THE VILLAGE OF PORT CLEMENTS

Regular Meeting of Council, Monday, Feb 1st, 2010. 7:30pm

AGENDA

- 1. ADOPT AGENDA.
- 2. PETITIONS, DELEGATIONS & OPENING OF SEALED TENDERS.
- D-1-Ben Vander Beke No definition on the West side of Mallard Street. T-1-Port Clements Barge Feasibility Study Request for Proposals.
- 3. MINUTES.
- M-1-Minutes regular meeting of Council, Jan 18th, 2010.
- 4. BUSINESS ARISING FROM THE MINUTES & UNFINISHED. BUSINESS.
- 5. ORIGINAL CORRESPONDENCE
- C-1-Tourism Committee-request a letter sent to SQRD for lowered tipping fees for Town Spring Clean-up.
- C-2-Pacific Coastal Airlines-Announcing alternate service during 2010 Olympic.
- 6. GOVERNMENT.
- G-1-Bylaw #377, Amend the Village of Port Clements Volunteer Fire Department Bylaw #91. First, Second, Third readings.
- G-2-Bylaw #378, A Bylaw of the Village of Port Clements to provide for the borrowing of money in anticipation of revenue. First, Second, Third readings.
- G-3-NCLGA Resolution submission deadline March 5th, 2010.
- G-4-Port Clements Draft Newsletter.
- 7. FINANCE.
- F-1-Cheque list Jan 29th, 2010.
- 8. NEW BUSINESS.
- BA-1-Draft comment letter from Council on Land use plan.
- 9. REPORTS & DISCUSSIONS.
- 10. QUESTIONS FROM THE PRESS.

ADJOURNMENT.

In Camera meeting to follow under Community Charter Section 90-1-c & e.

No Definition To Mallard Street Is Causing Huge Problems

To mayor and council, 20/01/2010

I have been an active member of this community for 2 yrs as a volunteer fireman and volunteering my time at the youth center. Since day one in buying my place I have been subject to all kinds threats, belligerent rants, and incoherent rage from the neighbour across the street. i.e. My dog will be shot.(day one), she has going to put her truck through my holly hedge when she heard that was a plan for the yard, it then became log wall. She dug up plants on village property that I was caring for, and then left the full garbage bags and tools at the spot, I returned the tools to her husband., her husband has shown up on my front deck to operate his skill saw one morning, I was in my underwear enjoying morning coffee til that happened.....and the list goes on.

The straw that broke the camels back for me is when I came back from a 2hr fire. As I ar

The straw that broke the camels back for me is when I came back from a 2hr fire. As I am turning my truck around on the road to back up my driveway, she comes tearing out of her house screaming all kinds of nasty words you don't find in a dictionary and flipping me the bird. Keep in mind I am in a diesel truck with my window open and about 40' away. What I am asking council to do for me is to better define the west side of mallard street at it's legal width. Whether it is with a ditch and culvert,(wouldn't take much time or materials) or whatever council deems appropriate. I have really had enough of being screamed at by my neighbours when they have no legal grounds for what they say. I am NOT asking council to pave mallard street or put the second culvert in rennie creek to bring that part of mallard street to it's proper width. Just the area that has been in dispute from day one. With something that leaves no doubt. How it sits now is there is absolutely no definition. The road blends in with the rest of the yard. The nastiness is escalading and after 2 yrs of this going on there is nothing humorous about this situation anymore...

All the best.

Benjamin Van der Beke. 250-557-4443.

REPORT TO COUNCIL

Author:

Heather Nelson-Smith

Date:

January 27, 2010

Re:

Roadways in Port Clements

Upon review of the roadway at Mallard street complaint I enlisted a price quote to obtain the legal survey of the roadway to ensure that the Village's Property is being used publicly

In addition to Mallard I also had included in that quote May Street at the request of Council some time back for the purposes of ensuring that the road ways are clear for people to use IE: Trail extension.

As you can see by the attached quotation, obtaining this survey is costly. Because we use Dediluke, the costs for travel are shared as they only come when there are multiple jobs to be done. In addition to the shared costs they also have the data for the Village. The Park will be done by Dediluke in order to fulfill our requirement to Crown for the purchase of the campground.

We could use a local field surveyor, however the result is not a legal survey and if in fact we are dealing with encroachment we will need to proceed with the legal survey.

The cost of this survey for the roadways would be taken from the Legal expense within the administration budget at a cost of \$4200.00, I am working with Dediluke land surveying to reduce the costs by doing less of the roadway IE: the areas in question rather than the entire road. There could be some savings, could be up to \$1000.00 off or \$500.00 per roadway.

Recommendation from staff: We could take this amount from the Legal budget which is generally set annually at \$8500.00 and \$3500.00 goes unused yearly would be reasonable. However, without a proper review with Council of the budget I would be cautious to jump into a financial promise.

Resolution: That Council reviews the budget with staff for the 2010-2014 financial plan and see where the finances if any can be incorporated for the completion of this survey.

Resolution #2: That a member of staff be appointed to sit in on and mediate meeting with the 2 property owners to help resolve their disputes. In addition to the mediation Sergeant MacDonald could be utilized as well as he is extremely valuable in conflict resolution.

Respectfully Submitted,

DEDILUKE LAND SURVEYING INC.

PROFESSIONAL LAND SURVEYING

(#102- 170 WALLACE STREET) P.O. BOX 2300 NANAIMO, B.C., V9T 6X6 Phone: 250 716-1415 Fax: 250 716-1439 landserve@telus.net 4801 KEITH AVENUE TERRACE, B.C. V8G 1K6 Phone: 250 638-1449 Fax: 250 638-1442 dediluke@telus.net

Your Reference: staking road boundaries

Our File: E675/10

January 27, 2010

Village of Port Clements Box 198 Port Clements B.C. V0T 1R0

Attention: Ms. Heather Nelson-Smith, Clerk/Treasurer

Dear Heather,

Re: Staking road boundaries between Blocks 26 and 27, and Blocks 31 and 32, DL 746, QCD, Plan 1079.

Thank you for the opportunity to provide a cost estimate for the above project. Attached is an estimate of the expected maximum cost associated with the above survey. Billing will be based on actual time spent completing the projects, in conjunction with Dediluke Land Surveying Inc. rates.

