



The Village of
PORT CLEMENTS
"Gateway to the Wilderness"

36 Cedar Avenue West
PO Box 198
Port Clements, BC
V0T1R0
OFFICE: 250-557-4295
Public Works: 250-557-4295
FAX: 250-557-4568
Email: office@portclements.ca
Web: www.portclements.ca

7:00 PM Regular Meeting of Council, Monday, November 21st, 2022

AGENDA

- 1. ADOPT AGENDA**
- 2. PETITIONS, DELEGATIONS & OPENING OF SEALED TENDERS**
- 3. MINUTES**
M-1—November 21st, 2022, Regular Council Meeting Minutes
- 4. BUSINESS ARISING FROM THE MINUTES & UNFINISHED BUSINESS**
- 5. ORIGINAL CORRESPONDENCE**
C-1—INFORMATION – Bylaw Amendment, Fee Increase – North Coast Regional District
C-2—INFORMATION/REQUEST – Congratulations & Community Priority Meeting – Mascon (Telus)
C-3—INFORMATION/INVITATION – Linaang Iinang Herring Rebuilding Plan Community Dinner – Council of Haida Nation, Fisheries and Oceans Canada, and Gwaii Haanas.
C-4—REQUEST—Guiding Lights Across BC Celebration – BC Girl Guides
- 6. FINANCE**
- 7. GOVERNMENT**
G-1—Procedural Bylaw Amendment Bylaw #479, 2022
G-2—2023 Annual Workplan – Vibrant Community Commission
G-3—Donation of Sand from O'Brien Road & Bridge Maintenance Ltd – CAO Dobson
- 8. NEW BUSINESS**
- 9. REPORTS & DISCUSSIONS**
R-1—INFO—Regular Report on Current Operations – CAO Marjorie Dobson
R-2—INFO – Public Engagement for #12 Dyson Development Potential – Deputy CAO Cumming
- 10. ACTION ITEMS**
A-1—Action Item List
- 11. QUESTIONS FROM THE PUBLIC & PRESS**
- 12. IN-CAMERA**
90(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:
(c) labour relations or other employee relations;
- 13. ADJOURNMENT**



The Village of
PORT CLEMENTS
"Gateway to the Wilderness"

36 Cedar Avenue West
PO Box 198
Port Clements, BC
V0T1R0
OFFICE: 250-557-4295
Public Works: 250-557-4295
FAX: 250-557-4568
Email: office@portclements.ca
Web: www.portclements.ca

Minutes of the Regular Meeting of Council, Monday, November 21st, 2022

Present:

Councillor Brigid Cumming
Councillor Wayne Nicol
Councillor Dennis Reindl (by conference)
Councillor Kazamir Falconbridge (by conference)

Not Present:

Mayor Scott Cabianca

CAO Marjorie Dobson

Members of the public: Sharon Petitpas

Meeting Called to Order at 7:00 PM

Councillor Brigid Cumming: I call to order this meeting of Council of the Village of Port Clements being held on the traditional territory of the Haida People.

1. ADOPT AGENDA

2022-11-247—Moved by Councillor Kazamir Falconbridge, seconded by Councillor Wayne Nicol
THAT Council adopts the November 21st, 2022, Regular Council Meeting Agenda with the deletion of
D-1—Policing Reports- Sgt. Damon MacDonald, Masset RCMP Detachment.
CARRIED

2. PETITIONS, DELEGATIONS & OPENING OF SEALED TENDERS

3. MINUTES

M-1—November 7th, 2022, Regular Council Meeting Minutes
2022-11-248—Moved by Councillor Kazamir Falconbridge, seconded by Councillor Wayne Nicol
THAT Council adopts the November 7th, 2022, Regular Council Meeting Minutes with amendment on page. 3
of M-1, of "Northern Health Authority" to "Northwest Regional Hospital District".
CARRIED

4. BUSINESS ARISING FROM THE MINUTES & UNFINISHED BUSINESS

5. ORIGINAL CORRESPONDENCE

C-1—INFORMATION - October Board Highlights – North Coast Regional District
C-2—INFORMATION – NCRD & CityWest Joint-Partnership Agreement – North Coast Regional District
C-3—INFORMATION – NCRD Solid Waste Management Plan Consultation Update – North Coast Regional District
C-4—INFORMATION – Community ReGreening Program – BC Hydro
C-5—INFORMATION – Adoption Awareness Month - Honourable Minister Dean, Ministry of Children and Family Development
C-6—INFORMATION – Congratulations – Taylor Bachrach, MP
C-7—INFORMATION – Congratulations/resources – BC Assessment
C-8—INFORMATION – Property Assessment Strategic Review – Ministry of Finance

2022-11-249—Moved by Councillor Kazamir Falconbridge, seconded by Councillor Dennis Reindl
THAT Council receives items C-1 to C-8 for information.

CARRIED

C-9—INFORMATION/INVITATION – Background on table and upcoming meeting - All-Islands Protocol Table
2022-11-250— Moved by Councillor Kazamir Falconbridge, seconded by Councillor Wayne Nicol
THAT Council receives item C-9—INFORMATION/INVITATION – Background on table and upcoming meeting
from the All-Islands Protocol Table.

CARRIED

C-10—INFORMATION/INVITATION – National Public Reviews of BC Building Codes – Ministry of Attorney
General and Ministry Responsible for Housing

2022-11-251—Moved by Councillor Kazamir Falconbridge, seconded by Councillor Wayne Nicol
THAT Council receives C-10—INFORMATION/INVITATION – National Public Reviews of BC Building Codes
from the Ministry of Attorney General and Ministry Responsible for Housing.

CARRIED

C-11—INFORMATION/REQUEST – Preliminary Report Feedback/Input -- BC Electoral Boundaries Commission

2022-11-252—Moved by Councillor Kazamir Falconbridge, seconded by Councillor Dennis Reindl
THAT Council receives item C-11—INFORMATION/REQUEST – Preliminary Report Feedback/Input from the
BC Electoral Boundaries Commission and identifies that everyone should be encouraged to participate in the
feedback.

CARRIED

C-12—INFORMATION/REQUEST – Schedule Meeting -- Milan Mi, BC Timber Sales

2022-11-253—Moved by Councillor Dennis Reindl, seconded by Councillor Kazamir Falconbridge
THAT Council approach BC Timber Sales for a meeting on December 12, 2022.

