



REGIONAL SERVICES COMMITTEE MEETING

WEDNESDAY, NOVEMBER 28, 2012
BOARD ROOM
175 INGRAM STREET, DUNCAN, BC

6:00 PM

AGENDA

PAGES

1. **APPROVAL OF AGENDA**

2. **ADOPTION OF MINUTES**

M1 Regular Regional Services meeting minutes of October 24, 2012. 1 - 6

3. **BUSINESS ARISING FROM THE MINUTES**

4. **DELEGATIONS**

D1 Judy Brayden, President, Cowichan Valley Arts Council 7 - 8
Re: Presentation outlining the recent work of the Arts Council and sharing their developing vision of the Council's role in the Cowichan Valley regional arts and culture plan.

D2 Kathryn O'Donnell, Lynn Woodgate, Roland Brown; Koksilah School 9 - 10
students and teacher/principal; Sh-hwuykwselu Streamkeepers
Re: Presentation of the history of the work of the Sh-hwuykwselu Busy Place Streamkeepers from 2001-2012 including the student activities, as well as, other community agencies.

D3 Rob Laver, Cowichan Valley Fire Chiefs' Association 11 - 12
Re: Presentation regarding replacement of existing "Fire Safety House".

D4 Catherine Brandon, Executive Director, Chesterfield Sports Society 13 - 14
Re: Grant-in-Aid support for the Cowichan Sportsplex Operating Budget in 2013.

D5 Joseph Gollner, Coordinator, CT Group 15 - 16
Re: Ways of Improving the Alternate Approval Process.

5. **REPORTS**

- | | | |
|----|---|---------|
| R1 | Report from Chief Administrative Officer
Re: Creation of an Annual Financial Contribution Function for the Cowichan Sportsplex | 17 - 20 |
| R2 | Report from Corporate Secretary, Legislative Services
Re: Economic Development Commission - Mandate and Function Review | 21 - 26 |
| R3 | Report from Corporate Secretary, Legislative Services
Re: Alternative Approval Process - CVRD 10 Year Review | 27 - 38 |

6. CORRESPONDENCE

- | | | |
|----|---|---------|
| C1 | AAP Process, Email from Director Fraser | 39 - 42 |
|----|---|---------|

7. UNFINISHED BUSINESS

8. NEW BUSINESS

9. QUESTION PERIOD

10. CLOSED SESSION

Motion that the meeting be closed to the public in accordance with the *Community Charter* Part 4, Division 3, Section 90, subsections as noted in accordance with each agenda item.

11. ADJOURNMENT

The next Regional Services Committee Meeting will be held in the Board Room, 175 Ingram Street, Duncan, BC Wednesday, January 23, 2013 at 6:00 PM.

Committee Members

Director J. Lefebure, Chair
Director M. Marcotte
Director B. Fraser
Director I. Morrison
Director R. Hutchins

Director L. Iannidinardo, Vice Chair
Director M. Walker
Director G. Giles
Director B. Lines
Director P. Kent

Director P. Weaver
Director R. Hartmann
Director L. Duncan
Director M. Dorey
Director T. McGonigle

Minutes of the Regional Services Committee Meeting held in the Regional District Board Room, 175 Ingram Street, Duncan BC on Wednesday, October 24, 2012 at 6:00 pm.

PRESENT: Chair J. Lefebure
Director L. Iannidinardo
Director M. Walker
Director B. Fraser
Director G. Giles
Director L. Duncan
Director I. Morrison
Director M. Marcotte
Director M. Dorey
Director P. Weaver
Director P. Kent <6:06 pm>
Director B. Lines <6:08 pm>
Director R. Hartmann
Director R. Hutchins
Alternate Director B. Day

ALSO PRESENT: Warren Jones, Chief Administrative Officer
Joe Barry, Corporate Secretary
Jacob Ellis, Manager, Corporate Planning
Mark Kueber, General Manager, Corporate Services Department
Ron Austen, General Manager, Parks, Recreation and Culture
Sybille Sanderson, A/General Manager, Public Safety
John Elzinga, Manager, Island Savings Centre
Brian Farquhar, Manager, Parks & Trails
Steve Hurcombe, Budget Coordinator
Tara Daly, Recording Secretary

ABSENT: Director T. McGonigle

APPROVAL OF AGENDA:

It was moved and seconded that the agenda be amended with the addition of the following two items:

D2 Director Giles re: CVRD Awards; and

NB1 World Junior A Challenge; and

that the agenda, as amended, be approved.

MOTION CARRIED

ADOPTION OF MINUTES:

It was moved and seconded that the minutes of the Regular meeting of the Regional Services Committee, held July 25, 2012, be adopted.

MOTION CARRIED

DELEGATIONS:

- D1** Debby Funk, Communications Manager, Parks Canada
Re: Joint Federal/Provincial Proposal to Establish a National Marine Conservation Area in the Southern Strait of Georgia.

Ms. Funk introduced Brett Hudson, Senior Planner, BC Parks, Ministry of Environment and Wayne Bourque, Gulf Islands National Park Reserve Superintendent, Parks Canada, who gave a PowerPoint presentation outlining the proposed National Marine Conservation Area.

- D2** Director Giles
Re: CVRD Awards

Director Giles informed the Board of two recent awards that were received by the CVRD: 1. Outstanding Achievement Award from Heritage BC in recognition of the rehabilitation of the Kinsol Trestle and; 2. Community Recognition Award from the Wood Works, Project of the Canadian Wood Council for our support of the BC wood industry and our commitment to use wood in the Kinsol Trestle.

REPORTS:

- R1** Report from Chief Administrative Officer re: Cowichan Sportsplex Funding Models was considered.

It was moved and seconded that a regional grant-in-aid of \$146,000, for the Chesterfield Sports Society, be considered as part of the 2013 budget deliberations.

MOTION CARRIED

It was moved and seconded that it be recommended to the Board that the *User Based Funding Model* be selected as the basis for establishing a function in 2013 to provide stable, long-term funding for the Cowichan Sportsplex.

