

**Village of Queen Charlotte  
AGENDA**

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NOTICE IS HEREBY GIVEN THAT the regular meeting of the Village of Queen  
Charlotte will be held on Monday, May 16, 2011 at 7:30 pm  
at the Village of Queen Charlotte Office

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**1. Meeting called to order:**

**2. Agenda Addition and/or Deletions:**

**3. Approval of the Agenda:**

**4. Adoption of the Minutes:**

- 4.1 Village of Queen Charlotte Council Minutes May 2, 2011
- 4.2 Village of Queen Charlotte Special Council Minutes May 4, 2011
- 4.3 Village of Queen Charlotte Special Council Minutes May 9, 2011

**5. Business Arising from the Minutes:**

**6. Proclamations:**

**7. Delegates and Petitions:**

**8. Inquiries from the Public Regarding the Approved Agenda Items:**

**9. Correspondence:**

**For Information:**

- 9.1 Stephen Waugh, Emergency Program Coordinator, Central Coast Regional District (CCRD) – Report to CCRD Board – Re: Ferry Advisory Committee
- 9.2 Minister Ida Chong, Ministry of Community, Sport and Cultural Development – Re: Recent appointment
- 9.3 Union of BC Municipalities (UBCM) - Re: 2010 Resolutions
- 9.4 O' Brien Road & Bridge – Re: Stakeholders' Update summer 2011
- 9.5 Ministry of Public Safety and Solicitor General – Re: Emergency Preparedness and Response

**For Action:**

- 9.6 Ministry of Jobs, Tourism and innovation – Re: “Most Small Business Friendly Community Award”
- 9.7 Northern Development Initiative Trust (NDIT) –Re: QC Community Club Hall Upgrade
- 9.8 Misty Isles Economic Development Society (MIEDS) – Re: Request for Appointment of Representative

**10. Reports of Committee, COTW and Commissions:**

From Committee of the Whole May 9, 2011

R2011/22/04 RECOMMENDED by Councillor Olsen, seconded by Councillor Martin that the written comments for the Village of Queen Charlotte Official Community Plan by Fran Fowler, Eric Ross, Dave Schroeder, and responses to the referrals received from School District 50 and the Ministry of Transportation and Infrastructure and Rural Director Evan Putterill, and the written notes from the April 27<sup>th</sup> and May 7<sup>th</sup> Public Meetings be received.

CARRIED

R2011/22/05 RECOMMENDED by Councillor Olsen, seconded by Councillor Johnson to amend the draft Official Community Plan with the following changes;

- a. include the word “resilience” in the Community Growth (6.1);
- b. strengthen the wording concerning home based business in section 8.3-6;
- c. change “Civic Infrastructure” land use designation to read “Civic, Community and Institutional”;
- d. send a letter to owners of property requesting RV park status with process;
- e. staff to research status of water shed above Skidegate Landing amend on maps;
- f. look into changing lots in Skidegate Landing from commercial to residential after checking with the Chair of the Advisory Planning Committee
- g. staff to check on status of property on Lina Island and amend if necessary.

CARRIED

**11. Bylaws:**

**11.1** Village of Queen Charlotte Bylaw No. 49-2011 – A Bylaw to Regulate the Operation and Maintenance of the Queen Charlotte Cemetery for adoption on May 16, 2011

**11.2** Village of Queen Charlotte Bylaw No. 50-2011 – Official Community Plan for 2nd reading as amended on May 16, 2011

**12. Unfinished Business:**

**12.1** Misty Isles Economic Development Society (MIEDS) – Re: Community Viability Strategy

**13. New Business:**

**13.1 Appointment of Election Officers**

**RECOMMENDATIONS:**

1. That pursuant to section 41(1) of the Local Government Act, Council appoint Debra Uliana as Chief Election Officer for the purpose of conducting the 2011 local government election for Queen Charlotte; and,
2. That pursuant to section 41(1) of the Local government Act, Council appoint Sandra Brown as Deputy Chief Election Officer for the purpose of conducting the 2011 local government election in Queen Charlotte.

**13.2 Award Tender for Construction of Stanley Lake Control Structure**

**RECOMMENDATIONS:**

1. That Council receive the report of the Chief Administrative Officer dated May 12, 2011, concerning the Award Of Tender for Construction and the letter dated May 5, 2011 from Opus DaytonKnight referencing Contract No. 163.8.7 – Stanley Lake Control Structure;
2. That Council award the contract for construction of the Stanley Lake Control Structure, Contract No. 163.8.7, to D. Kendall and Son Contracting Ltd., in the amount of \$292,500, including applicable taxes, subject to receipt of outstanding approvals and permits.

**14. Notice of Motion:**

**15. Reports of Mayor, Council Members and Staff:**

**16. Inquiries from the Public:**

17. Motion to Exclude the Public and move In Camera under the Community Charter Section 90(1)(e) and 90(1)(k) Consideration of a municipal service

**18. Adjournment:**

Village of Queen Charlotte

May 2, 2011

Minutes of the Council Meeting of the Village of Queen Charlotte held at 7.30 p.m. on Monday, May 2, 2011 at the Queen Charlotte Village Office, Queen Charlotte, B.C.

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Prior to Adoption

**PRESENT:**

**Council:**

Mayor C. Kulesha  
Councillor L. Johnson  
Councillor G. Martin  
Councillor G. Noddin  
Councillor K. Olsen

**Staff:**

B. Beamish, Chief Administrative Officer  
D. Uliana, Chief Financial Officer  
S. Brown, Legislative/Financial Clerk

Public- 2  
Media -1

**1. CALL TO ORDER:**

Mayor Kulesha called the meeting to order at 7.30 pm

**2. Agenda Addition and/or Deletions:**

- 9.2.2** BC Hydro – Re: Tree Canada
- 14.1** Misty Isles Economic Development Society (MIEDS) – Community Viability Strategy
- 15.** Mayors Report to Council – MIEDS Board meeting summary report

**3. Approval of the Agenda:**

R2011/19/02 MOVED by Councillor Olsen, seconded by Councillor Johnson that the agenda be adopted as amended.

CARRIED

**4. Adoption of the Minutes:**

**4.1** Village of Queen Charlotte Council Minutes April 18, 2011  
R2011/19/03 MOVED by Councillor Johnson, seconded by Councillor Olsen that the Village of Queen Charlotte Council Minutes April 18, 2011 be adopted as circulated.

CARRIED

**5. Business Arising from the Minutes:**

**6. Proclamations:**

**7. Delegates and Petitions:**

- 7.1 Debra Uliana, CFO – RE: 2011 Financial Plan (budget) Public Presentation

Ms. Uliana gave a power point presentation and provided a hand out for the Village of Queen Charlotte 2011-2015 Financial Plan and 2011 Tax Rates. A copy is available at the Village office.