CARRIED

C-13—INFORMATION/REQUEST – Tlell Cemetery Closure/Port Clements Cemetery – Sharon Petitpas

2022-11-254—Moved by Councillor Wayne Nicol, seconded by Councillor Dennis Reindl
THAT Council receives item C-13—INFORMATION/REQUEST – Tlell Cemetery Closure/Port Clements
Cemetery from Sharon Petitpas.

CARRIED

2022-11-255—Moved by Councillor Kazamir Falconbridge, seconded by Councillor Dennis Reindl

THAT Council directs staff to investigate the possibility of using "lot 20" (#20 Grouse Street) as a cemetery
and also an up-to-date report on the existing cemetery.

CARRIED

2022-11-256—Moved by Councillor Dennis Reindl seconded by Councillor Kazamir Falconbridge,
THAT Council directs staff to research the requirements to create a Columbarium in the community.

CARRIED

6. FINANCE

F-1—3rd Quarter Financial Report

2022-11-257—Moved by Councillor Kazamir Falconbridge, seconded by Councillor Dennis Reindl
THAT Council receives the 3rd Quarter Financial Report from Senior Finance Manager

CARRIED

7. GOVERNMENT

G-1—Winter Holiday Events Grant Application

2022-11-258—Moved by Councillor Kazamir Falconbridge, seconded by Councillor Dennis Reindl

14-1

THAT Council supports the application to the Gwaii Trust Society's Community and Holiday Events Grant program.

CARRIED

G-2—3rd Quarter Grant Writer Report – Andrew Hudson, Grant Writer

2022-11-259—Moved by Councillor Kazamir Falconbridge, seconded by Councillor Dennis Reindl

THAT Council receives the 3rd Quarter Grant Writer Report from Andrew Hudson, Grant Writer.

CARRIED

8. NEW BUSINESS

9. REPORTS & DISCUSSIONS

R-1—INFO—Regular Report on Current Operations – CAO Marjorie Dobson

2022-11-260—Moved by Councillor Wayne Nicol, seconded by Councillor Kazamir Falconbridge

THAT Council receives the Regular Report on Current Operations from CAO Marjorie Dobson.

CARRIED

R-2—INFO – Recycling – Deputy CAO Cumming

2022-11-261—Moved by Councillor Kazamir Falconbridge, seconded by Councillor Wayne Nicol

THAT Council receives the report on recycling from Deputy CAO Cumming.

CARRIED

2022-11-262—Moved by Councillor Kazamir Falconbridge, seconded by Councillor Wayne Nicol

THAT Council directs staff to review the Solid Waste Management Plan update on Haida Gwaii to see what is contained regarding recycling and then take it from there.

CARRIED

R-3—INFO -- 2023 Regular Council Meeting Schedule

2022-11-263—Moved by Councillor Kazamir Falconbridge, seconded by Councillor Wayne Nicol

THAT Council receives the report on the 2023 Regular Council Meeting Schedule from Deputy CAO Cumming.

CARRIED

2022-11-264—Moved by Councillor Kazamir Falconbridge, seconded by Councillor Wayne Nicol

THAT Council directs staff to bring the *Procedural Bylaw 460, 2020* back to Council for review at the next Regular Council Meeting on December 5th, 2020, with note to revise section 5.2 and 5.2(a)

CARRIED

Councillor Cumming: volunteered at Remembrance Day. Read report from Doug Daugert from Northwest Regional Hospital District updates.

Councillor Falconbridge: Off-island. Attended the Remembrance Day service, with colour guard as ranger.

Councillor Nicol: Nothing much for Council, dealing with SCH repairs as contractor for DFO.

Councillor Reindl: Nothing to report.

2022-11-265—Moved by Councillor Wayne Nicol, seconded by Councillor Kazamir Falconbridge

THAT Council receive the verbal reports from Council.

CARRIED

10. ACTION ITEMS

11. QUESTIONS FROM THE PUBLIC & PRESS

12. IN-CAMERA

90(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

- (a) Personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (c) labour relations or other employee relations;
- (d) the security of the property of the municipality;

2022-11-261—Moved by Councillor Kazamir Falconbridge, seconded by Councillor Wayne Nicol
THAT Council moves in-camera as per section 90(1)(a)(c) and (d) of the *Community Charter* at 9:21 PM.

CARRIED

Rise & Report

THAT Council has approved to appoint Eric Roine and Adam Bourreghs onto the Port Clements Volunteer Fire Department and to serve on the Fire Department.

13. ADJOURNMENT

2022-11-262—Moved by Councillor Dennis Riendl

THAT Council adjourns this meeting at 9:41 PM.

CARRIED



November 29, 2022

Village of Port Clements
PO Box 198
Port Clements, BC VoT 1R0

Attention: Marjorie Dobson, Chief Administrative Officer

Dear Marjorie:

**Re: Islands Solid Waste Management Regulation, Fees and Charges Bylaw
Amendment No. 680, 2022**

Please be advised that at its November 18, 2022 Regular meeting, the Board of the North Coast Regional District (NCRD) gave first, second and third reading to the Islands Solid Waste Management Regulation, Fees and Charges Amendment Bylaw No. 680, 2022 (Bylaw). The Bylaw is being considered to increase the user fees collected per dwelling for the garbage collection service from \$28.00/month to \$30.00/month.

As the cost to provide this service has increased significantly, the NCRD has determined that increasing the user fees per dwelling by 7.1% is reasonable.

Staff anticipates that the Board will consider the adoption of this Bylaw at its regular meeting to be held in January, 2023. You can find Bylaw No. 680, 2022 under Bylaws for Consideration on our website - <https://www.ncrdbc.com/governance/bylaws/bylaws-consideration>. Please do not hesitate to contact us if you have any concerns regarding the increase in the monthly garbage rate.

Please note that Village's garbage collection agreement with the NCRD will be coming due for renewal on January 1, 2023, and it is anticipated that these increased user fees will be reflected in such agreement.

Should you have any questions or concerns, please do not hesitate to contact me at treasurer@ncrdbc.com or by telephone at 1-250-624-2002 ext 4.