MOTION CARRIED

- R2** Report from A/General Manager, Public Safety Department re: Community Wildfire Protection Plan was considered.

It was moved and seconded that it be recommended to the Board that the CVRD Community Wildfire Protection Plan (CWPP) – 2012 Update be approved, in principle and that staff be directed to prioritize and implement the recommendations outlined in the report.

MOTION CARRIED

- R3** Report from General Manager, Corporate Services re: CVRD 2012 Five Year Financial Plan Amendment was considered.

It was moved and seconded that "Cowichan Valley Regional District Bylaw No. 3643 – Five Year Financial Plan (2012 – 2016) Amendment Bylaw, 2012" be forwarded to the Board for consideration of three readings and adoption.

MOTION CARRIED

R4 Report from General Manager, Corporate Services re: CVRD Recovery of Administration/Finance Charges Policy Amendment was considered.

It was moved and seconded that it be recommended to the Board that the Recovery of Administration/Finance Charges policy be amended to increase the charge levied against all functions that the CVRD office staff actively administer from 4%, based on previous year expenditures, to 4.5% based on previous year operating expenditures excluding debt, transfers to reserves, transit passes and prior year's charge, 0% on capital expenditures and 2% against functions which are either inactive, annual grants or operated under contract.

MOTION CARRIED

R5 Report from General Manager, Corporate Services re: Island Corridor Foundation Contribution was considered.

It was moved and seconded that it be recommended to the Board that funding of the CVRD's share of \$2 million to the Island Corridor Foundation (ICF) be approved, and that cost sharing be based on assessments amongst the CVRD, Regional District of Nanaimo, Comox Valley Regional District, and Alberni-Clayoquot Regional District; and further, that the CVRD fund its share through a one-time regional grant-in-aid of approximately \$488,100 and that it be included in the 2013 Budget.

MOTION CARRIED

NEW BUSINESS:

NB1 Report from General Manager, Parks, Recreation and Culture Department; Manager, Island Savings Centre; and Manager, Economic Development Division re: World Junior A Challenge

It was moved and seconded that it be recommended to the Board that the bid to host the November 2013 World Junior A Hockey Challenge be supported with a \$30,000 regional grant-in-aid; and that the funding support be conditional on the following stipulations:

- a. that the bid be approved by Hockey Canada, and that the bid documentation meets the standard of Hockey Canada's bid guidelines;
- b. that a non-profit society be incorporated to manage the tournament;
- c. that the Canada West training camp prior to the event be held at the Kerry Park Arena;

- d. that a minimum of four tournament games be held at the Island Savings Centre;
- e. that teams, officials, and staff stay in hotels within the Cowichan Valley for:
 - 1. the Canada West Training Camp, for the dates of 26, 27, 28 October 2013; and
 - 2. the dates of Saturday, November 2nd to Thursday, November 7th, 2013 for the three teams participating in one division of the tournament;
- f. that the Cowichan Valley Regional District, and the facilities of the Island Savings Centre and Kerry Park Arena share the profile of the event with Victoria's West Shore communities and facilities, in all media, ceremonies, etc.;
- g. that the facilities of the Island Savings Centre and Kerry Park Arena will be rented for the event, and not included in any in-kind donations;
- h. that the communities of Colwood and Langford, the province of British Columbia, and the government of Canada also contribute funding to this event;
- i. that if there is a net operating loss on the event, the Cowichan Valley Regional District will contribute 1/3 of the loss up to a maximum of \$30,000; and
- j. that if there is a net operating surplus on the event, the Cowichan Valley Regional District will receive 1/6 of the surplus. One half of the surplus will go to Hockey Canada, while 1/3 will go to the Victoria Grizzlies Junior A Hockey Club.

MOTION CARRIED

CLOSED SESSION:

RESOLVE INTO It was moved and seconded that the meeting be closed to the public in
CLOSED accordance with the *Community Charter* Part 4, Division 3,
SESSION Section 90 {Sub (1) (e)}.
 9:39 pm

MOTION CARRIED

9:39 pm Director Walker left the meeting.

RISE FROM It was moved and seconded that the Board rise without report, and return to
CLOSED the Regular portion of the meeting.
SESSION
 10:32 pm

MOTION CARRIED

ADJOURNMENT:

10:32 pm It was moved and seconded that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 10:32 pm.

Chair

Recording Secretary

Dated: _____

Request to Appear as a Delegation**Meeting Information**

Request to Address:

☐ CVRD Board☒ Committee

If Committee, specify the Committee here:

Regional Services Committee

Meeting Date:

Meeting Time:

6:00

Applicant Information

Applicant Name:

Judy Brayden

Representing:

the Cowichan Valley Arts Council (CVAC)

(Name of organization if applicable)

As:

president

(Capacity / Office)

Number Attending:

6

Applicant Contact Information

Applicant Mailing Address:

5658 West Riverbottom Road

Applicant City:

Duncan

Applicant Telephone:

(250) 701-0570

Applicant Fax:

n/a

Applicant Email:

judybrayden@shaw.ca

Presentation Topic and Nature of Request:

The Cowichan Valley Arts Council (CVAC) would like to make a short presentation to the members of the CVRD Regional Services Committee outlining the recent work of the arts council, made possible by the 2012 Regional Grant in Aide. As well, the CVAC Board of Directors would like to share their developing vision of the council's role in a Cowichan Valley regional arts and culture plan.

Request to Appear as a Delegation**Meeting Information**

Request to Address:

☐ CVRD Board☒ Committee

If Committee, specify the Committee here:

Regional Services

Meeting Date:

11/28/12

Meeting Time:

6 p.m.**Applicant Information**

Applicant Name:

Kathryn O'Donnell/Lynn Woodgate /Roland Brown

Representing:

Sh-hwuykwselu Streamkeepers

(Name of organization if applicable)

As:

(Capacity / Office)

Number Attending:

8**Applicant Contact Information**

Applicant Mailing Address:

Box 391 Duncan B.C. V9L3X5

Applicant City:

Duncan, B.C.