**Observer:**

- requested a copy of the 2010 actuals
  - o Ms. Uliana will provide this for the Observer

**8. Inquiries from the Public Regarding the Approved Agenda Items:**

nothing at this time

**9. Correspondence:**

**For Information:**

- 9.1 Literacy Haida Gwaii - Re: Week of Community Literacy Celebration May 14 – May 19, 2011

R2011/19/04 MOVED by Councillor Martin, seconded by Councillor Johnson that Literacy Haida Gwaii - Re: Week of Community Literacy Celebration May 14 – May 19, 2011 be received and filed.

CARRIED

- 9.2.1 BC Hydro – Re: Tree Canada - BC Hydro application successful

- 9.2.2 BC Hydro – Re: Tree Canada - BC Hydro 2<sup>nd</sup> application successful

R2011/19/05 MOVED by Councillor Noddin, seconded by Councillor Martin that BC Hydro – Re: Tree Canada - BC Hydro applications be received and filed.

CARRIED

- 9.3 Ministry of Health – Re: Queen Charlotte Hospital remains among the high priority capital issues for the Ministry

R2011/19/06 MOVED by Councillor Olsen, seconded by Councillor Johnson that Ministry of Health – Re: Queen Charlotte Hospital remains among the high priority capital issues for the Ministry be received and filed.

CARRIED

- 9.4 Fisheries and Oceans – Re: Pallant Creek Hatchery

R2011/19/07 MOVED by Councillor Johnson, seconded by Councillor Noddin that Fisheries and Oceans – Re: Pallant Creek Hatchery be received and filed.

CARRIED

**For Action:**

- 9.5 Haida Gwaii Forest Stewardship Plan – Re: Review and comment period from April 14, 2011 to June 12, 2011

R2011/19/08 MOVED by Councillor Noddin, seconded by Councillor Olsen that Haida Gwaii Forest Stewardship Plan – Re: Review and comment period from April 14, 2011 to June 12, 2011 be received.

CARRIED

action: review and comment by June 12, 2011

**10. Reports of Committee, COTW and Commissions:**

**11. Bylaws:**

- 11.1** Village of Queen Charlotte Bylaw No. 49-2011 – A Bylaw to Regulate the Operation and Maintenance of the Queen Charlotte Cemetery for 3<sup>rd</sup> reading on May 2, 2011  
R2011/19/09 MOVED by Councillor Martin, seconded by Councillor Johnson to give 3<sup>rd</sup> reading to Village of Queen Charlotte Bylaw No. 49-2011 – A Bylaw to Regulate the Operation and Maintenance of the Queen Charlotte Cemetery as circulated.

CARRIED

- 11.2** Village of Queen Charlotte Bylaw No. 51-2011 – A Bylaw to Establish the Financial Plan for the Village of Queen Charlotte for the years 2011-2015 for 1<sup>st</sup> reading on May 2, 2011  
R2011/19/10 MOVED by Councillor Johnson, seconded by Councillor Martin to give 1<sup>st</sup> reading to Village of Queen Charlotte Bylaw No. 51-2011 – A Bylaw to Establish the Financial Plan for the Village of Queen Charlotte for the years 2011-2015.

CARRIED

- 11.3** Village of Queen Charlotte Bylaw No. 52-2011 – A Bylaw for the Levying of Rates for Municipal, Debt, Hospital, Regional District Purposes for the year 2011 for 1<sup>st</sup> reading on May 2, 2011  
R2011/19/11 MOVED by Councillor Olsen, seconded by Councillor Martin to give 1<sup>st</sup> reading to Village of Queen Charlotte Bylaw No. 52-2011 – A Bylaw for the Levying of Rates for Municipal, Debt, Hospital, Regional District Purposes for the year 2011.

CARRIED

**12. Unfinished Business:**

- 12.1** Council Policy 20.0 – Village of Queen Charlotte Memorial Gift Policy  
R2011/19/12 MOVED by Councillor Martin, seconded by Councillor Johnson that Council Policy 20.0 – Village of Queen Charlotte Memorial Gift Policy be adopted.

CARRIED

**13. New Business:**

- 13.1** Emergency Executive Committee Appointments

**RECOMMENDATIONS:**

That pursuant to the Village Of Queen Charlotte Emergency Measures Bylaw, 13, 2006, Council appoint an Emergency Coordinator and members to the Emergency Executive Committee as follows:

- a. Emergency Coordinator:
  - Larry Duke
- b. Emergency Executive Committee:
  - a. Larry Duke
  - b. Faye Beaulieu
  - c. Kerry Laidlaw
  - d. Sean Muise

- e. Diane Forrest
- f. Gladys Noddin, Council Member and Council Liaison
- g. Debra Uliana, Chief Financial Officer
- h. Ben Greenough, Superintendent of Public Works
- i. Rob Knapton
- j. Bill Beamish, Chief Administrative Officer
- k. Sandra Brown, Financial and Legislative Clerk

R2011/19/13 MOVED by Councillor Johnson, seconded by Councillor Olsen that the CAO's report of April 27, 2011, Emergency Executive Committee Appointments be received.

CARRIED

R2011/19/14 MOVED by Councillor Olsen, seconded by Councillor Johnson That pursuant to the Village Of Queen Charlotte Emergency Measures Bylaw, 13, 2006, Council appoint an Emergency Coordinator and members to the Emergency Executive Committee as follows:

- a. Emergency Coordinator:
  - Larry Duke
- b. Emergency Executive Committee:
  - a. Larry Duke
  - b. Faye Beaulieu
  - c. Kerry Laidlaw
  - d. Sean Muise
  - e. Diane Forrest
  - f. Gladys Noddin, Council Member and Council Liaison
  - g. Debra Uliana, Chief Financial Officer
  - h. Ben Greenough, Superintendent of Public Works
  - i. Rob Knapton
  - j. Bill Beamish, Chief Administrative Officer
  - k. Sandra Brown, Financial and Legislative Clerk

CARRIED

**13.2** Celebrating Village of Masset 50<sup>th</sup> birthday  
 action: send a card and an ad to the Observer congratulating Masset on their 50<sup>th</sup> birthday

**14. Notice of Motion:**

- 14.1** Misty Isles Economic Development Society (MIEDS) – Community Viability Strategy

**15. Reports of Mayor, Council Members and Staff:**

**Mayor Kulesha:**

- Attended budget meetings
- Attended the Official Community Plan(OCP) open house April 27, 2011, next OCP open house will be 1-5pm, May 7, 2011

**Councillor Martin:**

- Attended the Committee of the Whole, Budget meeting April 20, 2011

**Councillor Noddin:**

- Attended the Committee of the Whole, Budget meeting April 20, 2011

**Councillor Olsen:**

- Attended the Committee of the Whole. Budget meeting April 20, 2011
- Attended the Official Community Plan open house April 27, 2011