The estimate is based on us already being on-island doing the campground job and possibly work for other clients as well. Note this would affect (drop) the estimate for the campground survey. The estimate is also based on previous work done in this area by our firm in 2000. If we can find our previous control survey points, the job will go smoother. If we can't find our control points, it will take longer to set up again.

We assume you wish to stake the approximate road boundaries only, not repost the lots or block corners. If you wish to do so, we would need to revise the estimate.

If you have any questions, please do not hesitate to call.

Yours truly, **Dediluke Land Surveying Inc.**

David Hardwicke, BCLS

DEDILUKE LAND SURVEYING INC.

PROFESSIONAL LAND SURVEYING

Cost and Time Estimate: Staking road boundaries between Blocks 26 and 27, and Blocks 31 and 32, DL 746, QCD, Plan 1079.

Notes N

- Estimate assumes 1/4 travel share.
- Airfare/freight share (assumed ¼), accommodation and meals included.
- Assumed spring/summer conditions.
- Estimate assumes control points from 2000 to be found in satisfactory condition.

Field Time Estimate Estimated travel share Reconn./survey design Search for previous survey control and ties to legal survey evidence Staking Total	0.25 crew day 1.0 crew day
Office Time Estimate Research, calculations, reviewing existing survey plans and documents, checking field work, plan preparation, liaison, data management, reporting, etc.	1 day
Cost Estimate	
Field 14 hrs CLS @ \$120/hr 2 hrs Senior Tech @ \$89/hr. 16 hrs Tech @ \$65/hr. 2 days Total Station @ \$89/day 2 days 4x4 Truck/ saw / radios etc @ \$125/day	\$ 178 \$ 1,040
Office Work 4 hrs CLS @ \$120	
, , , ,	\$ 231

This Quote includes May: Mallard entile Boad way

Minutes of the regular meeting of the Port Clements Council held Monday January 18, 2010 in the Council Chambers.

Present: Mayor Delves Councillor Cheer Councillor Stewart Councillor Traplin

Clerk/Treasurer Heather Nelson-Smith Public Works Superintendent Pete Nelson-Smith Press/Public

Mayor Delves called the meeting to order at 7:30pm

ADOPT AGENDA

ADD- G-4 Appointment of Chief Election Officer C-5a Village of Masset

NB-1 Cell Phone service for Central Graham Island

It was moved by Councillor Stewart, seconded by Councillor Cheer to adopt the agenda as amended.

CARRIED

PETITIONS, DELEGATIONS & OPENING OF SEALED TENDERS

D-1 Randy O'Brien Community Forest.

Mr. O'Brien addressed Council with concerns with a Community Forest that was announced last week at the Misty Isles Economic Development Society (MIEDS). Some of his concerns were management, access to local manufacturing and the amount of 80,000 Cubic meters is less than the Haida allocation of 120,000 cubic meters. Mayor Delves stated that the announcement to MIEDS last week has not been finalized and has been significantly reduced since the first request and does not fulfill the needs for local manufacturing. After talking to Leonard Munt there may be other ways of keeping the wood on island.

D-2 Ron Haralson- Port Clements Rod and Gun Club application to Gwaii Trust for reroofing the Rifle Range Shooting House.

It was moved by Councillor Cheer, seconded by Councillor Stewart to support the application of the Port Clements Rod and Gun Club to the Gwaii Trust under the New Legacy Program for new roofing at the shooting house in the amount of \$5100.00 (fifty one hundred dollars).

CARRIED

MINUTES

M-1- Minutes January 4, 2010

It was moved by Councillor Cheer, seconded by Councillor Stewart to accept the minutes of January 4th, 2010.

CARRIED

4. BUSINESS ARISING FROM THE MINUTES & UNFINISHED BUSINESS

BA-1 Land Use Objectives

It was moved by Councillor Cheer, seconded by Councillor Stewart that Council make comment to the Integrated Land Management regarding the Land Use Plan on the following sections of the Objectives: Fish Habitat; Monumental Cedar; and Ecological representation and the issue regarding the wording in the document and interpretation.

M-1

In addition to the interpretation Council would like the minimum 800,000 cubic meter allocation clarified to ensure that the lumber available is economically viable to the local economy.

CARRIED

ORIGINAL CORRESPONDENCE

C-1 Nathan Cullen, MP- Letter to Canada Post

It was moved by Councillor Cheer, seconded by Councillor Stewart to receive and file for information.

CARRIED

C-2-Ministry of Environment- Expression of Interest in being engaged in the Management Planning Process for recreational use and access within Port Clements It was moved by Councillor Cheer, seconded by Councillor Traplin to forward the letter from the Ministry of Environment to the Port Clements Tourism Committee.

CARRIED

C-3- Port Clements Senior Citizen's Association of BC- Letter of thank you for the Gwaii Trust Christmas Allocation funding for their Christmas dinner.

It was moved by Councillor Cheer, seconded by Councillor Stewart to receive and file for information

CARRIED

C-4-Village of Queen Charlotte- Support letter for Gwaii Trust Major Contributions in the amount of \$100,000 to build a storage facility to house salt, sand and equipment for the 2010 road maintenance.

It was moved by Councillor Traplin, seconded by Councillor Cheer to support the Village of Queen Charlotte in their application to the Gwaii Trust under the major contributions program for a storage facility for salt, sand and equipment in the amount of \$100,000 (one hundred thousand dollars).

CARRIED

C-5-Canada Post Ombudsman-Canada Post service delays.

It was moved by Councillor Cheer, seconded by Councillor Stewart to receive and file for information

CARRIED

C-5a- Village of Masset- Letter to Federal Minister responsible for Transportation regarding Canada Post.

It was moved by Councillor Cheer, seconded by Councillor Stewart to receive and file for information

CARRIED

C-6-Skeena Queen Charlotte Regional District- Support letter Gwaii Trust Major Contributions for Haida Gwaii Landfill Closure in the amount of \$269,023.00. It was moved by Councillor Cheer, seconded by Councillor Stewart to support the Skeena Queen Charlotte Regional District in their application to Gwaii Trust under the major contributions program in the amount of \$269,023.00 (two hundred twenty six thousand and twenty three dollars) towards the costs of the landfill closure.