Applicant Telephone:

250-748-9710

Applicant Fax:

Applicant Email:

jorkodonnell@shaw.ca**Presentation Topic and Nature of Request:**

The Sh-hwuykwselu Busy Place Streamkeepers based out of Koksilah School, would like to present to you the history of our work over the last 11 years 2001-2012. The presentation will note not only the student activities but the work of the other community agencies that have contributed to the stream to help the coho and cutthroat stream co-exist in this important off-channel habitat for the fish.



CVRD

REQUEST TO APPEAR AS A DELEGATION

(Submit completed form to Legislative Services Division – Fax 250.746.2513)

REQUEST TO ADDRESS: ☐ CVRD BOARD☒ REGIONAL SERVICES COMMITTEEat the meeting of Nov 28TH, 2012 at 6:00 pm

APPLICANT NAME

ROB LAVER

REPRESENTING:

COWICHAN VALLEY FIRE CHIEF'S ASSOC.
(name of organization if applicable)

AS:

(capacity/office)

NUMBER ATTENDING:

4

Applicant mailing address:

1030 HES ST DUNCAN B.C. V9L-2J6

Applicant Telephone:

250-246-7551

Fax:

250-715-1172

Applicant email:

RLAVER@TELUS.NET

PRESENTATION TOPIC and NATURE OF REQUEST:

PRESENTATION REGARDING REPLACEMENT OF EXISTING
"FIRE SAFETY HOUSE" WITH ASSISTANCE FROM GRANT-IN-AID

(If more space is required, please attach an additional page to this form)

Signature

Rob Laver

Date

Oct-25/2012

Cowichan Valley Regional District, 175 Ingram Street, Duncan BC V9L 1N8

Please address inquiries to the Legislative Services Division at 250.746.2508.

Note: once the Request for Delegation application has been favorably considered, presentations will be restricted to ten minutes, unless notified otherwise.

Request to Appear as a Delegation

Meeting Information

Request to Address:

☐ CVRD Board

☒ Committee

If Committee, specify the Committee here:

Regional Services Committee

Meeting Date:

11/28/2012

Meeting Time:

6pm

Applicant Information

Applicant Name:

Catherine Brandon

Representing:

Chesterfield Sports Society \ Cowichan Sportsplex

(Name of organization if applicable)

As:

Executive Director

(Capacity / Office)

Number Attending:

3

Applicant Contact Information

Applicant Mailing Address:

5847 Chesterfield Avenue

Applicant City:

Duncan

Applicant Telephone:

250-746-5666

Applicant Fax:

250-746-5682

Applicant Email:

ed@cowichansportsplex.com

Presentation Topic and Nature of Request:

Grant in Aid support for the Cowichan Sportsplex
Operating Budget in 2013.
I will have a powerpoint presentation and a handout.
Thank you!

Request to Appear as a Delegation

Meeting Information

Request to Address:



CVRD Board



Committee

If Committee, specify the Committee here:

Meeting Date:

11/14/2012

Meeting Time:

6 PM

Applicant Information

Applicant Name:

Joseph Gollner

Representing:

CT Group

(Name of organization if applicable)

As:

Coordinator

(Capacity / Office)

Number Attending:

2

Applicant Contact Information

Applicant Mailing Address:

1401 Lovers Ln

Applicant City:

Cobble Hill

Applicant Telephone:

250-743-6736

Applicant Fax:

250-743-6736

Applicant Email:

pacwavecorp@telus.net

Presentation Topic and Nature of Request:

Alernate Approval Process

Currently, there are three AAPs seeking the CVRD tax payers approval. The APPs range from a few thousand dollars for street lighting in Mill Bay to \$1.73 M to revitalize the public garbage collection system in many parts of the CVRD by using new equipment and CVRD staff.

We, as CVRD taxpayers, believe that we can provide the CVRD Board, based on our research, with some interesting insights into the AAP process and ways to improve its application.

Some of our research material has been sent to the Board members by Director Fraser. We have been told

Delegation Application: CT Group – Joseph Gollner

Topic:

Alternate Approval Process

Currently, there are three AAPs seeking the CVRD tax payers approval. The AAPs range from a few thousand dollars for street lighting in Mill Bay to \$1.73 M to revitalize the public garbage collection system in many parts of the CVRD by using new equipment and CVRD staff.

We, as CVRD taxpayers, believe that we can provide the CVRD Board, based on our research, with some interesting insights into the AAP process and ways to improve its application.

Some of our research material has been sent to the Board members by Director Fraser. We have been told that the AAP process will be added to the Board's 14 Nov. agenda under New Business.

Our Delegation, should it be authorized, will provide the Board members with some additional and useful information on the AAP process which hopefully will assist the Board's deliberations later in the same meeting.

Thank you for your attention.

Joseph Gollner.



STAFF REPORT

REGIONAL SERVICES COMMITTEE MEETING OF NOVEMBER 28, 2012

DATE: November 20, 2012

FROM: Warren Jones, Chief Administrative Officer

SUBJECT: Creation of an Annual Financial Contribution Function for the Cowichan Sportsplex

Recommendation/Action:

That it be recommended that the Board provide direction on a desired funding option for providing long term funding for the Cowichan Sportsplex.

Relation to the Corporate Strategic Plan:

The *Corporate Strategic Plan* identifies the development of a long term recreation funding strategy for the region as a priority. Selection and implementation of a preferred funding model for the Cowichan Sportsplex would represent progress toward achieving this priority.

Financial Impact: (Reviewed by Finance Division:)

The creation of a regional annual financial contribution service based on usage will result in a cost decrease for seven jurisdictions, a cost increase for four jurisdictions and no change for two jurisdictions. This is based on the 2012 budget grant in aid funding approach, which applied the same rate, based on assessed value for each of the 13 areas in the CVRD. The proposed funding approach, which instead bases cost apportionment on usage, would see cost go down for some areas that make little use of the Cowichan Sportsplex facility while for other areas that make more use of the facility, cost will go up.

