walnut
Pcl. C, Sec. 1, Met. Dist., Plan 197R	4360 Metchosin Road - <i>St. Mary's Church</i>	Chamaecyparis lawsoniana Pend. Quercus robur	Lawson's Weeping Cypress English Oak
Lot 1, Sec. 32 & 33, Met. Dist., Plan 9963	5041 William Head Road	Pseudotsuga menziesii	Douglas Fir
Lot 1, Sec. 1, Met. Dist., Plan 17824	4290 Metchosin Road - <i>'Chosin Pottery</i>	Carpinus betulus	European Hornbeam
Lot 3, Sec. 1, Met. Dist., Plan 13156	4283 Metchosin Road	Pseudotsuga menziesii	Douglas Fir
Lot 5, Sec. 26, Met. Dist., Plan 23020	592 Gemini Drive	Pseudotsuga menziesii	Douglas Fir

Bylaw No. 287
- Schedule "A" (cont.)

LEGAL DESCRIPTION	ADDRESS	SPECIES	COMMON NAME
Lot 4, Sec. 42, Met. Dist. Plan 26149	1045 Matheson Lake Road	<i>Pseudotsuga menziesii</i>	Douglas Fir (2 trees)
Lot D, Sec. 6, Met. Dist., Plan 37852	709 Pears Road - <i>Deerleap</i>	<i>Araucaria araucana</i> <i>Cornus nuttallii</i> <i>Juniperus scopulorum</i> <i>Pseudotsuga menziesii</i> <i>Quercus garryana</i> <i>Thuja plicata</i>	Monkey Puzzle Tree Pacific Dogwood Rocky Mountain Juniper Douglas Fir Garry Oak Western Red Cedar
Lot 1, Sec. 1, Met. Dist., Plan 41421	4268 Metchosin Road - Part of <i>Witty Farm</i>	<i>Quercus garryana</i>	Garry Oak (9 trees)
Lot 2, Sec. 1, Met. Dist., Plan 41421	4276 Metchosin Road - Part of <i>Witty Farm</i>	<i>Quercus garryana</i>	Garry Oak (6 trees)
Not available	DND, Mary Hill - off William Head Rd.	<i>Acer macrophyllum</i> <i>Arbutus menziesii</i> <i>Pseudotsuga menziesii</i> <i>Quercus garryana</i>	Bigleaf Maple Arbutus Douglas Fir Garry Oak
Not applicable	Lombard Drive	<i>Populus nigra italica</i>	Lombardy Poplar (46 trees)



STAFF REPORT

For: Mayor and Council
Prepared by: Lisa Clark, CAO/CFO
Subject: Policy Update Project
Meeting date: October 22, 2019

BACKGROUND

The 2019 approved Strategic Plan includes the following strategic goal:

1. Village Operations	a.) Review and update Village internal policies and procedures. There are several policy and Bylaw updates that need to be completed. Policies include: Personnel Benefits, Conflict of Interest, Criminal Record Search, Hiring, Annual Tax Sale, Permissive Tax Exemption, Respectful Workplace, Procurement. Bylaws include: Building, Zoning (Cannabis), Reserves.	Staff, and Council approval	Policy & Bylaw approval
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DISCUSSION

Staff are working on the Policy Update Project as time permits. At the October 8th Regular Council meeting, 3 (three) draft policies were presented to Council:

1. 100-01 Council Conflict of Interest Policy
2. 200-01 Criminal Records Search Policy
3. 300-04 Vehicle & Equipment Policy

Both Policy number 200-01 Criminal Records Search Policy, and Policy number 300-04 Vehicle & Equipment Policy were referred to Staff for changes. Policy 100-01 Council Conflict of Interest Policy had no changes and is now ready for Council to approve.

ATTACHMENTS

- 100-01 Council Conflict of Interest Policy

STAFF RECOMMENDATIONS

THAT Council receives the Policy Update Project report, and;
THAT Council approves 100-01 Council Conflict of Interest Policy.

Respectfully submitted,

Lisa Clark, CAO/CFO



Village of Sayward

Title: Council Conflict of Interest Policy

Policy # 100-01

Category: Administration and General Government

1.0 PURPOSE

In order to maintain strong public confidence in the government and of administration of the Village of Sayward, persons elected to office must be, and appear to be, free of conflict and from personal interest and benefit when carrying out their duties and exercising their authority.