Sincerely,

Sharon Landrath, CPA, CA
Treasurer



14, 342 3rd Avenue West
Prince Rupert BC, V8J 1L5



P: 250.624.2002
TF: 888.301.2002



W: www.ncrdbc.com
F: 250.627.8493

U-1

Elizabeth Cumming

Subject: FW: Guiding Lights Across BC

From: BC PR & Communications Adviser <bc-prcomm@girlguides.ca>

Sent: November 25, 2022 1:49 PM

To: CAO <cao@portclements.ca>

Subject: Guiding Lights Across BC

Dear Mayor and Council,

On behalf of Girl Guides of Canada's British Columbia Council, I am writing to ask for your support for girl empowerment in BC this February 22, by lighting up in the colour blue. Blue is the well-known colour of Girl Guides and girls/women in BC have worn their blue Girl Guide uniforms with pride for many generations.

BC Girl Guides invites you to participate in our third-annual Guiding Lights Across BC celebration on February 22, 2023!

February 22 is a special day for Girl Guides around the world, as we celebrate World Thinking Day, a day of international friendship.

It is an opportunity to speak out on issues that affect girls and young women globally, celebrate the founding of Girl Guides, and be connected to the 10 million members around the world who are part of the Guiding movement.

Here in British Columbia, we have thousands of girls and women who are members of Girl Guides of Canada. Our Girl Guide program is present in nearly every community across BC. Our girls/volunteers light up their communities year-round through leadership, community service, and efforts to create a better world, by girls.

Girls typically participate in annual Thinking Day activities held on/around February 22 and our Guiding Lights Across BC celebration has helped our members celebrate

For Thinking Day 2023, we will again celebrate with our third-annual Guiding Lights Across British Columbia event.

This community initiative will light up outdoor landmarks, bridges, buildings, stadiums, and other illuminated locations, with blue lights, in celebration of the sisterhood of Guiding across BC and beyond. With two great years of celebration having happened in 2021 and 2022 with over 100 landmarks each year that have lit up, we want to keep this tradition going, and we need your help!

Participating locations and the Guiding Lights resources can be found at:
www.girlguides.ca/guidinglightsacrossbc

We will be encouraging our members and their families to admire these lit-up sites, posting photos on social media, emailing our members with info about how to participate, and more.

Our Girl Guide members and broader network of supporters would be thrilled to have your landmarks lit up as part of Guiding Lights Across British Columbia, and we're ready to highlight your participation. Please contact us at bc-prcomm@girlguides.ca to confirm your ability to participate in this February 22, 2023, activity. Upon confirmation, your landmark will be added to our map. To participate, a landmark must glow blue or have other specialized décor in the colour blue.

Thank you for your support for Guiding in BC!

Kindest regards

Shalan Kelly

Shalan Kelly (She/Her) | BC Public Relations and Communications Adviser

BC Council, Girl Guides of Canada

bc-prcomm@girlguides.ca / (cell) 250-816-0353

I respectfully acknowledge that I live and work within the ancestral, traditional, and unceded territory of the Songhees, Esquimalt, and WSÁNEĆ Nations.



Everything she wants to be.

CAUTION: This email originated from outside of the Village of Port Clements Network. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Elizabeth Cumming

Subject:

FW: Welcome Letter and Introduction

From: Janet Geddie <janet.geddie@telus.com>

Sent: November 28, 2022 2:58 PM

To: Scott Cabianca <s.cabianca@portclements.ca>; CAO <cao@portclements.ca>

Subject: Re: Welcome Letter and Introduction



November 28, 2022

Scott Cabianca
36 Cedar Avenue West
Port Clements, BC
V0T 1R0

Dear Mayor Scott Cabianca and Members of Council:

On behalf of Mascon by TELUS, I would like to congratulate you on your recent appointment to Municipal Office. I acknowledge the dedication, hard work and long hours that holding public office demands. Thank you for your service in the communities where many of our own Mascon by TELUS team members live and work.

As you embark on your 2022-2026 term, I am reaching out to welcome your new Council and request a meeting to learn more about your community's priorities. I look forward to continuing to work collaboratively with you, in partnership, to meet our shared goal of serving your community.

As a local BC and Alberta company, TELUS has invested \$57 billion in network infrastructure, operations and spectrum in the province since 2000. Looking ahead to 2026, we will create 5,500 new jobs across the province and invest an additional \$17.5 billion in connecting communities from coast-to-coast. These investments will create important and tangible social outcomes for us all by enabling British Columbians to utilize our technology in supporting critical, transformational change in respect of enabling online healthcare, education and teleworking flexibility.

Mascon by TELUS is committed to bridging socio-economic divides through better access to technology, health and educational programs. In the coming weeks, I would be pleased to meet with you at your convenience to discuss Mascon by TELUS' presence in Port Clements.

As a member of your local Mascon by TELUS team, I encourage you to contact me directly at either 250-213-7789 or Janet.Geddie@telus.com.

With gratitude,

A handwritten signature in black ink, appearing to read "J. Geddie".

Senior Strategy Ma

On Mon, Nov 28, 2022 at 2:48 PM Janet Geddie <janet.geddie@telus.com> wrote:



November 28, 2022

Scott Cabianga
36 Cedar Avenue West
Port Clements, BC
V0T 1R0

Dear Mayor Scott Cabianga and Members of Council:

On behalf of Mascon by TELUS, I would like to congratulate you on your recent appointment to Municipal Office. I acknowledge the dedication, hard work and long hours that holding public office demands. Thank you for your service in the communities where many of our own Mascon by TELUS team members live and work.

As you embark on your 2022-2026 term, I am reaching out to welcome your new Council and request a meeting to learn more about your community's priorities. I look forward to continuing to work collaboratively with you, in partnership, to meet our shared goal of serving your community.

As a local BC and Alberta company, TELUS has invested \$57 billion in network infrastructure, operations and spectrum in the province since 2000. Looking ahead to 2026, we will create 5,500 new jobs across the province and invest an additional \$17.5 billion in connecting communities from coast-to-coast. These investments will create important and tangible social outcomes for us all by enabling British Columbians to utilize our technology in supporting critical, transformational change in respect of enabling online healthcare, education and teleworking flexibility.