While the current amount contemplated for the CVRD annual financial contribution service is \$146,000 plus a built in 2% per year increase to account for inflation, a review of the financial plan of the Cowichan Sportsplex suggests that the CVRD should be prepared to assume the annual contribution to eventually increase to somewhere in the range of \$200,000 by 2018. Based on 2012 assessment figures, as a regional grant in aid, this amount would cost \$1.28 per \$100,000 in assessed value. Based on a usage model, these figures would vary from a low of \$0.15 to a high of \$2.60 for local jurisdictions.

Background

The Cowichan Sportsplex is a multi-sport facility that includes a track, 3 sports fields, artificial turf, lacrosse box, 3 ball diamonds, a children's playground and a nature trail. A non-profit organization called the Chesterfield Sports Society runs the Sportsplex, based on revenue from donations, sponsorships and government grants. As a result of this unique operating model, the society has been able to maintain and operate a high quality facility at a cost below that which local government could normally achieve in the absence of volunteers, sponsorships and

donations. As such, there is no doubt that the community receives excellent value for tax dollars invested in this facility.

Over the past five years, the CVRD has provided the Cowichan Sportsplex with a grant in aid to assist this non-profit society to operate. From 2008-09 the CVRD provided an annual grant in aid of \$80,000. From 2010-12 this grant amount was increased to \$100,000.

On July 25, 2012 the Society made a presentation to the Regional Services Committee to explain its financial condition, and in particular, discuss its operating deficit. Despite best efforts, the Society is experiencing considerable financial hardship and cannot continue operating in the long term without greater financial support. Specifically, the Society has requested a grant in aid of \$146,000 for 2013. This would result in a cost of \$0.94 per \$100,000 in assessed value.

In recent years, the CVRD has looked at creating a permanent function that would provide stable, long term funding for the facility. Further to this goal, at its regular meeting of November 14, 2012, the Board directed that staff prepare a report to come back to the board that utilizes the user based funding model as the basis for establishing a function in 2013 to provide stable, long-term funding for the Cowichan Sportsplex.

Assuming the usage as the basis for cost apportionment, four options exist to fund the Cowichan Sportsplex: 1) Creation of a regionally funded function; 2) creation of a specified service area (sub-regional) function; 3) creation of nine individual electoral area functions; or 4) making a line item in individual electoral area/municipal budgets. The approval process, timelines and steps depend on which funding option is selected.

1. Regional Function

First step in the creation of a regionally based function would be drafting a bylaw which would identify the maximum requisition limit as well as all nine electoral areas and four municipalities as partners in the service. Public approval would then be obtained through either a referendum or alternative approval process (AAP). A referendum could be region-wide or area by area. A 2/3 vote of the Board is required to hold the referendum on a region wide basis. Directors would then set the annual budget for the function and be free to make periodic adjustments to the contribution amounts annually at budget time. Timelines associated with creating a regional function of this kind would result in the first functioning year of the service being 2014.

2. Specified Funding Area (Sub-Regional) Function

If only a limited group of jurisdictions wish to participate in funding the Cowichan Sportsplex, a specified funding area could be identified and a function could be created based on those areas. The first step in this process would be to determine who the participants will be. Assuming less than full participation from the entire region, a revised cost sharing agreement would then also need to be developed. The two primary cost apportionment approaches that could be used consistent with the user based model would be to either apportion cost among the remaining partners based on their proportional share of the use of the facility or to only apportion that share to each partner that they would have been responsible for had the entire region participated in the function. Once this is determined, a maximum requisition amount would be agreed upon and a bylaw drafted.

The usual public approval process would then be followed consisting of either a referendum or AAP. Timelines associated with creating a sub-regional function of this kind would result in the first functioning year of the service being 2014.

3. Area by Area Function

The Board could proceed to create nine individual electoral area functions that would provide funding for the Cowichan Sportsplex on an annual basis. (Under this approach municipalities would tax for their portion and pay directly to the recipient.) This option would allow individual areas to proceed with providing financial support in recognition of each area's use of the facility, but maintain local control for future budget decisions. The creation of these functions would occur in much the same way as for any new function with the drafting of a bylaw, setting the maximum requisition and then obtaining public approval through either referendum or AAP. Individual electoral area directors would then set the annual budget for the function and be free to make periodic adjustments to the contribution amounts annually at budget time. Timelines associated with creating 9 electoral area functions would result in the first functioning year of the services being 2014.

4. Budget Line Item

Jurisdictions may choose to simply include their share of funding equal to the usage of their community as a line item in their respective municipal or electoral area grant in aid budgets. For electoral areas this could be accommodated within their existing electoral area grant in aid function and a similar budget for municipal partners. This approach could be accommodated as part of the CVRD and member municipalities' usual budgeting process and no further approval process would be required. Timelines associated with including a budget line item for providing financial support to the Cowichan Sportsplex would be immediate and could be included as part of the 2013 budget process.

The next steps required for the Board to move forward with the establishing a long term stable funding sources for the Cowichan Sportsplex depend on the funding option selected. Once direction is provided staff will undertake the work required to carry out the wishes of the Board.

Submitted by,


Warren Jones

**STAFF REPORT****REGIONAL SERVICES COMMITTEE MEETING
OF NOVEMBER 28, 2012**

DATE: November 16, 2012

FROM: J.E. Barry, Corporate Secretary

BYLAW No: 2497

SUBJECT: Economic Development Commission – Mandate and Function Review

Recommendation/Action:

For discussion.

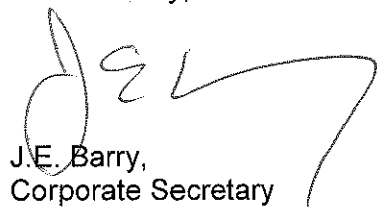
Background:

The Board passed the following resolution at their September 12, 2012 meeting:

"That the Economic Development Commission bylaw be referred to the Regional Services Committee for review of its mandate and function."