CARRIED

C-7- Ministry of Forests-Len Munt- Development of a strategy for the reallocation of timber volume on Haida Gwaii.

It was moved by Councillor Cheer, seconded by Councillor Stewart to write a letter to Leonard Munt, and Minister Bell of the Ministry of Forests and Range requesting the

additional 40,000 cubic meters of timber that was requested in the beginning, a provision to be made available for local manufacturing, and the location of the Community forests be economically feasible for local manufacturing. Council is also concerned about the collaboration with BCTS, and looks forward to being able to discuss and make this venture work for the entire Islands.

CARRIED

6. GOVERNMENT

G-1- Gwaii Trust Application- Trails

It was moved by Councillor Cheer, seconded by Councillor Stewart to apply to Gwaii Trust under the Major Contributions program for 100% of the costs of extending the trail from the Sunset Park trail to the Community Park along Alder Avenue and connecting Dyson Street a total cost of approximately \$130,000 (one hundred and thirty thousand dollars).

CARRIED

G-2-Seniors Housing

It was moved by Councillor Stewart, seconded by Councillor Traplin to have Mayor Delves seek support from the Skeena Queen Charlotte Regional District on the possibility of developing a centralized senior's facility in Port Clements.

CARRIED

G-3 – 2010 Fire Protection Agreement

It was moved by Councillor Cheer, seconded by Councillor Stewart to leave the protection agreement at \$150.00 (one hundred and fifty dollars) for the 2010 year for properties outside the Village boundary.

CARRIED

G-4-Appointment of Chief Election Officer for 2010 By-Election

It was moved by Councillor Cheer, seconded by Councillor Stewart to appoint Heather Nelson-Smith as the Chief Election Officer for the 2010 by election.

CARRIED

7. FINANCE

F-1- Cheque Listing January 15, 2010

It was moved by Councillor Cheer, seconded by Councillor Stewart to accept the cheque listing of January 15, 2010.

CARRIED

8. NEW BUSINESS

NB-1-Cell Phone service

It was moved by Councillor Cheer, seconded by Councillor Stewart to have staff pursue the proper channel to voice Council's concerns for the residents of Port Clements to get cellular phone service to Central Graham Island.

CARRIED

Mayor Delves addressed Public Works Superintendent about the water line break at the Small Craft Harbour and requested that the Village pursue Small Craft Harbours to consider funding improvements to the supply of water to our customers. Pete Nelson-Smith stated that the request has already been sent.

REPORTS AND DISCUSSIONS

Councillor Stewart- Had nothing to report.

Councillor Traplin- Had nothing to report.

Councillor Cheer- Attended Port Clements Tourism Committee meeting Sunday. Items: talk of a plan for the Village, town clean up and talked about the Council's effort to clean up the community. The Tourism Committee is working on a proposal to Council regarding a policy regarding removing the flora and fauna around Port Clements.

Mayor Delves- Will be attending the meeting tomorrow at the Community Hall regarding Land Use Plan.

- -Will be flying to Victoria to meet with Minister Bell with NDI regarding the state of North Western communities.
- -Will be attending the North West Regional Hospital and Skeena Queen Charlotte Regional District meetings.
- -Also contacted Bob Brash and Guujaww requesting a public meeting at their earliest convenience to share with the communities what their vision of HaidaCo is and how it will operate.

Public Works Superintendent-Sewage aerator has arrived.

- -Will be receiving the report regarding the water treatment plant from Rob Tamaki as early as next week.
- -Dug up the culvert in Fire hall parking lot and has rectified the water flow problem from the Park/Tingley ditch.

ADJOURNMENT

It was moved by Councillor Cheer, seconded by Councillor Stewart to adjourn the meeting and go in-camera under Community Charter section 90-1-c and e. **CARRIED**

Cory Delves,	Heather Nelson-Smith,
Mayor	Clerk/Treasurer

January 17, 2010 Port Clements Tourism Committee Chair: Urs Thomas Box 296 Port Clements BC, V0T 1R0 250-557-4325

Skeena – Queen Charlotte Regional District 100 – 1st Avenue East Prince Rupert, BC V8J 1A6

Attn. SQCRD Board of Directors

Re: Port Clements "Clean Up Days" event.

Dear Board members,

The Port Clements Tourism Committee is interested in organizing a "Clean Up Days" event in Port Clements. This Spring-Cleaning event should be part of the towns beautification and is scheduled to take place from April to June 2010.

Our goal would be to have the clean up and tipping days on each first Saturday of the month (April - June).

Therefore, the Port Clements Tourism Committee would like to request that the SQCRD would open the Landfill on Saturdays for certain hours and lower the tipping fees by a percentage to be determined by the SQCRD.

Please let us know about your decision at your earliest convenient and contact us in case you have any questions or concerns.

Thank you for your consideration on this matter.

Yours in Tourism

Urs Thomas,

Chair, Port Clements Tourism Committee

Cc: Village of Port Clements

1. Thomas



For release Wednesday, January 20th, 2010 at 12:00 PM PDT

Pacific Coastal Airlines announces service to Sandspit during the Olympic Games

Vancouver, January 20 – Pacific Coastal Airlines is confirming that despite its best efforts to lobby the Integrated Security Unit of the RCMP to provide interim passenger screening at the Masset airport during the Olympic Games, it will continue to provide service to Haida Gwaii by operating its Masset flights via the Sandspit Airport.

Passengers travelling during the Olympic security restriction (January 29th through March 3rd inclusive) will be offered at time of booking the option to travel to/from either Masset or Sandspit. Pacific Coastal's flight which operates 4 days per week will operate non-stop from Vancouver to Masset and continue on to Sandspit where Masset originating passengers will disembark and complete preboard security screening formalities. The flight will then continue on to Vancouver. Haida Gwaii residents will have the unique opportunity to fly from Masset to Sandspit during this period and Pacific Coastal is offering one-way flights starting at \$39. Flight and check-in times have been adjusted to reflect the interim Sandspit operation.