**Councillor Johnson:**

- Attended the Official Community Plan open house April 27, 2011

**CAO:**

- Peter Moore will do work experience at the Village office with Public Works and the Administration departments May 4-6, 2011
- Committee of the Whole on May 9, 2011 for OCP follow up and updates on Spirit Square
- Following up with referral agencies - Re: OCP
- Phone meeting on Wednesday May 4, 2011 with Fraser Basin – Re: application
- Meeting in Port Clements on Friday May 6, 2011 – Climate Action Plan, proposed fund, carbon credits offset
- Stanley Lake Control Structure – 2 bids, Brian Walker, Opus Dayton & Knight Ltd. reviewing
- 

**CFO:**

R2011/19/15 MOVED by Councillor Johnson, seconded by Councillor Olsen that a Special meeting be held on the following dates:  
May 4, 2011 at 6.45pm  
May 9, 2011 at 7.30pm (followed by a Committee of the Whole meeting)  
May 16, 2011 at 10.00am

CARRIED

**16. Inquiries from the Public:**

- Will there not be recycling in this building?
  - They will be moving in June and the bins will be accessible from 3<sup>rd</sup> Avenue
- Is Regional District paying rent?
  - No
- What will the space be used for?
  - Storing equipment

**Observer**

- MIEDS – why was this not brought up before?
  - Council will look at information they just received
- Recycling – was told that tin cans and batteries are going to the landfill. Returnable glass is being given to other employee?
  - This is a Regional District function, ongoing discussions, will pass this information on

**17. Adjournment:**

R2011/19/16 MOVED by Councillor Johnson that the meeting be adjourned.

Meeting Adjourned at 8.48 pm  
Next meeting Wednesday May 4, 2011

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C. Kulesha, Chair

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D. Uliana, Recording

## Village of Queen Charlotte

Minutes of the Special Meeting of the Village of Queen Charlotte held on Wednesday, May 4, 2011, at the Queen Charlotte Village Office, Queen Charlotte, B.C.

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### Prior to Adoption

**PRESENT:**

**Council:**

Mayor C. Kulesha  
Councillor L. Johnson  
Councillor G. Martin  
Councillor G. Noddin

**Regrets:** Councillor K. Olsen

**Staff:** D. Uliana, Chief Financial Officer  
B. Greenough, Public Works Superintendent

Public 1

**1. CALL TO ORDER:**

Mayor Kulesha called the meeting to order at 6:45pm

**2. Bylaws:**

2.1 Village of Queen Charlotte Bylaw No. 51-2011 – A Bylaw to Establish the Financial Plan for the Village of Queen Charlotte for the years 2011-2015 for 2<sup>nd</sup> reading on May 4, 2011

R2011/20/02 MOVED by Councillor Johnson, seconded by Councillor Noddin to give 2<sup>nd</sup> reading to Village of Queen Charlotte Bylaw No. 51-2011 – A Bylaw to Establish the Financial Plan for the Village of Queen Charlotte for the years 2011-2015.

CARRIED

2.2 Village of Queen Charlotte Bylaw No. 52-2011 – A Bylaw for the Levying of Rates for Municipal, Debt, Hospital, Regional District Purposes for the year 2011 for 2<sup>nd</sup> reading on May 4, 2011

R2011/20/03 MOVED by Councillor Martin, seconded by Councillor Johnson to give 2<sup>nd</sup> reading to Village of Queen Charlotte Bylaw No. 52-2011 – A Bylaw for the Levying of Rates for Municipal, Debt, Hospital, Regional District Purposes for the year 2011.

CARRIED

**3. Adjournment**

R2011/20/04 MOVED by Councillor Johnson that the meeting be adjourned.

Meeting Adjourned at 6:56 pm  
Next meeting Monday May 9, 2011

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Kulesha, Chair

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D. Uliana, Recording

## Village of Queen Charlotte

Minutes of the Special Meeting of the Village of Queen Charlotte held on Monday, May 9, 2011, at the Queen Charlotte Village Office, Queen Charlotte, B.C.

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### Prior to Adoption

**PRESENT;**

**Council:**

Mayor C. Kulesha  
Councillor L. Johnson  
Councillor G. Martin  
Councillor K. Olsen

**Regrets:** Councillor G. Noddin

**Staff:** B. Beamish, Chief Administrative Officer  
D. Uliana, Chief Financial Officer

**1. CALL TO ORDER:**

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

**2. Bylaws:**

2.1 Village of Queen Charlotte Bylaw No. 51-2011 – A Bylaw to Establish the Financial Plan for the Village of Queen Charlotte for the years 2011-2015 for 3rd reading on May 9, 2011

R2011/21/02 MOVED by Councillor Martin, seconded by Councillor Olsen to give 3rd reading to Village of Queen Charlotte Bylaw No. 51-2011 – A Bylaw to Establish the Financial Plan for the Village of Queen Charlotte for the years 2011-2015.

CARRIED

2.2 Village of Queen Charlotte Bylaw No. 52-2011 – A Bylaw for the Levying of Rates for Municipal, Debt, Hospital, Regional District Purposes for the year 2011 for 3rd reading on May 9, 2011

R2011/21/03 MOVED by Councillor Johnson, seconded by Councillor Martin to give 3rd reading to Village of Queen Charlotte Bylaw No. 52-2011 – A Bylaw for the Levying of Rates for Municipal, Debt, Hospital, Regional District Purposes for the year 2011.

CARRIED

**3. Adjournment**

R2011/21/04 MOVED by Councillor Olsen that the meeting be adjourned.

Meeting Adjourned at 7:35 pm  
Next meeting Monday May 16, 2011

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Kulesha, Chair

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D. Uliana, Recording

Stephen R. A. Waugh

Box 227 Hagensborg, BC V0T 1H0  
(250) 982-2424 (250) 982-2424 Fax  
swaugh@suntree.ca

May 6, 2011

## **REPORT TO CCRD BOARD**

### **Re Ferry Advisory Committee**

#### **Performance Term 3 Issues**

The provincial Ministry of Transportation and Infrastructure and BC Ferries are currently involved with contract negotiations for their third 4-year term (PT3) of providing private ferry services to BC coastal communities.