This Policy is intended to establish guidelines to identify conflict of interest and potential conflict of interest for members of Council and to define responsibilities of and steps for Council in relation to Council conflict of interest.

The facts of each situation will be unique and will need to be considered when determining if a member is in a conflict of interest situation. Accordingly, an overriding principle of this policy is that Council approach each situation openly, with a complete examination of the facts and without premature judgement, giving each member of Council support in making his or her own determination of conflict of interest.

It is important to recognize that there is nothing improper if a member of Council is in a conflict of interest situation so long as that member conducts himself or herself appropriately in relation to the matter that gives rise to the conflict of interest.

2.0 POLICY

The Village of Sayward is committed to impeccable governance and stewardship that protects the interests of the Village. Each member of Council commits to removing himself or herself from decisions or deliberations in which that member has a conflict of interest.

2.1 APPLICATION

This policy applies all of Council.

2.2 RESPONSIBILITY

Members of Council are responsible to:

- a) Familiarize themselves with this policy including the meaning and nature of conflict of interest and the actions to take in circumstances of conflict of interest;
- b) Not ignore/ leave unaddressed a violation (discussing, voting after declared conflict) by any member of Council; and
- c) Follow this policy and the provisions of the *Community Charter* and its regulations as they relate to conflict of interest.

The CAO is responsible to:

- d) Provide orientation to Council in relation to conflict of interest;

- e) Bring attention to Council, in an appropriate venue, any matters that may come to the attention of the CAO in relation to a potential conflict of interest for a member of Council; and
- f) Support direction of Council in relation to any conflict situation.

3.0 DEFINITIONS

The definitions surrounding Conflict of Interest contained in this policy are presented for convenience and awareness. Members of Council must be vigilant in familiarizing themselves with their obligations of office including relating to conflict of interest.

Conflict of Interest: A conflict of interest is a situation in which an individual has competing interests or loyalties. A conflict of interest will still exist where an outcome serves both interests. A Council member must only have the Village's interests as a priority save and except for the exemptions listed in this policy.

Pecuniary Conflict of Interest: A conflict of interest in which the Council member has a direct or indirect financial interest in the matter.

Non-pecuniary Conflict of Interest: A type of interest that places the person in a conflict position (e.g., bias, personal interest, being of a "closed" mind or pre-judgement of the matter) without direct or indirect financial interest. This could include any benefit obtained by relatives, close friends, or associates of a member who is in conflict. Examples may include a rezoning application by a relative or close personal friend, or a business license decision involving a competitor business to one operated by a close friend.

Exemptions to a Conflict of Interest include:

- a) A pecuniary interest in common with electors of the municipality generally, also referred to as a "community of interest". An example is a Council member who is a taxpayer while voting on a tax rates bylaw;
- b) The remuneration of elected officials;
- c) An interest so "remote or insignificant" that it "cannot reasonably be regarded as likely to influence the member;" and
- d) An exemption established by legislation.

4.0 PROCEDURES

- a) Each Council member must evaluate a matter being considered by Council against his/her own interests to determine if a conflict of interest exists;
- b) Where an elected official considers that he or she is in a conflict of interest, the Councillor must:
 - i. declare that he or she is in a conflict of interest in the matter;
 - ii. describe the general nature of conflict;
 - iii. not take part in discussion relating to the matter nor vote on the matter;
 - iv. immediately after declaring the conflict of interest, leave the meeting while the matter is being discussed;
 - v. not attempt to influence the vote on the matter;
 - vi. refrain from any discussions with other Council members or with staff in any venue of the matter (before or after making formal declaration of the conflict of interest).
 - vii. not re-engage in the matter in any way unless the Council member following legal advice, determines that he or she is not in conflict; and

- viii. obtain a legal opinion at his or her own cost if he or she wishes to reverse a prior declaration of conflict of interest on a matter.
- c) If a Council member believes another Council member has a Conflict of Interest, that Council member is encouraged to discuss the issue with the Mayor, CAO or the member with the potential Conflict of Interest, before a Council Meeting takes place.