"We're very disappointed that the ISU was unable to find a means to resolve this issue in favour of Masset residents and provide interim security screening at the Masset Airport for the duration of the airspace restriction." remarks Pacific Coastal Airlines President Quentin Smith. "Nevertheless, we are committed to serving our loyal Customers of Haida Gwaii and despite the significant increase in cost to our operation, suspending service to the region, which was our only alternative during this important time in our Province's history, was not an option. We have not traditionally served the Sandspit Airport in the past and we are excited to have this opportunity to offer our high standard of customer service and the benefits of our convenient and uncongested South Terminal in Vancouver to the residents of Sandspit, Queen Charlotte City, Skidegate and area who may have never flown with us before".

Mr. Smith, along with key Haida Gwaii Municipal and various Provincial leaders, had been lobbying hard since last February for interim passenger screening services at the Masset Airport when the Integrated Security Unit, responsible for all aspects of security surrounding the Vancouver/Whistler Olympic Games, first announced the security plan affecting civil aviation and its impact on local communities.

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"We're very grateful for the ongoing support we receive from the residents of Haida Gwaii and we'd like to thank Bob Ells and his team at the Sandspit Airport for welcoming us and accommodating our flights during this interim period of operation." concluded Mr. Smith.

Pacific Coastal Airlines has been proudly serving Masset since May, 2005. Pacific Coastal Airlines is headquartered at YVR's South Terminal and serves 16 communities within BC with a fleet of 22 aircraft and employs over 250 people. For more information, please visit their website at www.pacificcoastal.com

Spencer Smith – Vice President, Airports and Call Centre (604) 214-2362.

VILLAGE OF PORT CLEMENTS

BYLAW No. 377, 2010

A Bylaw to amend the Village of Port Clements Volunteer Fire Department Bylaw No. 91, 1980.

Amend Section 3(b)

(ii) is not less than eighteen years of age and not more than sixty five years of age.

replace with

(ii) is not less than eighteen years of age.

Amend Section 9.

The Department shall not respond to a call with respect to a fire or emergency outside of the Village of Port Clements boundaries, except with respect to a fire or emergency:

- a) that in the opinion of the Fire Chief threatens the property situated outside the Village of Port Clements boundaries that is owned or occupied by the Village.
- b) on property with respect to which an agreement has been entered into with any person or corporation to provide fire protection therefore attached as Schedule "c"
- c) when called upon by the Area Coordinator for the Provincial Emergency Programme in the even of a National or Local Disaster, or
- d) when called upon for assistance by the Forest Officer or Regional Manager as appointed by the "Ministry of Forests Act".

Replace with

The Department shall respond to a call with respect to a fire or emergency outside of the Village of Port Clements boundaries and Fire Protection District with only the Recue Truck and Tanker Truck:

- a) to a property within the Fire Protection District
- b) to a motor vehicle incident within the Fire Protection District
- c) when called upon for assistance for fire or motor vehicle incident by other Fire Protection agencies on the Islands including Tlell, Masset and Queen Charlotte.
- c) when called upon by the Area Coordinator for the Provincial Emergency Program in the even of a National or Local Disaster, or
- d) when called upon for assistance by the Forest Officer or Regional Manager as appointed by the "Ministry of Forests Act".

The Volunteer Fire Department will leave the Pumper Truck and a minimum of 5(five) department members in the community, and priority will be given to emergencies within the Village of Port Clements Boundaries

BYLAW NO 377

 This bylaw may be cited as "Village of Port Clements Volunteer Fire Department amendment Bylaw No. 377, 2010 			
READ A FIRST TIME THIS Day	y of January, 2010.		
READ A SECOND TIME THIS	Day of January, 2010.		
READ A THIRD TIME THIS Day of January, 2010.			
RECONSIDERED AND FINALLY ADOPTE	ED THIS Day of January, 2010.		
Cory Delves, MAYOR	Heather Nelson-Smith, CLERK/TREASURER		
CERTIFIED TO BE A TRUE COPY VILLAGE OF PORT CLEMENTS VOLUNTEER FIRE DEPARTMENT AMENDMENT BYLAW No. 377, 2010			

BYLAW NO 377 2/2

copy of our

VILLAGE OF PORT CLEMENTS

BY-LAW NO. 91

Being a by-law to establish a Fire Department and provide regulations therefore.

WHEREAS Part X1X of the Municipal Act provides that Council may establish and regulate a Fire Department, and provide measures for the prevention and control of fire.

NOW THEREFORE the Council of the Village of Port Clements in open meeting assembled, enacts as follows:

- In this By-law, unless the context otherwise requires,
 - a) "Council" means the Council of the Village of Port Clements.
 - b) "Department" means the Port Clements Volunteer Fire Department.
 - c) "Firemen" shall be construed to include person of either sex.
 - d) "Local Assistant" means a Local Assistant to the Fire Commissioner and includes the Mayor of a Municipality, in a Municipality which does not maintain a fire department, provided that the Fire Commissioner may appoint some other person to act as Local Assistant instead of the Mayor.
 - "Member" includes officers, regular officers, and reserve members of the Volunteer Fire Department.
- A Department for the Village of Port Clements to be known as the Village of Port Clements Volunteer Fire Department is hereby established, which shall consist of:
 - 1 (one) Fire Chief
 - 1 (one) Deputy Fire Chief
 - 2 (two) Captains
 - 14 (fourteen) Regular Firemen
 - 10 (ten) Junior Firemen

Unrestricted number of Reserve Firemen (Normally Retired Firemen)

- (a) The Fire Chief may recommend to the Council the appointment of any qualified person as a member of the Department.
 - (b) A person is qualified to be appointed a member of the Department for firefighting duties who:
 - completes an application attached as Schedule "A"
 - ii) is not less than eighteen years of age and not more than sixty five / years of age!
 - iii) is of good character.
 - iv) is in good physical condition.
 - (c) A person appointed as a member of the Department for fire fighting duties shall be on probation for a period of six months and in the case of a Junior firemen three months during which period he shall take such initial training and examinations as may be required by the Fire Chief.
 - (d) If a probationary member appointed for fire fighting duties fails any such examination or otherwise proves unsuitable, the Fire Chief may dismiss him and report the dismissal to the Council.
 - (e) A person is qualified to be appointed as a member of the Junior Firemen for overhaul and salvage duties who:
 - i) completes and application attached as Schedule "B"
 - ii) is 16 to 18 years of age
 - iii) is in good physical condition
 - iv) is of good character
 - v) has parental consent; and
 - vi) has school consent.
- 4. The renumeration, if any, of all members of the Department shall be as determined by Council.
 1/