CVRD Bylaw No. 2497 – Economic Development Commission Establishment Bylaw, 2004 is attached for discussion by the Regional Services Committee.

Submitted by,



J.E. Barry,
Corporate Secretary



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 2497

(As Amended by Bylaws No. 2637, 3183 and 3391)

BYLAW NO. 2497

– ECONOMIC DEVELOPMENT COMMISSION ESTABLISHMENT BYLAW, 2004

**CONSOLIDATED FOR CONVENIENCE ONLY
(JUNE 9, 2010)**

The amendment bylaws listed below have been incorporated into enactment bylaw No. 2497 for convenience purposes only. Persons making use of the consolidated version of Bylaw No. 2497 are advised that it is not a legal document and that for the purpose of interpreting and applying the law, the original bylaws must be consulted. Certified copies of original bylaws are available through the Corporate Secretary's Office.

AMENDMENT BYLAW

EFFECTIVE DATE

Bylaw No. 2637
Bylaw No. 3183
Bylaw No. 3391

February 23, 2005
August 13, 2008
June 9, 2010



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW NO. 2497 - Consolidated for Convenience with Amending Bylaws No. 2637, 3183 and 3391

A Bylaw To Establish An Economic Development Commission For The Cowichan Valley Regional District.

WHEREAS the Board of Directors of the Cowichan Valley Regional District has adopted a bylaw to establish and operate economic development as an extended service;

AND WHEREAS the Board wishes to establish a Regional Economic Development Commission to direct the function of economic development;

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

1. CITATION

This bylaw may be cited for all purposes as "CVRD Bylaw No. 2497 - Economic Development Commission Establishment Bylaw, 2004".

2. DEFINITIONS

In this bylaw:

- a) "Commission" means the Economic Development Commission established by this Bylaw.
- b) "Board" means the Board of the Cowichan Valley Regional District.

3. MEMBERSHIP

The Commission shall consist of thirteen members, as follows:

- a) Two Commission members shall be Directors of the Cowichan Valley Regional District.
- b) Eleven members shall be drawn from community groups, organizations, or sectors concerned with economic development and growth within the Cowichan Valley Regional District with one member representing regional First Nations communities and one member representing the Environment commission
- c) All members shall be appointed by Board resolution.

4. TERM OF OFFICE

- a) The term of office for Commission members shall be two years.
- b) In the event of vacancy of office, a replacement appointee shall hold office for the otherwise unexpired term of office.
- c) Commission members may be re-appointed for a further term or terms.
- d) The Regional Board may remove from membership any member appointed who has failed to attend three consecutive Commission meetings without good cause.

5. PROCEDURE

- a) The Board Chair shall appoint a Chairperson and Vice-Chairperson of the Commission who shall hold office until a successor is appointed.
- b) In the absence of the Chairperson or Vice-Chairperson, the Commission shall elect from the members present a temporary Chairperson for the purpose of that meeting only.
- c) A quorum is five members, one of whom must be a Director of the Board.
- d) All decisions, resolutions and recommendations of the Commission shall be made by a majority of the members present at the meeting, with each member having one vote.
- e) Where not otherwise covered in this bylaw, the rules of procedure governing Commission meetings shall be those of the current Procedure Bylaw of the Cowichan Valley Regional District.
- f) Minutes shall be kept for all meetings of the Commission, and a copy of such minutes shall be forwarded to the office of the Cowichan Valley Regional District.

6. RESPONSIBILITIES

The responsibilities of the Commission shall be as follows:

- a) Support, coordinate and promote economic development efforts within the Cowichan Valley Regional District.
- b) Develop and implement a community economic development strategy that facilitates managed growth, diversification, job creation and long term economic stability for the Cowichan Valley Regional District.

- c) Subject to the provisions otherwise contained in this bylaw, provide the Board with advice by way of:
- (i) matters which may legally or financially bind or commit the Board.
 - (ii) directing preparation of an annual business/financial plan including a detailed operating budget.
 - (iii) monthly progress/status reports to the Board.

7. GENERAL

All members of the Commission shall serve without remuneration, except for such "out of pocket" expenditures as may have received prior authorization by the Regional Board.

No recommendation of the Commission, or other matter requiring ratification by the Regional Board shall be acted upon until it has been considered by the Regional Board.

8. REPEAL

CVRD Bylaw No. 2095 – Economic Development Commission Establishment Bylaw, and amendments thereto, is hereby repealed.

READ A FIRST TIME this 28th day of January , 2004.

READ A SECOND TIME this 28th day of January , 2004.

READ A THIRD TIME this 28th day of January , 2004.

ADOPTED this 28th day of January , 2004.

Mary Marcotte
Chairperson

J. E. Barry
Secretary



STAFF REPORT

REGIONAL SERVICES COMMITTEE MEETING OF NOVEMBER 28, 2012

DATE: November 21, 2012
FROM: J.E. Barry, Corporate Secretary
SUBJECT: Alternative Approval Process – CVRD 10 Year Review

Recommendation/Action:

For information.

Background:

In order to provide factual information for the Alternative Approval Process discussion at the Regional Services Committee meeting, staff has prepared the attached 10 year review of Counter Petition and Alternative Approval processes undertaken by the CVRD. In 2004, the Province of British Columbia changed the Counter Petition process (with its 5% of electors threshold) to the Alternative Approval Process (with its 10% threshold).

Since 2002, the CVRD has undertaken 47 of these processes. There have been 5 regional approval processes that applied to all 13 jurisdictions and 10 sub-regional processes that have been conducted over a variety of multiple jurisdictions. The remaining 32 processes have been conducted in single electoral area jurisdictions. Many of these processes only applied to portions of the specific electoral area.

The electors have defeated 6 of these processes.

Attached to this report are the following three appendices:

- Appendix A: Regional Counter Petitions and Alternative Approval Processes conducted over the entire CVRD (all 13 jurisdictions)
- Appendix B: Sub-Regional Counter Petitions and Alternative Approval Processes conducted over multiple jurisdictions
- Appendix C: Electoral Area Counter Petitions and Alternative Approval Processes conducted in single jurisdictions

Submitted by,

A handwritten signature in black ink, appearing to read "J.E. Barry", is written over the printed name and title.