#### **KEY DATES:**

##### **➤ OCTOBER 15, 2010**

- BC Ferries submitted financial and operational information to the Ferry Commissioner, as well as a separate efficiency plan, consisting of options for the Province to consider as ways to reduce ferry service costs. (*DONE*)

*BC Ferries made their initial submission to the Ferry Commissioner that indicated an increase to fares of as much as 100% over 4 years was required. In addition, the BCF Efficiency Plan recommended that Route 40 be eliminated and that Central Coast Ferry Services be provided by private interests.*

##### **➤ MARCH 31, 2011**

- The Commissioner issues preliminary new fare caps by this date. These preliminary fares are calculated using current service levels and transportation fees (government funding). (*DONE*)

*The Commission has made a preliminary determination of price caps for BC Ferries, which will govern ferry fares from 2012 to 2016, i.e. the third performance term. Those price caps must allow BC Ferries to earn a certain annual percentage rate of return on equity. The rate is to be established by the Commission within parameters stated in the Coastal Ferry Act. In a Memorandum 41 dated January 4 2011, the Commission set a 12.73% preliminary rate of return on equity to be used in setting preliminary price caps.*

*This figure is down from 13.16% which was the return used in setting price caps for the current (second) performance term, which ends March 31 2012.*

**Stephen R. A. Waugh**

**Box 227 Hagensborg, BC V0T 1H0  
(250) 982-2424 (250) 982-2424 Fax  
swaugh@suntree.ca**

***The Commission's preliminary decision on price caps for the third performance term is as follows:***

- ***a 4.15% increase on April 1 of each year from 2012 to 2015 in average ferry fares on the major routes (numbered 1, 2 and 30) from the lower mainland to Vancouver Island and Route 3 (Horseshoe Bay-Langdale); and***
- ***a 8.23% increase on April 1 of each year from 2012 to 2015 in average ferry fares on the northern and minor route groups which comprise a total of 21 routes.***

In BC Ferries' 48-page response to the commission's preliminary price cap decision published today, BC Ferries submits that some aspects of that decision do not comply with the Act and must be revised, asserting that:

- the preliminary caps pose a significant risk to BC Ferries' financial sustainability;
- the assignment of a lower overall cost of capital to the northern and minor groups amounts to cross subsidization (by the major route group), not permitted by the Act;
- it is unreasonable for BC Ferries to meet the productivity challenge of \$15 m/year but it accepts one of \$10 m/year (rounded up to the nearest \$1 million); and
- the reductions in marketing costs and amortization of capital expenditures are unreasonable.

What would be the impact on fares of revising the above productivity challenge and cost cuts? The commission estimates that for each \$1 m/year restored to BCFS, the price caps would increase by:

- 1/20 of 1% per year faster for the major route group (incl. H'Bay-Langdale) and also
- 1/10 of 1% per year faster for the northern and minor route groups.

➤ **JUNE 30, 2011**

- The Province announces a decision by this date, on whether it wants to change service levels or its transportation fees. **(In progress – public submissions to Ferry Commissioner and/or MoTI must be received by June 30/11)**

➤ **SEPTEMBER 30, 2011**

- The Commissioner issues final new fare increase caps by this date, based on the Province's decisions. These increase caps will be in effect from April 1, 2012 to March 31, 2016. *(Pending)*

**The MoTI has until September 30, 2011 to finalize their agreement with the corporation.**

**Stephen R. A. Waugh**

**Box 227 Hagensborg, BC V0T 1H0**  
**(250) 982-2424 (250) 982-2424 Fax**  
**swaugh@suntree.ca**

## **CURRENT POSITION**

### **FACC Submission**

The Ferry Advisory Committee Chairs (FACC) are set to meet on May 18<sup>th</sup> and 19<sup>th</sup> with the new Minister of Transportation and Infrastructure, the Honourable Blair Lekstrom; the new Ferry Commissioner, Mr. Gordon Macatee; and executives of BC Ferry Services Inc. these meetings will all be held independently of each other.

The FACC are presenting the position that ferry fare increases are not acceptable due to rates already being too high. We maintain that fares have increased beyond promised levels since privatization of the service in 2003. We also assert that ferry traffic predictions are not reliable and that fare increases have a direct affect on ridership, something that the corporation does not agree with.

The FACC also evidences that ferry services are an essential part of the provincial traffic network and crucial to the economic and social survival of coastal communities. As such, they cannot be reasonably expected to be user-sustainable any more than provincial highway infrastructure is user sustainable.

The FACC will request that the only method, under the current ferry services contract, to eliminate fare hikes is for the province to increase the service fee it pays to BC Ferry Services Inc to offset the costs estimated by the corporation.

This message will be succinctly presented to the minister and commissioner at separate meetings.

Another meeting will be held with BC Ferry Services Inc to discuss general ferry service issues potentially surrounding the PT3 process. It's important to note that the FACC does not maintain anything other than an advisory position to the corporation as well as being the conduit for communications between the corporation and the communities it serves.

Communities all along the coast as well as other stakeholders have provided feedback to the Ministry and Commissioner with respect to ferry services and fees at the recommendation of the FACC. Letters, petitions and multiple surveys have been amassed and presented to assist the FACC with delivering the above messages to the province.

**Stephen R. A. Waugh**

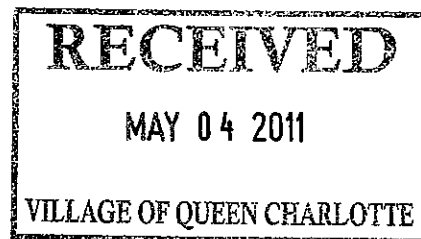
**Box 227 Hagensborg, BC V0T 1H0**  
**(250) 982-2424 (250) 982-2424 Fax**  
**swaugh@suntree.ca**

**UBCM**

**Follow-up to AVICC LR2 BC Ferries Fare Increases** – The resolution was referred directly to the UBCM Executive without being debated at the 2010 UBCM Convention. Mr. Tony Law, Chair of the Ferry Advisory Chairs Committee was invited to attend the October 29, 2010 Executive Meeting to provide an overview of the role of advisory committees and outline the process to be undertaken leading up to the renewal of the Coastal Ferry Services contract. The presentation provided excellent background for Mayor Janyk and Mayor Causton to address the issue being discussed at the November 2010 UBCM Executive Meeting in the context of disposition of the resolution. In follow-up to the October 29 meeting, Mayor Causton wrote a letter to Minister Shirley Bond highlighting the issues of ferry fares increases and service level reductions and the effects these have made on the island and coastal communities as it related to the renewal of the Coastal Ferry Contract and requesting the extension of BC Ferries Commissioner Martin Crilly. Assistant Deputy Minister, Kevin Richter responded on January 4, 2011 indicating that Commissioner Crilly's contract had been extended to May 1 to allow a smooth transition to the new Commissioner, Gordon Macatee.

At the November 19 UBCM Executive Meeting, an ad hoc committee composed of Mayor Causton, Mayor Janyk, Tony Law, Chair of the Ferry Advisory Chairs Committee and supported by UBCM staff Gary MacIsaac and Marie Crawford was established to respond to the resolution. The first meeting is scheduled for January 19.





Ref: 144893

April 28, 2011

Her Worship Mayor Carol Kulesha  
Mayor  
Village of Queen Charlotte  
PO Box 580  
Queen Charlotte, BC V0T 1S0

Dear Mayor Kulesha:

Thank you for your correspondence and for your kind words, congratulating me on my recent appointment as Minister of Community, Sport and Cultural Development.