The Fire Chief is responsible to the Council for the proper administration and operation of the Department, and

- a) make such general orders and departmental rules as may be necessary for the care and protection of the property of the Department, and for the conduct of the members of the Department and generally for the efficient operation of the Department, provided that such general orders and rules do not conflict with the provision of any By-law of the Village.
- b) shall take all proper measures for the prevention, control and extinguishment of fires and for the protection of life and property and shall enforce all Municipal by-laws respecting fire prevention and exercise the powers and duties imposed on him by the Fire Services Act.
- c) shall report all fires to the Local Assistant as required by the Fires Services Act.
- d) shall submit an annual expenditure of the Department to the Council for its approval.
- 6. Every member of the Department shall report, whenever practicable:
 - to any fire alarm immediately and remain at the scene of the fire until dismissed
 - b) any person who, not being a regularly recruited member of the Fire Department is called upon to assist by the senior member at the fire, in the fighting of a fire, and does so assist, shall for the time he does so assist, be considered in all aspects as a member of the Fire Department.
- 7. Practices of the Department shall be held on a regular basis, and any member missing three consecutive fire practices without reasonable excuse, shall be dismissed from the Department by the Fire Chief. Following dismissal of any member, Fire Chief shall report the dismissal to the Council.
- 8. The Fire Chief may reprimand, suspend or dismiss any member for inefficiency, misconduct, tardiness, or for non-compliance with any of the provisions of this by-law, or the departmental rules of general order, that in the opinion of the Fire Chief would be detrimental to the discipline and efficiency of the Department and shall report the dismissal to Council.
- 9. The Department shall not respond to a call with respect to a fire or emergency outside the Village of Port Clements boundaries, except with respect to a fire or emergency:
 - a) that in the opinion of the Fire Chief threatens property situated outside the Village of Fort Clements boundaries that is owned or occupied by the Village.
 - b) on property with respect to which an agreement has been entered into with any person or corporation to provide fire protection therefore attached as Schedule "C"
 - when called upon by the Area Co-ordinator for the Provincial Emergency Programme in the event of national or local disaster or,
 - d) when called upon for assistance by the Forest Officer or Regional Manager as appointed by the "Ministry of Forests Act".
- 10. The Village Clerk and/or Fire Chief are hereby authorized to issue permits for outdoor fires within the Village of Port Clements boundaries when considered safe to do so.

 O(71)
- 11. No person shall light a fire except in proper furnace, stove, or combustion apparatus from the first day of May to the thirty first day of October (both days inclusive) without first obtaining from the Village Clerk and/or Fire Chief a permit for such fires. Such person must be bound by the provision of such fire permit.
- 12. Where any provisions of this By-law conflicts in any way with the provisions of the Fire Services Act or the regulations made pursuant thereto, the provisions of the Fire Services Act or regulations thereto shall prevail providing however, that such conflict shall not invalidate any other provisions of this by-law which does not so conflict.

- 13. Any person or persons not complying with any regulations so introduced shall be liable on Summary Conviction to a penalty not exceeding Fifty Dollars (\$50.00) for each infraction or offence and shall be enforceable in the manner provided by the "Summary Conviction Act".
- This By-law may be cited as the "Village of Port Clements Volunteer Fire Department By-law No. 91, 1980".

READ A FIRST TIME THIS 12th	h day of	January	, 1981.
READ A SECOND TIME THIS 12th	h đay of	January	, 1981.
READ A THIRD TIME THIS 120	h day of	January	, 1981.
RECONSIDERED AND ADOPTED THIS	: 19th day of	January ·	, 1981.

By-law No. 91, 1980.

A true copy of By-Law No. 9 l registered in the office of the Inspector of Municipalities this bethe day of

Inspector of Municipalities

VILLAGE OF PORT CLEMENTS

BYLAW NO. 378

A Bylaw of the Village of Port Clements to provide for the borrowing of money in anticipation of revenue.

The Council for the Village of Port Clements in open meeting assembled enacts as follows:

Whereas:

- A. The Village of Port Clements (the "Municipality") does not have sufficient money on hand to meet the current lawful expenditures of the Municipality;
- B. Section 177 of the Community Charter permits the Council, without any further approval, consent or assent to borrow money necessary to
 - (a) meet current lawful expenditures, and
 - (b) pay amounts required to meet the Municipality's taxing obligations in relation to another local government or other public body;
- C. The Municipality's outstanding debt for the purposes of Section 177, must not exceed the total of:
 - (a) the unpaid taxes for all purposes imposed during the current year (deemed to be 75% of all taxes imposed for all purposes in the preceding year), and
 - (b) the money remaining due from other governments.
- D. The unpaid taxes calculated as 75% of all taxes imposed for all purposes for the 2009 tax year are \$231,773.24 and the money remaining due from other governments is \$0 totaling \$231,773.24 the total representing the maximum amount that may be borrowed under this bylaw.

NOW THEREFORE, the Council for the Village of Port Clements in open meeting assembled, **ENACTS AS FOLLOWS**:

- This Bylaw may be cited as "The Village of Port Clements Revenue Anticipation Borrowing Bylaw No. 378, 2010".
- 2. The Council is authorized to borrow upon the credit of the Municipality from the Canadian Imperial Bank of Commerce an amount or amounts not exceeding the sum of two hundred thirty one thousand seven hundred and seventy three dollars. (\$231,773.00), as may be required and to pay interest thereon at the prime rate of the Canadian Imperial Bank of Commerce.
- 3. The form of obligation to be given as acknowledgment of the liability shall be a promissory note or notes, or an overdraft agreement bearing the corporate seal and signed by the Mayor and the Treasurer.