J.E. Barry
Corporate Secretary

Appendix A

**Regional Counter Petitions and Alternative Approval Processes
Conducted Over the Entire CVRD (all 13 Jurisdictions)**

Year	Proposal	Area	Bylaw No.	Maximum Annual Tax Impact	10% Threshold of Electors	Electors Opposed	Action
2002	Regional Tourism - Provide funding for regional tourism	All 13	2352	\$120,000	2,126 (5% counter petition)	921	Bylaw Adopted
2008	Kinsol Trestle - Provide funding for operation and maintenance	All 13	3076	\$100,000	5,290	65	Bylaw Adopted
2009	Solid Waste Management - Remediation of 3 ashfills - Upgrade and expand three existing recycling depots - Construct a new recycling depot in South Cowichan	All 13	3277 3278	\$1.8 million	5,661	21	Bylaws Adopted
2010	Environmental Initiatives - Develop, operate, maintain and deliver environmental initiatives and programs	All 13	3359	\$590,000	5,716	187	Bylaw Adopted
2011	Lake Cowichan Library - Borrow up to \$1,000,000 on behalf of Vancouver Island Regional Library to construct a new library in Lake Cowichan	All 13	3474 3475	None (all costs and funds paid back by VIRL)	5,661	0	Bylaws Adopted

Appendix B

**Sub-Regional Counter Petitions and Alternative Approval Processes
Conducted Over Multiple Jurisdictions**

Year	Proposal	Participating Areas	Bylaw No.	Maximum Tax Impact	10% Threshold of Electors	Electors Opposed	Action
2002	New Duncan Library - Construction of a new library and associated renovations of the foyer at the Cowichan Community Centre	<ul style="list-style-type: none"> Area D Area E Duncan South end of North Cowichan 	2320	\$2.5 million	912 (5% counter petition)	1	Bylaw Adopted
2002	Kerry Park Recreation Centre - Construction of a sports field complex	<ul style="list-style-type: none"> Area A Area B Area C Area D 	2333	\$1.9 Million	575 (5% counter petition)	394	Bylaw Adopted
2004	South Cowichan Community Policing Advisory Society - Annual Financial Contribution	<ul style="list-style-type: none"> Area A Area B Area C 	2331	\$9,000	496 (5% counter petition)	5	Bylaw Adopted
2004	Sahtlam Fire Protection - Purchase of Fire Truck	<ul style="list-style-type: none"> Part of Area E Part of Area F 	2496	\$160,000	79	0	Bylaw Adopted
2932	South Cowichan Community Policing Advisory Society - Increase Annual Financial Contribution by \$91,000	<ul style="list-style-type: none"> Area A Area B Area C 	2932	\$100,000	1,192	49	Bylaw Adopted

Appendix B (continued)

**Sub-Regional Counter Petitions and Alternative Approval Processes
Conducted Over Multiple Jurisdictions**

Year	Proposal	Participating Areas	Bylaw No.	Maximum Tax Impact	10% Threshold of Electors	Electors Opposed	Action
2008	Cowichan Women Against Violence Society - Safer Futures Program	<ul style="list-style-type: none"> • Area A • Area B • Area C • Area D • Area E • Area G • Duncan • Ladysmith • North Cowichan 	3160	\$40,000	4,680	3	Bylaw Adopted
2009	South Cowichan Water Plan - Establish a service for the purpose of funding the South Cowichan Water Plan Study	<ul style="list-style-type: none"> • Area A • Area B • Area C • Area D 	3138	\$100,000	1,514	4	Bylaw Adopted
2009	Sahtlam Fire Protection - Purchase mobile water tender firefighting apparatus	<ul style="list-style-type: none"> • Part of Area E • Part of Area F 	3272	\$130,000	100	0	Bylaw Adopted
2012	Malahat Fire Protection - Purchase of a Type 2 Fire Engine	<ul style="list-style-type: none"> • Part of Area A • Part of Area B 	3630	\$265,000	40	Currently Underway: Closes November 26	
2012	Trucks and Totes - Purchase 3 automated curbside collection trucks and 17,500 wheeled totes	All 9 Electoral Areas	3607	\$1.775 Million	2,550	Currently Underway: Closes November 26	

Appendix C

**Electoral Area Counter Petitions and Alternative Approval Processes
Conducted in Single Jurisdictions**

ELECTORAL AREA A – MILL BAY/MALAHAT							
Year	Proposal	Portion of Electoral Area	Bylaw No.	Maximum Tax Impact	10% Threshold of Electors	Electors Opposed	Action
2008	Kerry Village Sewer System - Upgrade sewage treatment plant and disposal field	Kerry Village Sewer System Service Area	3019	\$80,000	10	0	Bylaw Adopted
2010	Mill Bay/Malahat Historical Society - Provide annual financial contribution	Entire	3380	\$10,000	324	404	Defeated by Electors
2012	Critical Location Street Lighting - Increase requisition limit by \$3,000	Entire	3634	\$5,000	325	Currently Underway: Closes November 26	
2012	Fern Ridge Park - Exchange a portion of parkland for an equal portion of private land	Entire	3638	None	325	Currently Underway: Closes January 3	