I am excited to have been appointed to this portfolio to further our government's commitment to the excellent local government system we have in British Columbia, ensuring that our communities are well-governed and provide the opportunities for families and individuals to grow and thrive. The arts, culture and sporting sectors form a part of our strong communities. Supporting these sectors as they continue to shape the communities we call home is an important mandate of my ministry.

Thank you again for your good wishes. I look forward to building on our successes, and working with our many valued partners and citizens to continue making British Columbia's communities great places to live.

Sincerely,

Ida Chong, FCGA  
Minister

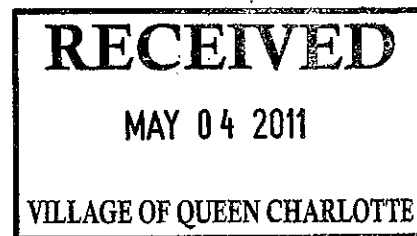


Union of BC Municipalities  
Suite 60 10551 Shellbridge Way  
Richmond, BC, Canada V6X 2W9

Phone: 604.270.8226  
Email: [ubcm@ubcm.ca](mailto:ubcm@ubcm.ca)

April 20, 2011

Mayor Carol Kulesha  
Village of Queen Charlotte  
PO Box 580  
Queen Charlotte, BC V0T 1S0



Dear Mayor Kulesha:

**Re: 2010 RESOLUTIONS**

Please find attached the provincial response to the 2010 resolution(s) put forward by your Council and endorsed by the UBCM membership at Convention.

I trust this information will be of assistance to you. Please feel free to contact Reiko Tagami, UBCM Information & Resolutions Coordinator with any questions. Email: [rtagami@ubcm.ca](mailto:rtagami@ubcm.ca) Tel: 604.270.8226 ext. 115

Sincerely,

A handwritten signature in black ink, appearing to read "B Steele". The signature is written in a cursive, flowing style.

Barbara Steele  
President

*Enclosure*

9.3

**2010 B139 BULK CRUDE OIL TANKER TRAFFIC**

**Queen Charlotte**

WHEREAS the Enbridge Northern Gateway Project will result in increased crude oil tanker traffic and risk of accidental oil spills in northern coastal waters in British Columbia;

AND WHEREAS a crude oil spill will have devastating and long lasting effects on the Pacific North Coast area that is recognized for its unique and diverse ocean ecosystems, which provide critical marine habitat and marine resources that sustain the social, cultural, environmental and economic health of coastal communities, including First Nations communities:

THEREFORE BE IT RESOLVED that the UBCM be opposed to any expansion of bulk crude oil tanker traffic in Dixon Entrance, Hecate Strait and Queen Charlotte Sound in British Columbia;

AND BE IT FURTHER RESOLVED that the UBCM petition the federal government to establish a legislated ban on bulk crude oil tanker traffic through Dixon Entrance, Hecate Strait and Queen Charlotte Sound in British Columbia.

CONVENTION DECISION: ENDORSED AS AMENDED

PROVINCIAL RESPONSE

*Ministry of Energy*

*As a coastal province, marine transportation is important to our economy and the well-being of our coastal communities. Ocean going vessels are powered by and, in some cases carry as cargo, fossil fuels. Most coastal communities, including Vancouver Island, are able to obtain supplies of oil and gasoline by barge and tanker transport. It is important for tankers to reach our ports.*

*To date, British Columbia's tanker history has been excellent. Tankers have been delivering and exporting petroleum and refined products in the Lower Mainland for 100 years. The Federal Government has regulatory authority over tanker traffic on the British Columbia coast. There is no moratorium on tankers entering British Columbia ports.*

*The Provincial Government has been clear that development of oil and gas can only move forward in a scientifically sound, environmentally safe manner.*

**2010 B140 TAR SANDS OIL**

**Queen Charlotte**

WHEREAS the Enbridge Northern Gateway Project proposes to deliver tar sands oil for loading onto crude oil tankers and delivery overseas via northern coastal waters;

AND WHEREAS mining of tar sands oil contributes unacceptably to climate change and to degradation of the environment and is contrary to the principles of the BC Climate Action Charter that has been signed by 177 BC local governments and the Islands Trust as a commitment to significantly cut greenhouse gas emissions by 2012:

THEREFORE BE IT RESOLVED that the Union of BC Municipalities oppose tar sands oil being shipped in pipelines across northern BC for loading onto crude oil tankers.

CONVENTION DECISION: **ENDORSED**

PROVINCIAL RESPONSE

*Ministry of Energy*

*On May 27, 2010, Enbridge Inc. filed an application with the National Energy Board of Canada (NEB) for the construction and operation of the pipeline. A Joint Review Panel (JRP) will lead a full environmental review under Federal law. Further information is available on the NEB website at <http://www.neb-one.gc.ca/>.*

*On January 19, 2011, the JRP announced that more details are required before the review process can move forward. Based on written and oral comments received during the original round of panel sessions, the JRP concluded that Enbridge needs to provide additional information on the design and risk assessment of the pipeline project before continuing further with the review process. Once the information is filed, the JRP may issue a Hearing Order which will outline the timeline and ways in which interested persons, including members of the public and Aboriginal groups, may participate further. Additional information is available at <http://gatewaypanel.review-examen.gc.ca/clf-nsi/hm-eng.html>*

*The Government of British Columbia is committed to ensuring that any energy development is environmentally responsible and scientifically sound in order to benefit British Columbians and meet the needs of the people of this Province.*



## STAKEHOLDERS' UPDATE SUMMER 2011

**O'Brien road & Bridge Maintenance Ltd.**  
180 Highway 16 West, Port Clements, B.C.

P.O. Box 280  
Port Clements, B.C. V0T 1R0  
[obrien@qcislands.net](mailto:obrien@qcislands.net)

May 10, 2011

Greetings to all our Stakeholders;

Once again our northern winter has hung on long enough to cause all of us, even some of the diehard snow skiers to begin wishing for the summer weather. A reminder to motorists that for most areas you can now consider removing your snow tires, although there may still be a few locations that winter is tenaciously hanging on.

The Ministry of Transportation has planned paving on Highway 16 east of Prince Rupert between the Tyee overhead and the Khyex Bridge, please check Drive B.C. for traffic information on this project.

The Ministry of Transportation has begun the re-alignment of an intersection at Highway 16 in Port Clements. O'Brien's and other local contractors have been hired to construct and prepare the site for paving. With the completion of this project, motorists on the island will finally be able to travel through Port Clements without having to come to a full stop on a provincial highway. The stop sign, additionally supported by an overhead flashing lamp has remained an anomaly on the Island for many years. In fact, it was very common for the local population to identify the turnoff into the village by using the flashing lamp as a landmark.