Mascon by TELUS is committed to bridging socio-economic divides through better access to technology, health and educational programs. In the coming weeks, I would be pleased to meet with you at your convenience to discuss Mascon by TELUS' presence in Vanderhoof.

As a member of your local Mascon by TELUS team, I encourage you to contact me directly at either [250-213-7789](tel:250-213-7789) or Janet.Geddie@telus.com.

With gratitude,

Senior Strategy Manager
Janet Geddie

--

Janet Geddie | Senior Strategy Manager – Economic Development and Municipal Engagement | Mascon by TELUS |

3980 Quadra Street, Victoria BC, V8X 1J9 | Mobile: 250-213-7789 | janet.geddie@telus.com |

Haida Gwaii

'íináang íinang Herring Rebuilding Plan

COMMUNITY DINNER

Herring are a keystone species. Come out to learn about our joint efforts to rebuild stocks on Haida Gwaii.

Gaw Tlagée Old Masset
Community Hall

December 5th, 2022
5:00 – 8:30 PM

HIGaagilda Skidegate
Naagudgiikyagangs
Small Hall

December 6th, 2022
5:00 – 8:30 PM

Bingo at 5pm, dinner at 5:45pm. Lots of prizes!



Fisheries and Oceans Canada / Pêches et Océans Canada



The Herring Rebuilding Plan proposes some key changes to the management of Herring in Haida Gwaii, including:

- Managing Haida Gwaii herring at a finer scale
- Establishing rebuilding targets with ecosystem considerations
- Prioritizing low-impact commercial fisheries of **k'áaw k'aaw** *Spawn on Kelp* while rebuilding
- Recommending monitoring and research priorities
- Establishing a foundation for an ecosystem-based monitoring approach



Fisheries and Oceans Canada / Pêches et Océans Canada



CM



REPORT TO COUNCIL

Author: Marjorie Dobson CAO

Date: December 5, 2022

RE: Amending Procedural Bylaw #460, 2020

BACKGROUND

See report R-3 - Council Meeting November 21, 2022

This report is a follow-up based on the discussion that ensued the report to Council on November 21, 2022, entitled Council meeting Schedule.

The main concern brought forward during the discussion was the frequency of Regular Council meeting. Members of council voiced the opinion that the possibility of having regular council meeting once per month should be investigated

Council then directed staff to review Procedural bylaw #460, 2020 with specific instruction to focus on the Sections 5 (2) through to section 8.

DISCUSSION

Changing the frequency of regular council meeting requires an amendment to the Procedural bylaw

The Procedural bylaw#460, 2020 section 5 (2) shows that Regular Council meetings must:

- (a) be held on the **first and third Monday of each month**, and
- (b) begin at 7:00pm;
- (c) be adjourned at 10:00pm on the day scheduled for the meeting unless Council has passed a motion to proceed beyond that time that states the revised adjournment time.
- (d) when such meeting falls on a statutory holiday, be held on the next day the Village Office is open following which is not a statutory holiday.

STRATEGIC

In compliance with Community Charter and the Village Procedural Bylaw

The power to amend a bylaw must be exercised by law and is subject to the same approval and other requirements as the power to adopt a new bylaw.

Section 124 (3) of the Community Charter states that a bylaw under this section must not be amended , or repealed and substituted, unless the council first gives notice in accordance with section 94 (public notice)

Before a bylaw is adopted by Council, it must be given 3 readings by Council, (Community Charter section 135 (1) and there must be at least one day between the third reading and the adoption of a bylaw

FINANCIAL

None

ADMINISTRATIVE

(Workload Impact and Consequence)

Staff has prepared a report, along with the draft with recommended changes to Procedural bylaw #460, 2020 section 5 (2) which address frequency of regular council meetings. Council will review, discuss and if necessary, adopt. There is no other section of the Procedural bylaw #460, 2020 that addresses the frequency of regular council meetings

Staff may be required to amend the draft presented.

5

RECOMMENDATIONS: Bylaw # 460, 2020, section 5 (2) be amended to reflect the change, and will read:
Regular Council meetings will be held at least once per month

Council via motion, will then decide on a day of the working week on which to hold meetings.

Going forward, Council will have the opportunity to change the frequency and day of the meeting without having to amend the bylaw.

Respectfully submitted:

Marjorie Dobson CAO

VILLAGE OF PORT CLEMENTS

BYLAW NO 479, 2022

**A Bylaw of the Village of Port Clements
to amend Procedural Bylaw # 460, 2020.**

The Council of the Village of Port Clements deems it desirable to amend the Village of Port Clements Procedural Bylaw;

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

1. The Procedural Bylaw for the Village of Port Clements # 460, 2020 is amended
 - (a) Change section (2) (a) Regular Council meeting must be held on the first and third Monday of each month
 - to**
 - Regular Council meeting must be held at least once per month.

This Bylaw may be cited for all purposes as "Procedural Amendment Bylaw No. 479, 2022.

READ a first time this 5th day of December 2022.

READ a second time this 5th day of December 2022.

READ a third time this ----- day of December 2022.

FINALLY PASSED AND ADOPTED this ----- day of December, 2022.

Scott Cabianca
Mayor

Marjorie Dobson
Chief Administrative Officer

CERTIFIED A TRUE COPY OF 'THE AMENDED PROCEDURAL BYLAW # 479, 2022'

9-1



REPORT TO COUNCIL

Author: Elizabeth Cumming, Deputy CAO
Date: December 5th, 2022
RE: 2023 Annual Workplan Vibrant Community Commission

BACKGROUND:

The Vibrant Community Commission has submitted its proposed 2023 Annual Workplan for consideration and approval.

DISCUSSION:

The Vibrant Community Commission is required by its bylaw to submit its workplan for the upcoming year in a format that is sufficient as determined by the CAO. Per the Commission's bylaw they are restricted in only being able to conduct or act on activities that have been approved in the annual workplan by Council. It is also a key document as the later annual budget document that the Commission prepares must match the activities listed in its workplan.

Council can accept the workplan as presented, amend the workplan as it sees fit (for example, only approving some of the proposed activities), or not approving the workplan and sending it back to the Commission to revise or submit another workplan for Council's consideration. Council may also defer consideration of the workplan and request more information to be provided by the Commission (for example, the extent of what is meant by "Revamping St. Mark's church" – does this include substantial renovation to the buildings structure, disposing of furniture, changes in bylaw, etc?).