ELECTORAL AREA B – SHAWNIGAN LAKE

Year	Proposal	Portion of Electoral Area	Bylaw No.	Maximum Tax Impact	10% Threshold of Electors	Electors Opposed	Action
2004	Shawnigan Lake North Water System - Construction of a weir on Shawnigan Creek	Shawnigan Lake North Water System Service Area	2592	\$150,000	96	0	Bylaw Adopted
2007	Shawnigan Lake Historical Society - Provide annual financial contribution	Entire	2950	\$8,500	376	0	Bylaw Adopted
2008	Shawnigan Lake North Water System - Increase annual requisition by \$45,000 to establish a reserve fund	Shawnigan Lake North Water System Service Area	3043	\$180,000	117	0	Bylaw Adopted
2010	Shawnigan Creek Drainage System - Operate and maintain	Shawnigan Creek Drainage System Service Area	3344	\$18,000	77	125	Defeated by Electors
2010	Shawnigan Lake Historical Society - Increase annual requisition by \$8,500	Entire	3392	\$17,000	564	5	Bylaw Adopted
2010	Critical Location Street Lighting - Increase annual requisition by \$2,000	Entire	3403	\$3,000	564	1	Bylaw Adopted
2011	Cowichan Station Area Association - Provide annual financial contribution	Entire	3393	\$5,000	564	0	Bylaw Adopted
2012	Shawnigan Creek Cleanout and Drainage	Shawnigan Creek Cleanout and Drainage Service Area	3537	\$18,000	298	128	Bylaw Adopted

ELECTORAL AREA C – COBBLE HILL

Year	Proposal	Portion of Electoral Area	Bylaw No.	Maximum Tax Impact	10% Threshold of Electors	Electors Opposed	Action
2007	Cobble Hill Historical Society - Provide annual financial contribution	Entire	2951	\$15,000	376	1	Bylaw Adopted
2007	Satellite Park Water System - Build a water treatment plant and reservoir	Satellite Park Water System Service Area	3029	\$160,000	16	2	Bylaw Adopted
2009	Cobble Hill Drainage System - Operate and maintain a drainage system	Cobble Hill Drainage System Service Area	3085	\$9,912	38	17	Bylaw Adopted

ELECTORAL AREA D – COWICHAN BAY

Year	Proposal	Portion of Electoral Area	Bylaw No.	Maximum Tax Impact	10% Threshold of Electors	Electors Opposed	Action
2004	North Cowichan Duncan RCMP Community Policing - Provide annual financial contribution	Entire	2590	\$11,000	218	0	Bylaw Adopted
2007	Eleanor Street Park - Disposal of parkland and transfer proceeds to Area D parkland acquisition fund	Entire	2936	None	270	0	Bylaw Adopted
2008	Cowichan Wooden Boat Society - Provide annual financial contribution	Entire	3015	\$10,000	270	4	Bylaw Adopted
2009	Cowichan Aquatic Centre - Provide annual financial contribution	Entire	3320	\$132,000	290	598	Defeated by Electors

ELECTORAL AREA E – COWICHAN STATION/SAHTLAM/GLENORA							
Year	Proposal	Portion of Electoral Area	Bylaw No.	Maximum Tax Impact	10% Threshold of Electors	Electors Opposed	Action
2002	Glenora Community Association - Provide annual financial contribution	Entire	2298	\$7,500	117 (5% counter petition)	0	Bylaw Adopted
2010	Cowichan Station Area Association - Provide annual financial contribution	Entire	3389	\$20,000	322	2	Bylaw Adopted

ELECTORAL AREA F – COWICHAN LAKE SOUTH/SKUTZ FALLS							
Year	Proposal	Portion of Electoral Area	Bylaw No.	Maximum Tax Impact	10% Threshold of Electors	Electors Opposed	Action
2005	Community Parks - Establish a community parks service to replace previous authority; no new requisition	Entire	2676	None	111	0	Bylaw Adopted
2006	Honeymoon Bay Fire Protection - Purchase of fire truck	Honeymoon Bay Fire Protection Service Area	2786	\$207,000	32	1	Bylaw Adopted
2008	Honeymoon Bay Community Society - Provide annual financial contribution	Honeymoon Bay Community Society Annual Contribution Service Area	3014	\$10,000	30	100	Defeated by Electors

ELECTORAL AREA G – SALTAIR/GULF ISLANDS

Year	Proposal	Portion of Electoral Area	Bylaw No.	Maximum Tax Impact	10% Threshold of Electors	Electors Opposed	Action
2003	Thetis Island Boat Launch - Establish a service for operation and maintenance	Thetis Island	2387	\$1,000	12 (5% counter petition)	0	Bylaw Adopted
2006	Saltair Sewer Study Service - Establish the service	Entire	2829	\$50,000	193	323	Defeated by Electors
2008	Saltair Water System - Increase annual requisition by \$60,000	Saltair Water System Service Area	3044	\$190,000	140	0	Bylaw Adopted
2503	Thetis Island Residents and Ratepayers Association - Provide annual financial contribution	Thetis Island	3503	\$40,000	27	1	Bylaw Adopted

ELECTORAL AREA H – NORTH OYSTER/DIAMOND							
Year	Proposal	Portion of Electoral Area	Bylaw No.	Maximum Tax Impact	10% Threshold of Electors	Electors Opposed	Action
2008	North Oyster Fire Protection Area - Construction of a new Fire Hall	North Oyster Fire Protection Service Area	2971 2972	\$2.5 Million	148	364	Defeated by Electors

ELECTORAL AREA I – YOUNG/MEADE CREEK							
Year	Proposal	Portion of Electoral Area	Bylaw No.	Maximum Tax Impact	10% Threshold of Electors	Electors Opposed	Action
2005	Central Young Debt Repayment Service Area - Establish the Service to construct water works in the proposed service area	Central Young Debt Repayment Service Area	2591 2665	\$645,000	31	25	Bylaw Adopted
2007	Young Water System Service Area - Construction of a reservoir and pressure reducing pump station	Young Water System Service Area	2902	\$120,000	58	2	Bylaw Adopted
2011	Young Street Lighting - Increase requisition by \$18,200	Young Street Lighting Service Area	3499	\$40,000	53	9	Bylaw Adopted

Joe Barry

From: fraser <fraser@islandnet.com>
Sent: Tuesday, November 20, 2012 9:54 AM
To: Joe Barry
Subject: RE: Fate of the AAP Process

> HI All, Have a read of the appended article provided by one of my
 > Shawnigan constituents. It looks like a thoughtful approach to the
 > current public misgivings with the AAP process. I would like to bring
 > this as a discussion item under new business at the November 28th RSC
 > Meeting. cheers, Bruce.