The Village of Port Clements has commissioned a new welcome sign, designed and built by a local artisan to help identify the area, and promote the unique lifestyle of the village. This new sign will most likely become the identifying landmark in place of the flashing lamp.

Due to our extended winter season the sweeping program did not begin until late April in Prince Rupert and will have just begun in May on the Island. Please consider where you park on areas that have not been swept, we would like to accomplish this work with the least amount of inconvenience to you, and get it completed in as few passes as possible to minimize our time in each area. Where possible we will try and do this work when the road is damp to minimize dust, if required we will apply water prior to, and during sweeping the surface.

We will be cleaning bridge decks as of May, for your safety and the safety of our crews please watch for the orange warning signs, and obey all traffic control devices and persons when traveling through work sites. Please watch for crews and machines in both, Prince Rupert, including Hwy 16 to our contract boundary, and the Queen Charlotte Islands. It is our goal to minimize any inconvenience to the motoring public where possible.

Roadside brushing and overhead brushing and ditching works will be ongoing throughout the spring and summer in both Prince Rupert and the Queen Charlotte Islands. The crews and machines will be working from Prince Rupert to our contract boundary, and will be performing brushing and clean up at the Summit where an extreme winter storm event caused many trees to impact the highway. Please expect minor delays and watch for Traffic Control Persons and crew persons and equipment in the work sites.

There will be minor delays on Tow Hill Rd. during gravelling and grading.  
We have tentatively planned to perform a bridge re-decking of the Sangan Bridge.  
Due to the narrow structure of this bridge it is not possible to maintain an open lane during the work. To minimize delays we will attempt to complete the work in sections and plan on opening the bridge for traffic at regular intervals throughout the repairs.

This summer O'Brien's will be working with a paving contractor at various locations on the Queen Charlottes Hwy 16. between Port Clements and Masset. We will also be performing surface treatment on many sections of the highway in this area, please drive slowly through these sites as there will be fresh oil, and sand on the surface. Please expect minor delays and watch for machines and crew in the work sites. All planned works on Highway 16 will be posted on Drive B.C. to help keep you informed of when and where delays may be occurring.

Early in May we will begin preparing the barrier flares for paving at bridges and corners between Port Clements and Masset, there will be shoulder work being performed between New Town and the Masset Municipal Airport for preparation of paving from New Town to the Masset Naval Base which has been planned by the Ministry of Transportation.

The Ministry of Transportation and O'Brien Road & Bridge partnered in a sign up-grading program which was completed in Prince Rupert in 2009, and is planned for completion on the Queen Charlotte Islands by early fall.

With the Ministry's Drive B.C. Web Site, [www.drivebc.com](http://www.drivebc.com) , you have access to the most current reports on road conditions, construction, and maintenance work being performed on Major B.C. Highways.  
Please fill out the form following our contact list if you wish to receive Drive B.C. notifications automatically by Email.

Please contact our office if you require more information about our summer projects, or have any concerns or questions, for your convenience our contact numbers have been attached to the end of this letter.

Have a great summer, please drive safely and responsibly.

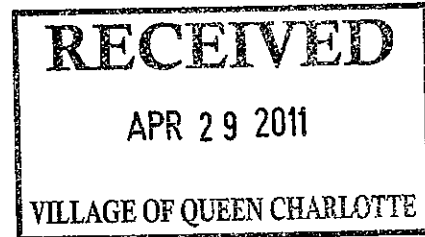
*The O'Brien Management Team:*

*Randy O'Brien – General Manager  
Gloria O'Brien – Comptroller, Asst. Manager  
Dennis Reindl – Operations Manager*



BRITISH  
COLUMBIA

APR 20 2011



Her Worship Carol Kulesha  
Mayor of the Village of Queen Charlotte  
PO Box 580  
Oceanview Drive  
Queen Charlotte BC V0T 1A0

Dear Mayor Kulesha:

Thank you for your March 21, 2011 letter regarding emergency preparedness and response. I am very pleased to see that you have an emergency management plan for your community and you understand the importance of community emergency and business continuity plans that address their relevant community hazards.

Public education is a critical component of emergency management planning and response and personal and family preparedness messaging is an essential component of enhancing public safety during a catastrophic event like a destructive tsunami. It is imperative that residents of low-lying coastal areas understand the importance of evacuating immediately to higher ground upon feeling a significant earthquake in their community.

I would encourage you to liaise with your counterparts from other coastal communities on earthquake and tsunami preparedness. Please feel free to contact Ms. Maurie Hurst, Regional Manager, Emergency Management BC Regional North West, at 250 615-4800. Ms. Hurst would be pleased to discuss your emergency preparedness issues and concerns and is knowledgeable on available funding and grants for emergency management. The Emergency Management BC website at [www.pep.gov.bc.ca](http://www.pep.gov.bc.ca) also has valuable information on emergency preparedness and planning.

.../2

Her Worship Carol Kulesha  
Page 2

Ministry staff are monitoring the recent seismic events in Japan and New Zealand for lessons learned to improve our knowledge on preparedness and response and we will share this information as it becomes available.

I appreciate your taking the time to write.

Sincerely,

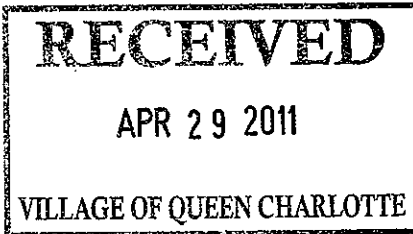
A handwritten signature in black ink that reads "Shirley Bond". The signature is written in a cursive, flowing style.

Shirley Bond  
Solicitor General

pc: Ms. Maurie Hurst



The Best Place on Earth



Ref: 47675

April 18, 2011

Her Worship Mayor Carol Kulesha and Members of Council  
Village of Queen Charlotte  
PO Box 580  
Queen Charlotte, BC V0T 1S0

Dear Mayor Kulesha and Councillors:

As Minister of Jobs, Tourism and Innovation, and Chair of the Small Business Roundtable (Roundtable), on behalf of the Roundtable, I am pleased to invite your government to compete for the "Most Small Business Friendly Community Award" in your region.

The Roundtable plays a key role in supporting small business growth and success, and working toward a more small-business-friendly British Columbia. Established in 2005, the Roundtable provides small business with a voice in government with a mandate to provide advice on issues, strategies, and potential actions to support British Columbia's small businesses. Part of the Roundtable's commitment to a small-business-friendly British Columbia is championing the interests of small business. Through the "Most Small Business Friendly Community Award," the Roundtable would like to both, acknowledge the work of local governments to support their small business community, and raise awareness of the significant contribution small businesses make to their communities.

Up to three finalists per region will be selected by the Roundtable and announced in August 2011. The winners will be announced during British Columbia's Small Business Month in October.