CONCLUSION:

The Vibrant Community Commission's 2023 Annual Workplan has been submitted for Council consideration and approval. It is Council's discretion to approve of it whole or in part, or not to approve what has been presented.

STRATEGIC

(Guiding Documents Relevancy – bylaw)

The Commission is required by bylaw to have a workplan for the upcoming year, and to limit its activities to what is included in the workplan once approved.

FINANCIAL

(Corporate Budget Impact)

The Commission will develop their 2023 Annual Budget in line with the workplan that is approved by Council. The Commission cannot include budget items for activities that are not identified and approved in its annual workplan.

ADMINISTRATIVE

(Workload Impact and Consequence)

Without an approved workplan, the Commission's ability to function is hindered and has the potential to impact staff time and increasing workload.

Recommendation:

THAT Council approves (amends, does not approve or defers) the Vibrant Community Commission's 2023 Annual Workplan.

Respectfully submitted: Elizabeth Cumming, Deputy CAO.

Draft of Proposal for Future Vibrant Community Commission Projects

1. Request Council approve an amendment and extension of Seaview ramp funding and plan. Suggestion is more simple access to 2 or 3 waterfront spots, such as a simple set of stairs or a ramp. We propose that one is built beside the Rainbow Wharf and perhaps other spots too, as yet to be determined.
 2. Beach access off Newcombe Avenue with a fire pit as well. Would require felling some trees and gravelling a path. We envision a picnic table also.
 3. Local flavor signage for swim spot, gazebo, walking trail, museum, community park and playground etc. We would like this signage to be created by an artist local to Port Clements.
 4. Revamping St. Mark's church plan to accommodate 3rd party rentals for pop up shops, coffee houses, musical events, community gatherings etc.
 5. Landscaping/tidying up at Dyson corner. Local signage, tree planting and perhaps a perennial garden. Could also include a permanent display of some sort.
-



REPORT TO COUNCIL

Author: Marjorie Dobson CAO

Date: December 5, 2021

RE: Sand Donation from O'Brien

BACKGROUND:

Prior to mayor Cabianca leaving the island he expressed that he has access to a better-quality sand relative to that of the village that he would like to donate to be used on the Village roadways. I indicated that the Village has a donation policy, and the intent should be shared with the Council.

In an email dated November 30, mayor Cabianca who is still out of the country indicated that he wants to move forward with the offer of donating sand to the Village

In my response, I indicated that it would be included on the agenda for the upcoming Council meeting scheduled for December 5, 2022.

Mayor Cabianca further indicated that O'Brien will follow the Village Donation Policy, and that he will arrange for the winter sand to be delivered, and the volume required will be determined by the Village. The Village would be required to prepare a place for the delivery.

DISCUSSION:

The community had the first snow shower between the night of November 28 and morning of November 29. The staff as usual cleared the roadways and applied the sanding material from the Village stockpile. On November 29, an individual came to the office with samples of pebbles/cobbles claimed to be collected in a specified area on the Village roadway, along with a sample of 'sandy-like' material claimed to be from that which is used on the highway. The individual expressed concern of the liability of using that quality of sanding material on the Village roadways.

Research has shown that having pebbles mixed with sand is good for road conditions, especially driving, since the pebbles provide some degree of traction. Maintenance contractors for provincial roadways often rely on a carefully prepared and sized mixture of sand and pebbles. These standards are set by the province, and contractors are required to be in compliance.

The material that the village has been using has not gone through that rigorous process of selection, and as a result contain pebbles, and cobbles of varying dimensions. The Village has tried to obtain better quality material without success.

A recommendation for Council to consider going forward is that the village invest in screens and a crusher to filter, and grind material to specifications before it is applied to road surfaces.

RECOMMENDATION: (i) That Council accepts the donation from O'Brien, one of the largest corporate citizen in Port Clements

(ii) That Council consider investing in screens to filter the material, and a crusher to grind pebbles and cobbles to specifications. This would enable the Village to prepare material that meets certain standards before it is applied to road surfaces.

OR

Arrangement with O'Brien to supply the Village with sanding winter material going forward

6-3

IMPLICATIONS:

STRATEGIC

The recommendation recognizes the challenges the staff has encountered over the years in obtaining better quality material for winter road maintenance. The comments and concerns about the material being used currently, have not gone unnoticed.

The need to upgrade from the Village perspective has been on the agenda for some time

FINANCIAL

Having a steady supply of ready to use material which meets certain standards comes with premium cost.

Investing in screens and a crusher equipment also requires financial outlay, coupled with required maintenance of the asset/assets over its useful life. Employing additional staff to facilitate process the material will also increase operational expenditure for Public Works department

ADMINISTRATIVE

Regarding a contract for supplying ready to use material, staff will be required to draft the document, get professional review and ensure the agreement is suitable to the parties involved

With the option of purchasing equipment, staff will be required to obtain external and professional opinions on available equipment, identify possible source of funding, and participate in the application for the funding process.

Respectfully submitted:



Marjorie Dobson CAO

G-2

Village of Port Clements

Donations Policy

Policy No. 11, 2022

Adopted: October 3, 2022
Reviewed: October 3, 2022
Next Review: October 2023

Replaces all prior Donations Policies

1.0 DEFINITIONS

Donation: A free and unrestricted contribution that may be received by the Village or requested from the Village. In this policy "donation" will specifically refer to a free and unrestricted financial contribution, a gift in cash, with "in-kind donations" being used to refer to free and unrestricted non-financial contributions.

In-Kind Donation: Also known as a gift-in-kind, is a free and unrestricted non-financial contribution that may be received by the Village or requested from the Village.

Grant: A financial contribution that is restricted for a specific purpose with specific terms and conditions to be met. The Village handles grants through its *Community Grants Policy No. 22*.

Not-for-Profit Organization (NFP): Describes a type of organization that does not earn profits for its owners. All the money earned by or donated to a NFP organization is used in pursuing the organization's objectives and keeping it operational.

Representative: The designated individual of the applicant responsible for managing the funds on behalf of their organization or group and may be liable in the case of misuse of funds.