READ A FIRST TIME THIS	DAY OF, 2010.
READ A SECOND TIME THIS	DAY OF, 2010.
READ A THIRD TIME THIS	DAY OF, 2010.
RECONSIDERED AND FINALLY	Y ADOPTED THISDAY OF, 2009
CORY DELVES MAYOR	HEATHER NELSON-SMITH CLERK/TREASURER
CERTIFIED A TRUE COPY OF Revenue Anticipation Borrowing	



January 20, 2010

Village of Port Clements Box 198 Port Clements, BC V0T 1R0

Re: Resolution Submission Deadline: March 5th, 2010

Dear Mayor Delves and Councillors,

The North Central Local Government Association's 55th Annual General Meeting and Convention is coming up May 5th - 7th, 2010 in Smithers. The Executive of the NCLGA encourages you to submit your resolutions on issues of concern for debate at the Convention. These resolutions are vital to the Association, as the issues identified and endorsed at this meeting help to focus the work plan for the Executive and staff during the year ahead.

We strongly encourage you to draft and submit your resolutions early. Resolutions must be submitted to the NCLGA office prior to the deadline of **Friday, March 5th, 2010**. We work with a tight schedule to allow enough time for the resolutions to be forwarded to UBCM for comment and then returned to us for compilation into the Annual Report prior to convention. All five of the Area Associations submit resolutions to UBCM during the same time period, which can create challenges for the UBCM staff.

Enclosed please find:

- -A sample resolution with preparation guidelines.
- -Criteria for the Best Crafted Resolution Gold Star Award and Honourable Mention winners.

If you would like to research whether a topic has come up in previous years there is a searchable database of resolutions dating back to the year 2000 on the NCLGA website at: www.nclga.ca. If assistance or advice is needed with the drafting of your resolutions please do not hesitate to contact either myself or staff at the NCLGA office.

Sincerely,

Councillor Bruce D. Christensen Resolutions Chair, NCLGA

Encl.

SAMPLE RESOLUTION

SHORT TITLE

SPONSOR'S NAME

WHEREAS;	
AND WHEREAS	

THEREFORE BE IT RESOLVED that that the NCLGA ...

(Note: A second "operative" clause, if it is absolutely required, should start as follows:

AND BE IT FURTHER RESOLVED that...

Guidelines on Preparing Resolutions

The construction of a resolution:

Each resolution should address only one specific subject.

All resolutions contain a preamble and operative clause.

The preamble clause ("whereas") describes the issue, and the operative clause ("therefore be it resolved) outlines the action being requested.

The resolution should answer three questions:

- 1) What is the problem?
- 2) What is causing the problem?
- 3) What is the best way to solve the problem?

The preamble should not contain more than two "whereas" clauses. If the sponsor feels that the rationale is not fully stated within the two "whereas" clauses, supporting background documentation should be provided.

The operative clause should be as short as possible, and clearly describe the action being requested.



NCLGA 2010 GOLD STAR RESOLUTION CRITERIA



- Resolution must be properly titled.
- Resolution must employ clear, simple language.
- Resolution must clearly identify problem, reason and solution.
- Resolution must have two or fewer recital clauses.
- Resolution must have a short, clear, stand-alone enactment clause.
- Resolution must focus on a single subject, and be of local government concern region—wide.
- Resolution must include appropriate references to policy, legislation and regulation.
- Resolution must be received prior to the deadline of March 5th, 2010
- Resolution must have a recommendation of endorsement by the NCLGA Executive.



The Village of **PORT CLEMENTS**

36 Cedar Avenue West PO Box 198 Port Clements, BC V0T1R0 PH: 250-557-4295

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January 27, 2010

Integrated Land Management Bureau

The Council of the Village of Port Clements believes a clause by clause critique of the draft Land Use Order (LUO) will not resolve the concerns we have with the LUO. We understand the Haida Gwaii tenure holders have made comments and will make detailed submissions so we will leave that work to them and concentrate on the overall effects of the draft LUO as presented.

The draft Land Use Order is a set of measures, the objectives, designed to protect a set of resources. The Objectives will very likely be successful in protecting those resources but the Strategic Land Use Agreement (SLUA) contains a socio-economic objective as well the ecosystem base management (EBM) objectives. The authors of the LUO seem to rely on the AAC modelling of Andrew Fall for assurance that the SLUA socio-economic objective will be met. However after reading the draft LUO and after looking at large scale and block level maps most informed observers and this Council find it difficult not to draw the conclusion that the available forest will be fractured into small areas which cannot provide the economic harvest opportunities envisioned by the Strategic Land Use Agreement signed in Dec 2007. Therefore more work should be done to ensure that the model provides a clear picture of the results of LUO Objectives.

In addition, we have concerns that the model is only as accurate as the assumptions loaded into the model which are based on the objectives in the LUO. The comments provided by Haida Gwaii foresters used to applying rules in the field, which explain the technical problems with the LUO, indicate there is a disconnect between the application of the objectives on the ground and the assumptions of the model. The foresters believe that the application of the Objectives in the field will result in a shut down of the HAIDA GWAII harvest. The model indicates that a harvest greater than the 800,000 m3 goal of SLUA is available. The problem with this disconnect is that the objectives, not the model become regulation and unless the objectives are revised, any problems with the draft objectives will became the new Haida Gwaii "rulebook" to be applied on the ground. The foresters view of the draft objectives is that they will result will be little or no economic opportunities for harvesting. If they are correct the socio-economic goals of SLUA will not be met.

One of the reasons for the problems with the objectives is the language of the definitions and objectives are prescriptive; similar to FPPR practice requirements or Results or Strategies from an FSP. This would be fine if the language was clear enough to be measureable and verifiable as required by FRPA. We suggest the draft LUO be reviewed by experts in BC Forest law who can provide guidance in creating clear objectives where the results of modelling and the results in the field are as similar as possible.

BA-1

We are deeply concerned that the cumulative effect of these well intentioned Objectives each designed to protect an individual resource will pile up to reduce the chances that cut blocks will pass the economic test. What is needed is the flexibility that is hinted at in the "intergovernmental process" and "adaptive management clauses" of the draft. Unfortunately these kinds of processes in the past have been adversarial and tended to take considerable time to complete. If these flexible processes don't quickly result in approved cut blocks the island workers will continue to drift away as the economy in the rest of Canada recovers.

Given that the major licensees have curtailed operations on Haida Gwaii due to market conditions. Is it not obvious that any addition economic constraint imposed by the LUO will shut down Haida Gwaii forestry completely until markets improve substantially? Any new rules need to be implemented very carefully to avoid such a shut down. In addition any new rules need enough flexibility to survive the next market cycle.