Finalists for these awards will be selected based on criteria that demonstrate a local government's leadership in supporting small business success and attracting new small business investment to their community. The focus is on efforts made to reduce small business regulatory barriers and enhance small business competitiveness, as well as climate action initiatives and recognition of your small businesses.

.../2

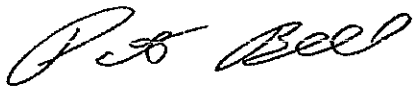
9.6

Her Worship Mayor Carol Kulesha and Members of Council  
Page 2

Information on applying for this award is enclosed and is also available online at:  
[www.smallbusinessroundtable.ca](http://www.smallbusinessroundtable.ca) . Please note that the deadline for submitting an application is  
June 15, 2011.

If you require more information, please contact the Small Business Roundtable Secretariat by  
telephone at 250 387-9083, or by email to [roundtablesecretariat@gov.bc.ca](mailto:roundtablesecretariat@gov.bc.ca).

Sincerely,

A handwritten signature in cursive script, appearing to read "Pat Bell".

Pat Bell  
Minister

Enclosure



## ***Most Small Business Friendly Community Award***

### **About the Award**

The Small Business Roundtable invites local governments to compete for the "Most Small Business Friendly Community Award" in their region.

This award acknowledges the efforts of local governments in supporting their small businesses and raises awareness of the significant contribution of small businesses to their communities.

Up to three finalists per region will be selected by the Roundtable and announced in August 2011. The winners will be announced during BC's Small Business Month in October 2011.

### **Submission Instructions**

Contestants are asked to complete all areas of the application form. Please note, for each question in the application, there are word count limits. However, you are encouraged to include references that can assist the Roundtable in understanding the effect your measure(s) have on your small business community (e.g. website links, attached documents or publications).

The committee will consider planned initiatives that have yet to be implemented, provided there is clear information on the anticipated launch date and the expected benefits for the small business community.

To be considered for this award, your submission must be received in our office by **June 15, 2011**.

Please send your completed application, with any applicable attachments, to:

Mail package to: Small Business Roundtable Secretariat  
Ministry of Jobs, Tourism and Innovation  
Small Business Branch  
PO BOX 9822 SNT PROV GOVT  
Victoria, BC V8W 9N3

Email package to: [RoundtableSecretariat@gov.bc.ca](mailto:RoundtableSecretariat@gov.bc.ca)

If you have questions, please contact:

Small Business Roundtable Secretariat  
Phone: 250-387-4699  
Email: [RoundtableSecretariat@gov.bc.ca](mailto:RoundtableSecretariat@gov.bc.ca)

9.6



## ***Most Small Business Friendly Community Award***

### **Contact Information**

Please provide contact information for the person submitting/managing this application. The committee may need to follow up with this individual for more information.

Contact's name:

Contact's title:

Name of Municipality/Community/District:

Contact's email address:

Contact's Phone number:

Contact's mailing address:

Postal code:



## ***Most Small Business Friendly Community Award***

### **Application for the Most Small Business Friendly Community Award**

Respond to the questions below that pertain to your community and kindly limit responses to 250 words for each question. If you attach supporting documentation for a question, please indicate that you are doing so in your response and also clearly label the attachment with the question to which it pertains.

#### **Reducing Regulatory Barriers**

- 1) Have you introduced measures to reduce and streamline the number of regulations affecting small business in your community? If yes, please provide details of such measures and/or examples.
- 2) Are you making it easier for small businesses to operate across jurisdictions? For example, have you implemented BizPaL, an inter-jurisdictional business license or other measures? If yes, please provide details.
- 3) Is your local government's frontline-staff trained in customer service? If yes, please provide details.
- 4) What would attract a small business to locate in your community? Please provide specific examples.

#### **Enhancing Small Business Competitiveness**

- 5) Do you have policies in place to change or balance the ratio of commercial property tax to residential property tax? If yes, please provide details.
- 6) How do you help new or existing small businesses get the information and assistance they need? Provide specific examples and/or attach relevant reference material
- 7) Do you have policies or programs which promote small business export or attract foreign investment? If yes, please provide details.

#### **Recognizing Small Business in Your Community**

- 8) Do you celebrate the contributions of small business in your community? If yes, describe how you recognize small business.
- 9) Do you have an economic plan for your municipality which is geared towards small business success? And do you contribute resources towards the achievement of the plan? If yes, please describe, attach or provide a website link to your plan.

#### **Small Business Climate Action Initiative**

- 10) Do you have climate action policies or programs in place? If yes, how does this benefit your small business community?

## Sandra Brown

---

**From:** Bill Beamish  
**Sent:** Tuesday, May 03, 2011 1:59 PM  
**To:** Sandra Brown  
**Cc:** Debra Uliana  
**Subject:** FW: QC Community Club Hall Upgrade - Council Resolution

For May 16<sup>th</sup>.

Bill

---

**From:** Brodie Guy [<mailto:brodie@northerndevelopment.bc.ca>]  
**Sent:** Tuesday, May 03, 2011 12:17 PM  
**To:** Bill Beamish  
**Cc:** Brian Eccles; Derek deCandole  
**Subject:** QC Community Club Hall Upgrade - Council Resolution

Hi Bill,

Great to talk with you today. As promised, please find the resolution wording for the Northern Development funding request for the Hall Upgrade project below. This specifies the account and grant amount our Board needs to have passed locally by your Council in order to approve the funding. It would be great to have this passed at your May 16<sup>th</sup> meeting – Brian should provide you with a finalized PDF of the application and attachments you can put on your council agenda for that meeting.

*"THAT, Council provide a letter of support for the Queen Charlotte City Community Club's "Hall Upgrade" project to access the funds from the Village's notional allocation of the Northwest Regional Development Account of the Northern Development Initiative Trust as a grant in the amount of \$10,000"*

If you have any questions, please don't hesitate to give me a call anytime.

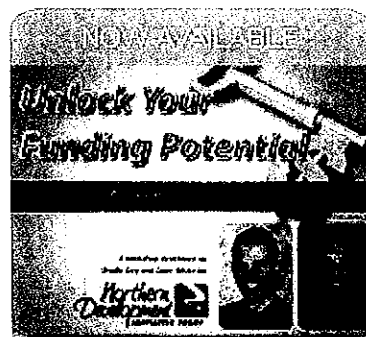
Cheers, Brodie

**Brodie Guy**  
Regional Manager, Economic Development  
tel 250-561-2525 | fax 250-561-2563  
[brodie@northerndevelopment.bc.ca](mailto:brodie@northerndevelopment.bc.ca)



**Northern Development Initiative Trust**  
301-1268 Fifth Avenue, Prince George BC V2L 3L2  
<http://www.northerndevelopment.bc.ca/>

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**Writing Grants?**

Take our free 1hr online workshop.