2.0 OBJECTIVE

To set guidelines for how donations and in-kind donations received or requested, are handled by the Village of Port Clements. Nothing in this policy is intended to in any way modify statutory requirements under the *Community Charter* or other applicable legislation and this policy shall not be applicable in any instance where it is inconsistent with such statutory requirements or authority.

3.0 SCOPE:

This policy is specifically for donations and in-kind donations that are being made to or requested from the Village of Port Clements as an organization, outside of circumstances where the Village has specifically requested or invited such requests (ex. the Village sent a request to another organization requesting a donation or contribution to a Village event/activity).

The Village does not permit donations and in-kind donations to be made through the Village that are intended for individual staff and Council members to personally receive and benefit from, nor may applications received by the Village for donations and in-kind donations be directed or intended for individual staff and Council to personally fulfill the request.

4.0 RECEIVED BY THE VILLAGE

The Village is open to receive donations and in-kind donations from individuals, businesses or organizations that may be given or bequeathed to the Village.

4.1 In general, on receipt of a donation or in-kind donation, the Village will:

- (a) Provide an income tax receipt for all donations and in-kind donations if requested
- (b) Record all information pertaining to the donations and in-kind donations using the form in Appendix A, including pictures for in-kind donations if they are a material object or structure. The Port Clements Historical Society may request and receive a copy of this record regarding in-kind donations received by the Village for their museum after the completed installation of said in-kind donation.

4.2 However, the Village reserves the right to not accept a donation or in-kind donation for any reason. In particular, the Village may choose not to receive a donation or in-kind donation out of consideration for, but not limited to:

- (a) Potential contravention, or the appearance of contravention, of legislation regarding conflict of interest and undue influence
- (b) Potential impact on the Village's operations and burden to maintain or handle
- (c) Costs that may be incurred on the Village in association to the donation or in-kind donation.

In situations where it may be in the Village's best interest to not accept the donation or in-kind donation the Chief Administrative Officer will bring the matter of the donation to Council for consideration.

4.3 In-kind donations have further guidelines that will be followed:

- (a) in-kind donations are not intended to be received at significant cost for the Village to install and maintain.

- (i) the donor will be required to pay for all the cost of installation and maintenance of the in-kind donation unless the Village otherwise agrees in writing to pay the cost, and only where such cost is accounted for in the Village's budget.

- (ii) the Village does not intend to keep donations permanently except at its discretion and only agrees to keep received in-kind donations until they have deteriorated. The Village does not agree to substantially maintain or replace received in-kind-donations after their deterioration except at its discretion.

- (iii) The Village reserves the right to remove in-kind donations for any reason, which may include, but is not limited to, reasons of need for repairs (deterioration), unsightliness (including vandalism), and public safety concerns.

- (iv) Within the first five (5) years of installation of the in-kind donation, if the Village is considering the removal of an in-kind donation the donor will be notified in writing of the intended removal, and, in the case where the removal is out of consideration of need for repairs or unsightliness, the donor will be given an opportunity to bring the in-kind donation back to its original condition or fix the issue at the donor's cost. This offer will have a set expiry of sixty (60) days for the donor to consider and notify the Village of acceptance of the offer. If the offer is accepted, the donor will have thirty (30) days to take action to restore/fix the in-kind donation.

- (b) for the in-kind donation of structures (such as commemorative benches) the Village is to provide an appropriate commemorative plaque, which at the time of deterioration of the structure, will be removed from the structure and re-installed on the back of a pew at St. Mark's church.

- (c) While the donor is to be consulted concerning the installation of the in-kind donation, the final decision for any aspect, including but not limited to site location, is with the Village.

C-3

5.0 REQUESTED FROM THE VILLAGE

The Village is open to consider requests for donations and in-kind donations from Not-for-Profit Organizations or registered charities that operate locally on Haida Gwaii, with priority for consideration given to Not-for-Profit Organizations that provide services directly within Port Clements.

The Village expressly will not consider request for donations and in-kind donations from individuals, businesses or organizations that are for-profit, or from Not-for-Profit Organizations or registered charities that do not normally or regularly operate locally on Haida Gwaii.

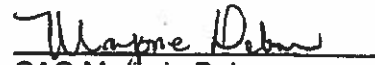
5.1 Requests for donations:

- (a) The total budget each year the Village has for donations is \$1,000, and funds may only be expended until that budget is reached.
- (b) NFPs and registered charities that operate locally on Haida Gwaii can request up to a maximum of \$250 per year, but it is Council's discretion to award any value up to the maximum permitted or to not donate for any reason. NFPs and registered charities that provide services directly within Port Clements can request up to \$500 per year but it is Council's discretion to award any value up to the maximum permitted or to not donate for any reason.
- (c) NFPs and registered charities are required to complete the application form Appendix B and are also required to provide proof of their non-profit status or registered charity status with the submission of their application form.
- (d) NFPs and registered charities that have applied under the Village's *Community Grant Policy* are not eligible to apply for or receive a donation under this policy in connection to the activity/project identified in their application submitted under the Village's *Community Grant Policy*.
- (e) NFPs and registered charities may only submit one application per year calendar year for requests for donations, and they must submit a new application each year.

5.2 Requests for in-kind donations:

- (a) for the purposes of this policy, the Village limits requests for in-kind donations to the use of Village property or equipment that have real value and are normally available to the public at rental cost, and to not permit requests for in-kind donations for the giving of art, valuables, equipment, or property. This, however, is not intended to limit the Village, at its discretion, from giving in-kind donations of art, valuables, equipment, or other property to a registered charity or NFP if it is in the process of disposing of such items ~~due to its own operational or other considerations.~~
- (b) generally, where the in-kind donation is the waiving of rental fees for use of the Village property and equipment that are normally available for rent, a rental agreement form must still be completed as all other obligations normally under the rental agreement will persist, including any janitorial fees or costs for damages that may be incurred through use of the rental property or equipment.
- (c) NFPs and registered charities are required to complete the application form Appendix C and are also required to provide proof of their non-profit status or registered charity status with the submission of their application form.


Mayor Doug Dauget


CAO Marjorie Dobson

Village of Port Clements

APPENDIX 'A', POLICY 11

DONATIONS AND IN-KIND DONATIONS RECEIPT FORM

Donor: (organization/business/individual)	
Representative/contact Individual: (first and last name)	
Phone Number:	
Email:	
Street Address:	
Mailing Address:	

Please select the donation type being made:

☐ **Donation (financial)**

☐ **In-kind Donation (non-financial)**

Is this donation/in-kind donation in honour of someone?