>
 >
 >

> By Peter Ewart

>

> In this series (click here for previous articles), we have discussed
 > the numerous flaws in the Alternate Approval Process (AAP) which is
 > supposed to be a mechanism for voters to challenge projects and other
 > proposals put forward by local governments in British Columbia. The
 > question arises: What are some possible remedies for these flaws
 > and/or alternatives to the AAP?

>

> A serious flaw in the Alternative Approval Process is the very high
 > threshold of voters needed to challenge a proposal put forward through
 > this mechanism, i.e. 10% of "eligible" voters in a municipality or
 > regional district. To remedy this situation, Citizens for Responsible
 > Community Planning, a community group based in the Okanagan region,
 > proposes that the AAP legislation be changed to "a model currently in
 > use in some jurisdictions in the U.S., where the threshold is set at
 > 10% of the 'actual' number of voters who participated in the previous
 > local election." The aim of such a change would be to make it easier
 > for voters to reach the threshold "bar" of signatures.

>

> For example, in the municipality of Prince George, the number of
 > "eligible" voters is currently around 53,000, which means the ordinary
 > citizens opposing a particular project or funding must in their "spare
 > time" get a minimum of 5300 voters to fill out "Electoral Response
 > Forms" in the tight period of 30 days. Under Shea's reform, the number
 > required would be 10% of the number of voters who cast a ballot in the
 > previous election. In the case of Prince George that would be about
 > 17,000 voters. Thus the "threshold" number needed would be 1700, an
 > easier "bar" for citizens to reach.

>

> However, even if such a reform was instituted, the AAP still has other
 > serious flaws, including short timelines, a non-secret ballot process
 > that is cumbersome for voters, arbitrary dates, and so on. In

- > addition, it appears that many municipal and regional district
- > officials don't want a "voter friendly" Alternative Approval Process.
- > How else to explain why these officials almost invariably choose a 30
- > day limit to submit Electoral Response Forms when the existing
- > legislation allows them to extend that limit if they so choose? Or the
- > fact that with any proposed project or funding proposal that requires
- > voter approval, they do have the option to submit it to an AAP or a
- > referendum. Again, they almost invariably pick the former rather than
- > the latter, despite the fact that many citizens don't like the AAP and
- > consider it grossly unfair.
- >
- > It is clear that we need a more defined and straightforward system.
- > Indeed, a strong argument can be made that we need to throw out
- > altogether the AAP "negative billing / reverse petition" process and
- > bring in one that gives more power to voters. If so, what might such a
- > process look like?
- >
- > First of all, all projects and funding proposals of a certain
- > magnitude (say a percentage of a municipality's annual budget for
- > instance) could automatically go to referendum. "Chunking", i.e.
- > breaking up funding proposals into smaller parts would need to be
- > banned, and the full costs of a project (including financing, long
- > term facility operating costs, and other information - both pro and
- > con) revealed to voters before the referendum was held.
- >
- > A referendum would also be required to be held at a fixed date or
- > dates each year. There would be no more scheduling a vote at
- > inopportune times for voters (as has been done with AAPs). Instead, at
- > a fixed yearly date (e.g. November is a possible time), all applicable
- > projects would be submitted to a vote. If there were no such projects
- > that year, then a referendum would not be necessary.
- > If referenda replaced the AAP, the problems associated with the
- > unsecure and cumbersome "Electoral Response Form" would disappear.
- > All
- > voting would be done by secret ballot at a fixed date. Every year,
- > voters would know that was the date when voting on projects and/or
- > funding approvals took place.
- >
- > Thus, instead of the onus just being put on opponents of projects to
- > get out the "vote" (as with the AAP), a referendum would require both
- > proponents and opponents to mobilize voters – a much more "level
- > playing field".
- >
- > One of the criticisms directed at using the referendum process is that
- > it will cost more money and that AAPs are "better" because they are
- > "cheaper". However, if municipal and regional district officials are
- > seriously interested in keeping costs and the overall debt load down,
- > the best people to have at the table are the voters themselves.
- > Some of the worst excesses of provincial and local government spending
- > over the last few years might not have happened if voters had more
- > decision-making power.
- >

- > Currently, with the AAP system, those proponents in the community who
- > are pushing a particular project or funding proposal focus on
- > convincing municipal and regional district councillors and officials.
- > If they convince a majority on council, the chances are good the
- > project will go through, especially if the AAP is used. But the AAP
- > process lends itself to skewed priorities and potentially even
- > corruption, as well as disillusioned voters.
- >
- > However, if the project had to be submitted to referendum, the dynamic
- > of the situation would change at least to some degree.
- > Project
- > proponents would have to focus more on getting approval from the
- > citizens at large through a majority vote. Yes, a more difficult task.
- >
- > But also more democratic, and one that would require proponents to put
- > forward convincing arguments and evidence to the public about the
- > merits of particular projects. And, of course, the same requirement
- > would hold true for opponents.
- >
- > As things stand now, it seems that too many municipal officials,
- > whether they admit it or not, view those in the community who oppose
- > proposed projects as “nuisances”, “cranks” or even “enemies”. On the
- > other hand, ordinary citizens often see these officials as
- > “paternalistic”, “arrogant,” and “out of touch”. But at least some of
- > the problem may simply be systemic. The current AAP system (along with
- > other paternalistic mechanisms at the local government level) breeds
- > hostility and division between electors and the elected, between
- > officials and ordinary citizens, and needs to be reformed.
- >
- > Underlying all of this is a deeper issue. People today want more
- > control over government and electoral processes. They want more say
- > and more decision-making power. Yet we have a governance apparatus
- > that discourages and blocks this aspiration.
- >
- > Reforming the Alternative Approval Process is just one small step in
- > the overall empowering of the citizenry, but it should be taken.
- >
- > Peter Ewart is a columnist and writer based in Prince George, British
- > Columbia. He can be reached at: peter.ewart@shaw.ca