Most islanders familiar with forest operations know that to maintain operations through swings of the markets, the target of the harvest has to be adjusted to keep the selling price higher than the cost. Selling price has to be adjusted as costs have already been pared to the bone as evidenced by the number of contractors and forest companies in BC that are in financial difficulty.

There is little value in applying a new management regime that has the potential for closing operations. The idea of the new planning is to make the islands ecosystem and cultural resources sustainable; shouldn't the socio-economic objectives be sustainable as well? Shouldn't the resource of island forest workers and their families be sustainable as well? Getting full value from the harvest for island people should be the focus of planning.

As much value should be added before wood leaves. Island sawmills should be working. Local carvers should be working. Unused low value logs and debris should not be left to rot producing CO2. This fibre resource should be gathered along with the unused material from sawmills and pole plants and converted under controlled conditions to electric power to replace imported diesel.

The LUO should ensure that the 800,000 m3 cut is available and can it be economically harvested to provide island workers a good living while providing enough revenue to finance the schools, hospitals and other infrastructure required to make living on these islands attractive to young people looking for a good place to raise their families

The Council of the Village of Port Clements would be happy to help with any process that results in the vision described above. This would be a good example of the island planning protocol we all signed in action.

Sincerely, The Village of Port Clements RE: Gwaii Trust Application

On Behalf of the Council of Port Clements, we are pleased to provide a letter of support towards your request to Gwaii Trust under the Legacy Program 2010 deadline.

The Haida Gwaii Film Festival is requesting \$4,000 to the Legacy Program from Gwaii Trust Society. The total cost of the Haida Gwaii Film Festival is \$15,000.

The Haida Gwaii Film Festival is going to be show at the Heritage Centre in Skidegate on April 30th to May 2nd, 2010

The Haida Gwaii Film Festival was founded in 2009 with the mandate to promote film, video and entertainment from the local, national and international productions. Bringing films and directors from around the world the festival is hoping to engage the community to share concerns related to the islands. The Film Festival this year is bringing a professor Kevin Element from Thunder Bay College to teach Stop Motion Animation to young kids and adults free of charge. This initiative is to offer to the community possibilities to access expertise without the need to leave the islands.

On December to 2009 the Haida Gwaii Film Festival formed a board of directors to become a non-profit Society.

The Village of Port Clements fully supports your application to Gwaii Trust, and whishes you luck on your application to help promote tourism on the islands

If you have any further questions, please do not hesitate to contact the Village of Port Clements Office Monday- Friday 9:00am-1:00pm.

The Village of Port Clements SIGNATURE

Late item C-



The Village of **PORT CLEMENTS**

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REPORT TO COUNCIL

Author:

Mayor Delves

Date:

December 23, 2009

Northern Development Initiative Trust Presentation By Mayor Delves

In December the Northern Development Initiative Trust Board invited four Northwest Mayors; (Mayor Monaghan of Kitimat, Mayor Pernarowski of Terrace, Mayor Mussallem of Prince Rupert and Mayor Delves of Port Clements), to attend NDI's regular Board meeting and to take part in a presentation to Government representatives. The Board meeting and presentation took place on January 20 & 21in Victoria. Presentations centered around, economic challenges that the Northwest is facing were given to the NDP's Rural Caucus and the Government's Northern Caucus.

Steady Regional Population Decline

BC Stats compiles regional information by Development Region – northwest BC being comprised of the North Coast and Nechako Development Regions. In 2008, the North Coast region's population declined by 1.3% (797 residents), to reach 59,184. **This was at least the tenth year in a row of population decline for the region.** In the same year, the Nechako region's population declined by 2%, (811 residents), to reach 39,627.

Source: 2009 BC Check Up, Institute of Chartered Accountants of BC

Largest Decline in Building Permits in BC

In 2008, the value of building permits in the Nechako region of northwest BC dropped by 24.6%, the **largest decline of any development region in the province**, and **major project construction was nonexistent**. While tourism room revenues declined by 3% from 2007, they were still 15% higher than

in 2006, which shows the region has been in a prolonged state of economic decline. *Source: BC Stats*, British Columbia Building Permits for Development Regions and Regional Districts by Type 2000 2008,

February 5, 2009



Shift from Manufacturing to Service and Public Sector Employment

In 2008, all of northwest BC's job creation took place in the **services producing sector**. The number of jobs grew in several service based industries, most significantly in health care and social assistance (1,000 jobs), public administration (800 jobs), accommodation and food services (500 jobs), and transportation and warehousing (200 jobs).

In contrast, northwest BC's **goods & producing** sector declined for the third straight year in 2008 according to BC Stats. Total employment in the production of goods dropped to 13,500 in 2008, a decrease of 100 jobs from the previous year. **This is the lowest level of employment the sector has seen for at least a decade.**Between 2003 and 2008, 900 jobs were lost in the goods & producing industries. The manufacturing sector reported a loss of 200 jobs during 2008.

In 2009, Service Canada's Labour Market Update (October 2009) reported a loss of employment in the Forestry, Fishing, Mining, Oil and Gas sectors in excess of 800 jobs since 2008.

Unemployment Rate

According to Statistics Canada, in 2008 northwest BC retained the highest unemployment rate in BC, at 7.7%. This equates to 3.1 percentage points above the provincial average. Employment is forecast to decline by a further 2.3 percent in 2010 to average 42,710 persons.

Northwest BC's unemployment rate as of October 2009 was 10 per cent compared to the provincial rate of 7.6 per cent. In October 2008, the northwest unemployment rate was 7.7 per cent and the provincial rate was 4.7 per cent. The region's employed workforce stood at 42,400 in October 2009 with the number of unemployed people 4,700. Meanwhile, latest figures available on the number of people collecting regular employment insurance benefits indicate that in Prince Rupert, 390 people were collecting in August 2009 compared to 260 in August 2008. A total of 620 people were collecting in Terrace in August, an increase over the 410 who were collecting in August 2008. The August 2009 total is about average with other months through 2009. In Kitimat, the August 2009 total was 210 compared to 130 in August 2008 (prior to announcement of the Eurocan closure). The Northwest increases in unemployment from 2008 to 2009 are in the 50 per cent range.