☐ **In memory**

☐ **For a celebration**

Name of individual in memory of/celebration: _____

~~~~~  
**For Donation(s) (financial):**

Amount being donated \$ \_\_\_\_\_ (CAD)

Is this donation for a specific purpose? \_\_\_\_\_

~~~~~  
For In-kind Donation(s) (non-financial):

Description of item(s): _____

~~~~~  
*Where possible, please provide a picture of the in-kind donation(s) when submitting this form*

~~~~~  
As the representative/contact person for the above noted donation or in-kind donation, I agree to the terms and requirements for my donation and/or in-kind donation according to the Village's *Donation Policy No. 11*, as may be amended from time to time. Further, I acknowledge for in-kind donations that, unless otherwise agreed by the Village in writing and at Council's discretion, I assume full responsibility for the costs to install the in-kind donation, including any maintenance and repair requirements as deemed necessary by the Village of Port Clements until its removal at the discretion of the Village of Port Clements.

Date: _____

Signature: _____

C-3

Village of Port Clements

APPENDIX 'B', POLICY 11

REQUEST FOR DONATION APPLICATION FORM

Applicant Information

Name of Organization:	
Representative/Contact: (first and last name)	
Phone Number:	
Email:	
Street Address:	
Mailing Address:	

All fields of the application information are required to be completed

Please select organization type:

☐ Registered Charity

☐ Not for Profit Organization

Applications must provide documentation with their application that confirms that they are a registered charity or not for profit organization. Accepted documentation includes documentation provided by provincial or federal government in Canada (ex. such as being on the government of Canada's list of registered charities).

Request Information

Amount Requested (\$CAD)	
---------------------------------	--

Is this donation for a specific purpose outside of general operations?	
Have you applied for a grant through the Village's <i>Community Grants Policy No. 22</i>?	
Do you operate (provide services) locally in Port Clements?	
Do you operate (provide services) on Haida Gwaii?	
Have you received donations or in-kind donations from the Village in the past? If yes, when, what, and how much?	

As the representative/contact person for the request, I confirm that the information provided on this application form is complete and accurate to the best of my abilities and knowledge.

Date: _____

Signature: _____

5

Village of Port Clements

APPENDIX 'C', POLICY 11

REQUEST FOR IN-KIND DONATION APPLICATION FORM

Applicant Information

Name of Organization:	
Representative/Contact: (first and last name)	
Phone Number:	
Email:	
Street Address:	
Mailing Address:	

All fields of the application information are required to be completed

Please select organization type:

☐ Registered Charity

☐ Not for Profit Organization

Applications must provide documentation with their application that confirms that they are a registered charity or not for profit organization. Accepted documentation includes documentation provided by provincial or federal government in Canada (ex. such as being on the government of Canada's list of registered charities).

Request Information

Description of request: _____

Is this in-kind donation for a specific purpose?	
Have you applied for a grant through the Village's Community Grants Policy No. 22?	
Do you operate (provide services) locally in Port Clements?	
Do you operate (provide services) on Haida Gwaii?	
Have you received donations or in-kind donations from the Village in the past? If yes, when, what, and how much?	

This form is not the Village's rental agreement form, nor does it constitute a rental agreement form. Applicants must request the separate applicable rental document(s) from staff, complete and submit them, and any other required documentation, before a rental is confirmed, even if in-kind donation is awarded by Council to cover the rental charge that is normally applicable.

As the representative/contact person for the request, I confirm that the information provided on this application form is complete and accurate to the best of my abilities and knowledge.

Date: _____

Signature: _____

G-3



REPORT TO COUNCIL

Author: Marjorie Dobson, Chief Administrative Officer

Date: December 5, 2022

RE: Regular Report on Current Operations

BACKGROUND:

The CAO/Acting CAO updates Council at the Regular Council Meetings on current operations and challenges.

DISCUSSION:

The report is not an exhaustive list of operational activities that have occurred since the last update or are occurring, but to provide a general update and identify notable occurrences in current operations for Council.

Administration:

Snow & Ice Clearing

We had our first snow shower between November 28 and 29.

Some concerns were brought to our attention about the road conditions associated with the snow shower. During our impromptu staff meeting that followed, the Snow & Ice Clearing Policy was reviewed, and we are in compliant with the procedures.

The Official Community Plan (OCP)

Preparatory work leading up to a community workshop continues. We are still looking for persons to be a part of the Advisory Committee. The consultant is expected to arrive the week beginning January 8, 2023

WorkSafe BC: The Staff continues to work towards addressing the deficiencies outlined by WorkSafe BC. We are expecting that the outstanding workorders will be completed early in the new year

Critical Infrastructure

(i) Sewage Lagoon

The Clearing and Burning phase of the project is nearing completion. The Village will be required to find addition funding in the range of \$2 million to complete the project because of increased cost. Staff is actively searching to find external sources of funding to cover the additional cost.

(ii) Water System Upgrade

Well #3. The progress of the project continues to be hampered by delays. The contractor is expected to be in town mid-December. However, the potential delivery remains early 2023.

Other Infrastructure:

Cemetery in Port Clements in addition to doing research on what is required to establish a Columbarium in the community. – It is recommended that this be added to the Strategic Plan.

Also, reports on the work already done in tracking down all the living relatives of the deceased owner of the privately owned cemetery will be done at a later date.

2-1

Finance:

Regular duties continue with maintenance of accounts receivable, payroll, accounts payable and tracking of special projects.