5.0 REFERENCES / POLICY INTEGRATION

Ministry of Municipal Affairs and Housing, "Ethical Conduct":

<https://www2.gov.bc.ca/gov/content/governments/local-governments/governance-powers/conduct-of-locally-elected-officials/responsible-conduct>

and references therein.

6.0 APPROVAL HISTORY

ISSUED BY: CAO	APPROVED BY: Mayor & Council	RESOLUTION NO:	DATE:
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Signed by:

Mayor:	CAO:
Date:	Date:



VILLAGE OF SAYWARD

BYLAW NO. 459

A BYLAW TO EXEMPT THE SAYWARD COMMUNITY HEALTH SOCIETY, AND SAYWARD FUTURES SOCIETY FROM THE MUNICIPAL PORTION OF TAXATION FOR THE YEARS 2020 to 2021

WHEREAS Section 224 of the Community Charter empowers Council, by bylaw, to exempt from taxation imposed under Section 197 (1) of the Community Charter any land or improvements or both land and improvements, owned or held by a charitable, philanthropic or other not for profit corporation the Council considers are used for a purpose that is directly related to the purposes of the corporation;

AND WHEREAS in the opinion of the Council, the property leased by the Sayward Community Health Society and the property owned by the Sayward Futures Society qualifies under Section 224 (1) and (2) of the Community Charter;

NOW THEREFORE, the Council of the Village of Sayward in open meeting assembled ENACTS AS FOLLOWS:

1. This Bylaw may be cited as **"Permissive Tax Exemption Bylaw No. 459, 2019"**.
2. The following lands and improvements thereon are exempted from the taxation imposed under Section 197(1) (a) of the Community Charter for the years 2020 to 2021:
 - a) Sayward Community Health Society, 601 Kelsey Way, Lot 1, Section 31, Township 3, Plan 31878, District Lot 305, Land District 51 PID 001-120-484 and;
 - b) Sayward Futures Society, 16 Sayward Rd, District Lot 304, Sayward Land District, PT DL 304 AS SHOWN IN RED ON DD 39449I PID 009-664-599.

Read a first time on the 8th day of October 2019.

Read a second time on the 8th day of October 2019.

Read a third time on the 8th day of October 2019.

Adopted on the ____ day of _____ 2019.

Certified a true copy of Bylaw
No. 459 this ____ day of
____, 2019

Chief Administrative Officer
Village of Sayward

Mayor John MacDonald

Chief Administrative Officer



VILLAGE OF SAYWARD

BYLAW NO. 460

A BYLAW TO EXEMPT THE THE ROYAL CANADIAN LEGION BRANCH NO. 147 FROM THE MUNICIPAL PORTION OF TAXATION FOR THE YEARS 2020 to 2023

WHEREAS Section 224 of the Community Charter empowers Council, by bylaw, to exempt from taxation imposed under Section 197 (1) of the Community Charter any land or improvements or both land and improvements, owned or held by a charitable, philanthropic or other not for profit corporation the Council considers are used for a purpose that is directly related to the purposes of the corporation;

AND WHEREAS in the opinion of the Council, the property owned by the Royal Canadian Legion No. 147 qualifies under Section 224 (1) and (2) of the Community Charter;

NOW THEREFORE, the Council of the Village of Sayward in open meeting assembled ENACTS AS FOLLOWS:

1. This Bylaw may be cited as “**Royal Canadian Legion No. 147 Permissive Tax Exemption Bylaw No. 460, 2019**”.
2. The following lands and improvements thereon are exempted from the taxation imposed under Section 197(1) (a) of the Community Charter for the years 2020 to 2023:
 - a) The Royal Canadian Legion, Sayward Valley Branch No. 147, 699 Sayward Road, Lot 2, Plan VIP14387, Section 31, Township 3, Sayward Land District PID 004-412-044

Read a first time on the 8th day of October 2019.

Read a second time on the 8th day of October 2019.

Read a third time on the 8th day of October 2019.

Adopted on the ____ day of _____ 2019.

Certified a true copy of Bylaw
No. 460 this ____ day of
____, 2019

Chief Administrative Officer
Village of Sayward

Mayor John MacDonald

Chief Administrative Officer