Source: Service Canada – Northwestern BC – Labour Market Update – October 2009 Source: The Northern View, Prince Rupert – Black Press November 24, 2009

Importance of Forestry to Northwest BC's Economy British Columbia Employment in Wood Product Manufacturing

The above statistics demonstrating significant decline in wood product manufacturing employment in BC are particularly relevant to the northwest region. Employment for

this sector in the Province been slashed from a record high of 53,300 in July 2007 to record low of 24,200 in January 2009. Employment in this sector in BC has been halved within the past three years. Regional impacts in the northwest continue with the closing of West Fraser's Eurocan kraft and chemical/mechanical pulp and paper mill operations in Kitimat. Prior to its closing, West Fraser publicly disclosed that its facility in Kitimat that has operated for over 40 years in the community supported over 550 direct fulltime permanent employment positions alone. West Fraser cited amongst other economic reasons for the Eurocan closing, the negative recent impact of BC's changing wood fibre market. Residual wood chips (a byproduct of sawmill operations) have traditionally provided a lower cost, local source of fibre for the Eurocan operations, however in recent years, with sawmill shutdowns and production curtailments in the northwest region (no sawmills are currently operating in northwest BC), there has been a growing shortage of lower cost fibre available to the Eurocan mill. At the time the closure was announced, West Fraser reported that about 20 per cent of Eurocan's fibre needs were being met with whole log chips, which are significantly more expensive than residual chips. To remain viable, West Fraser noted that sawmills will need to have long term, secure customers for their wood chips. With the closure of Eurocan, residual chips from West Fraser's sawmills in Houston, Smithers and Fraser Lake will now go to pulp mills in Prince George and Quesnel.

Tourism

Employment in the accommodation and food services industry in northwest BC mushroomed during the summer of 2008, with the workforce rising to 4,600. Employment between April and September of 2008 was 43% higher than the same period in 2007. The year ended rather dismally, however, with the industry shedding 2,300 workers by December.

Source: BC Stats, Tourism Sector Monitor, March 2009

Tourism statistics indicate that room revenues declined by 1.7% in 2008. In the North Coast, the Port of Prince Rupert's cruise business experienced its best cruise season in its five years of operations in 2008; however cruise lines have been slashing prices by up to 40% to fill capacity and are beginning to move ships to other more lucrative locations through 2009. Alaska once held a 10% share of the world's cruise market—it is now down to 5%.

Source: Prince Rupert Port Authority, "2008 Cargo Traffic Steady, Despite Global Economic Decline,"

News Release, January 21, 2009.

Transportation and Logistics

Monthly labour force data indicates that employment in the transportation and warehousing industry in the Northwest has been in a downward trend for over two years. The volume of goods through the Port of Prince Rupert increased moderately in 2008 over 2007, despite a global economic downturn that resulted in declining traffic through most other North American ports on the west coast.

Source: Prince Rupert Port Authority, Community Update, Fall 2008

Educational Services – Employment and Enrolment

Employment in educational services has declined for the past two years in northwest BC. The loss of 100 jobs in 2008 is likely a reflection of declining enrolment in the

region's public schools; between 2006&2007 and 2007&2008 enrolment dropped by 4.1% in the region.

Source: School Districts 50, 52, 54, 82, 87, 91 and 92 Ministry of Education, Student Statistics 2003/04 – 2007/08, January 2008.

Each Mayor spoke on challenges facing their areas, in addition they offered recommendations to immediately address the region's current economic. On behalf of the Islands Communities Mayor Delves presented the following comments:

Haida Gwaii Strategic Land Use Agreement Implementation

In December 2007, the Provincial Government and the Council of the Haida Nation announced the Strategic Land Use Agreement for Haida Gwaii, allowing for sustainable economic development opportunities on the islands. The intent and objectives of the Strategic Land Use Agreement have not yet been tested in the field, and there is concern by industry that certain terms, of the agreement may make the local land base inoperable. Additionally, there is a need to identify practices and business models for revitalizing the forestry industry on the Islands.

Recommendation that the: Provincial Government engage industry to test the terms of the Strategic Land Use Agreement for economic operation of resource industries on Haida Gwaii prior to the Agreement's application to all Forest Tenures on the Islands; Provincial Government make resources and funding available over the new two years to support revitalization and development of the forestry sector on Haida Gwaii in keeping with the Strategic Land Use Agreement.

Recommendation that the: Provincial Government assists BCTS operators by immediately providing for auction sufficient BCTS volume to maintain current level of on Island activity.

Implementation of a Haida Gwaii Community Forest

While there has been much discussion regarding the creation of a community forest on Haida Gwaii with the Council of the Haida Nation and all levels of government, there has not yet been progress to implement a community forest on the Islands. Recommended that the Provincial Government recommits to establishing a community forest on Haida Gwaii and allocates sufficient resources to implement a community forest on the Islands by 2011

Queen Charlotte General Hospital Construction

The Northwest Regional Hospital District has secured support from the Skidegate Band Council and approval from the Northern Health Authority, Ministry of Health for this project. With this the Northwest Regional Hospital District has committed \$2.744 million towards a shelf ready plan of the proposed new Queen Charlotte General Hospital on Haida Gwaii. However, capital funding from government to support construction of the hospital has not been allocated. A financial request: that the Provincial Government, make funding available over the next two years to support the construction of the Queen Charlotte Hospital that has an estimated total capital cost of \$50 million.

Heather Nelson-Smith

From:

Cory Delves [c.delves@portclements.com]

Sent:

February 1, 2010 9:34 AM heather@portclements.com

To: Subject:

Fwd: Protocol Meeting



HTML essage.htm (1,022

----- Original Message -----

Subject: Protocol Meeting

To: Guujaaw <guujaaw@haidanation.net>, Doll Squires <darlene.squires@haidanation.net>

Dear Guujaaw,

the island elected officials would like to request a Protocol meeting on the week of February 22, 2010. Possible Agenda items will be forwarded in the next 2 weeks. Port Clements has offered to host the meeting.

Please respond as soon as possible as we would like to schedule the meetings, so the logistics can be arranged.

Brad Setso, Electoral Area 'D' Director

Skeena-Queen Charlotte Regional District

cell: 250-626-7540

Home: 250-626-3582

brad.setso@gmail.com

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