Public Works

- o Recent cold snap demanding freeze protection activities of village infrastructure on behalf of PW. Anticipation and preparation of unnecessary demands on water supply due to potential line breakages from freezing (and thaw) on both public and private water systems, as well as current high water demand as a result the activity of freeze protection by running water to waste through individual water systems. (Water meters would minimize this activity)
- o Support of Sunset bridge and bird tower improvements ongoing.
- o Ongoing operations for winter road maintenance: Emergency pothole repair complete. Maintenance ongoing. Recent shift in weather to cold, icy conditions resulted in PW operationally implementing snow clearing and sanding activities. A full staff review was conducted, and all criteria of Snow and Ice Removal Policy #23 has currently been met in a timely manner.
- o Some progress being made with Worksafe BC compliance orders. Compliance achieved on some, and extensions on all others have been granted. Continues to be a time demand on PW and administration.
- o Small craft harbour major upgrades on behalf of DFO-SCH: Project support from PW and Admin on behalf of PC Harbour Authority includes communication between DFO-SCH, contractor site representative, and Port harbour users.
- o Recent grading of industrial road complete: Road is in above average condition.
- o Biomass continues to burn well, transferring heat to MPLEX and Firehall. Sufficient fuel in stock for rest of calendar year.
- o
- o Sewer treatment lagoon project: Burning contract nearing completion. Ongoing support from PW and admin to Engineer as we approach next phase.
- o Water testing: Monthly testing ongoing, results all return satisfactory to Northern Health Authority and operators. Full metals testing (Northern Health Core Chemistry tests) have been received, satisfactory to NHA and Operators.
- o ~~Tingley A/C pipe replacement: No update. Discussions ongoing.~~
- o General challenges around ongoing issues due to lack of capacity both internally to Public Works, Admin and externally with contractor availability continue to be highlighted and discussed as to potential solutions.

Respectfully submitted:

Marjorie Dobson, CAO

R-1



REPORT TO COUNCIL

Author: Elizabeth Cumming, Deputy CAO
Date: December 5th, 2022
RE: Public Engagement for #12 Dyson Development Potential

BACKGROUND:

Mayor Cabianca wanted to know how to initiate obtaining proposals/suggestions for a plan for #12 Dyson.

DISCUSSION:

The Village received #12 Dyson Street (lots 5 & 6, Block 31, Plan 1079) through tax sale. It is currently an empty lot, and as an empty lot has been previously used with the Village Cleanup (as a location for bins), periodic Christmas tree displays and sometimes parking by residents.

There has been interest in the community and in previous Councils to develop the property. Most recently the Vibrant Community Commission advocated for its development, proposing it to be developed as a visitor-oriented welcome and service centre featuring a market, public washrooms and coin-operated showers and laundry facilities. Council approved a grant application for this development in 2020, however, it was declined. It was identified as a strategic priority as the "Dyson Corner development" in the 2021 – 2025 Strategic Plan, identifying three phases of planning, public consultation, and construction in 2021/2022. However, the public survey conducted on the Strategic Plan found that 63% of respondents identified development of Dyson Corner as not important. In the later update to the Strategic Plan, it was removed as a strategic priority. If Council wished to pursue Dyson Corner development again it should be brought to strategic planning and public engagement/feedback can be incorporated into strategic planning.

However, Council should consider that the property is strongly suspected, but unconfirmed at this time, to be a brownfield site as it was previously a mechanics' shop/gas station. Development is limited with brownfields as the ground is typically not permitted to be disturbed (for contamination risks and other environmental standards). The Village would have a responsibility, out of consideration for the environment and community health and safety, to confirm if the property is a brownfield or not if it wanted to develop the site in a way that disturbed the ground. However, if it is confirmed to be a brownfield that would initiate the requirement for the Village to take steps to remediate the brownfield to provincial standards, which is expected to be a costly process. Up to this period, Council has not embarked on confirming if the property is a brownfield or not, to not trigger brownfield designation and remediation requirements, which has in turn hindered pursuing development.

It may be better practice to embark on a study or testing to determine if the property was a brownfield or not first, and then to undertake remediation to required standards, if it was found to be one, before engaging the public for ideas/suggestions on development. It is not known how long a remediation project would possibly take if it had to be undertaken, and if it took several years to undertake, then the priorities, needs or desires of the community and the residents may have changed in the meantime. Council may also want to consider the potential for selling the property to enable private development rather than developing it itself (which would add property taxes to Village revenue).

Whether Council wanted to consider proposals/suggestions from the community or pursue determining the brownfield status first, this matter should be put to strategic planning or otherwise to Council for it to decide if it wanted to pursue developing the property. With strategic planning, Council could pursue and incorporate public engagement – there can be Committee of the Whole meetings, surveys, a general request for submissions of suggestions/ideas from the community, which Council could then consider when determining its strategic priorities and draft a new Five-year strategic plan or update the existing plan. When the Strategic Plan, or update, is drafted, it can be then shared with the public and a survey conducted for feedback – when this was done previously, the survey was used to determine the public's opinion on priority levels for Council's strategic priorities (not important, low importance, important, very important).

CONCLUSION:

Council can forward potential development of the Dyson Corner to strategic planning. Council can enhance strategic planning by incorporating public engagement to generate suggestions/ideas from the public. Council may want to hold off on looking for development ideas for Dyson Corner as it could be a brownfield which would limit development potential – it may be advisable for Council to pursue a project of confirming if the property is a brownfield and if so, remediating it, before engaging the public on development ideas/suggestions.

STRATEGIC**(Guiding Documents Relevancy – OCP, Strategic Planning)**

Supporting development is identified in the OCP, however, protecting the environment and promoting community health and safety are also priorities. Strategic Planning is the process which Council uses to determine its priorities and projects and provides direction and guidance to staff.

FINANCIAL**(Corporate Budget Impact)**

Any development would require funding. Depending on the type of development it may be eligible for grant funding which may or may not require a fund commitment from the Village. There may or may not be funding available for brownfield remediation. If funding was not available, the Village would have to pursue it through its own funds.

ADMINISTRATIVE**(Workload Impact and Consequence)**

Staff workloads would be impacted and increased.

Recommendation:

THAT Council defer the matter of development of #12 Dyson Street to Council's Strategic Planning

Respectfully submitted: Elizabeth Cumming, Deputy CAO.

Council Meeting Action Items List

<u>Action #</u>	<u>Date</u>	<u>Description</u>	<u>Lead</u>	<u>Follow up</u>
A-1	2022-11-21	staff to investigate the possibility of using "lot 20" 9#20 Grouse Street as a cemetery and also an up-to-date report on the existing cemetery	CAO	
A-2	2022-11-21	staff to research the requirements to create a Columbarium in the community	CAO	
A-3	2022-11-21	staff to review the Solid Waste Management Plan update on Haida Gwaii to see what is contained regarding recycling and then take it from there	CAO	

A-1