## Sandra Brown

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**From:** Bill Beamish  
**Sent:** Thursday, May 12, 2011 1:55 PM  
**To:** Sandra Brown  
**Subject:** FW: New MIEDS Bylaws and Request for Appointment of Representative  
**Attachments:** 2011 MIEDS Bylaws.doc

**From:** Travis Glasman [<mailto:executive@mieds.ca>]  
**Sent:** Thursday, May 12, 2011 1:53 PM  
**To:** Bill Beamish; 'Heather Nelson-Smith '; 'Village of Masset'  
**Cc:** 'Director Putterill'; Carol Kulesha; 'Cory Delves'; 'Barry Pages'  
**Subject:** New MIEDS Bylaws and Request for Appointment of Representative

Good Afternoon:

The MIEDS board is in the process of having the Society's bylaws revised to correct the current bylaws so that each municipality is a "member" of the Society, rather than the Mayors as individuals as it has been. We are only awaiting acceptance of the bylaws by the Registrar of Companies so that they will be in effect by the MIEDS AGM on May 25<sup>th</sup>. In order to have your representatives in place at the AGM we are requesting that each municipality provide a resolution stating who from your Council will serve as your representative on MIEDS effective May 25<sup>th</sup>, 2011. The appointees will also become the directors on the MIEDS board. We hope that this will help address the concern that we have heard from some of you that there is no legal linkage between the communities and MIEDS, as this was not the intention when MIEDS was founded 3 years ago. I have attached a copy of the new bylaws for your information.

As the soon-to-be members of MIEDS, we also wish to take this opportunity to formally invite you and your Council to attend the MIEDS AGM on May 25<sup>th</sup> from 7:30 to 9:00 in the Eric Ross Room in Queen Charlotte. We look forward to building closer relationships with the communities that MIEDS works on behalf of.

Sincerely,

Travis



Travis J. Glasman, FIBScF ~ Executive Director

box 652, Queen Charlotte, BC V0T 1S0  
tel: 250-559-8050 fax: 250-559-8055

e-mail: [executive@mieds.ca](mailto:executive@mieds.ca)

[www.mieds.ca](http://www.mieds.ca)

### Confidentiality Caution and Disclaimer

This message is intended only for the use of the individual or entity to which it is addressed and contains information that is privileged and confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately at 250-559-8050 and delete the original message. If you are the intended recipient of this message, we remind you that electronic mail on the Internet may not be secure from both privacy and software perspectives.



**CONSUMER  
PROTECTION BC**

## Place of Interment Licence

**Licence Number 15149**

Pursuant to the *Cremation, Interment and Funeral Services Act*, SBC (2004)  
The following is licensed as the operator of a place of interment.

**Village of Queen Charlotte  
Queen Charlotte Cemetery  
Cemetery Road  
QUEEN CHARLOTTE CITY BC V0T 1S0**

The original must be displayed in a conspicuous place at the above address and is not transferable.

This licence is subject to the conditions set out the reverse of this page and to all other conditions imposed on this licence under the *Cremation, Interment and Funeral Services Act*.

A handwritten signature in black ink, appearing to read "Timothy J. McLaughlin", written over a horizontal line.

Effective Date: February 11, 2011  
Expiry Date: June 30, 2014

Issued under the authority of the Director,  
Consumer Protection BC

**Village of Queen Charlotte  
Bylaw # 49-2011**

**BEING A BYLAW TO REGULATE THE OPERATION AND MAINTENANCE  
OF THE QUEEN CHARLOTTE CEMETERY**

The Council of the Village of Queen Charlotte, in open meeting assembled, enacts as follows:

1. In this bylaw, unless the context otherwise requires:

Administrator	shall mean the Chief Administrative Officer or other person duly appointed as such from time to time by the Council;
Caretaker	shall mean the person or persons duly appointed or employed by the Village from time to time as caretaker of the cemeteries of the Village of Queen Charlotte;
Cemetery	shall mean and include any parcel or tract of land set aside, used, maintained or operated as a cemetery by the Village of Queen Charlotte;
Child	shall mean any person one year old up to and including 12 years of age;
Council	shall mean the Council of the Village of Queen Charlotte;
Director	shall mean that person as defined under the <i>Business Practices and Consumer Protection Act</i> that is charged with administration of the <i>Cremation, Interment and Funeral Services Act</i> ;
Infant	shall mean any person up to the age of one year;
Mayor	shall include the Acting Mayor;
Medical Health Officer	shall mean the person duly appointed from time to time by the Ministry of Health or Interior Health Authority to act as Medical Health Officer for the Village of Queen Charlotte;
Treasurer	shall mean the Chief Financial Officer or other person duly appointed as such from time to time by the Council;
Village	shall mean the Village of Queen Charlotte.

The use of words signifying the masculine shall include the feminine. All other words and phrases in this bylaw shall be construed in accordance with the meaning assigned to them in the *Cremation, Interment, and Funeral Services Act*, SBC 2004, c.35 and the *Business Practices and Consumer Protection Act*, SBC 2004, c.2, and their associated regulations, all as amended or replaced from time to time.

2. The following land has been set aside, operated, used or maintained as a cemetery by the Village:
- a. Block A, District Lot 16, Queen Charlotte District
3. A copy of the cemetery plan shall be filed with the Director as defined under the *Business Practices and Consumer Protection Act* and copies shall also be kept available for public inspection in the Municipal Office and at such other places as may be deemed necessary.

**PERMIT TO USE THE CEMETERY**

4. The Council may grant to any person paying the interment right contract fee and the care fund contribution fee, according to the scale of fees prescribed in Schedule "C" to this bylaw, an interment right contract in the form of Schedule "A" attached hereto and forming part of this bylaw.
5. Council reserves to itself the right to refuse to sell the use of more than one grave space to any one individual.

6. (a) Where the holder of an interment right contract wishes to transfer his rights under that interment right contract to another person he shall first provide the Administrator with full particulars of the name, address and other description of the person to whom the transfer is to be made, the consideration to be paid therefore and such other information as the Administrator may reasonably request. The provision of such information shall not bind the Village to accept or permit the proposed transfer.
- (b) Upon acceptance by the Village of the transfer fee prescribed in Schedule "C" to this bylaw, and upon compliance with the requirements of this bylaw by the interment right contract holder and the person to whom the interment right contract is to be transferred, the Administrator shall effect the desired transfer by an endorsement upon the interment right contract and shall record the transfer in the books or other records kept by him for that purpose.
7. All interment right contracts issued for use of grave space in the cemetery shall be subject to the provisions of this bylaw and all bylaws now or thereafter to be passed by Council.

### **FEEES AND CHARGES**

8. (a) The fees for interment, use of grave space, and care of graves, and the charges for goods offered for sale by the Village for use in the cemetery, and any other cemetery fees shall be those set out in Schedule "C" attached hereto and forming part of this bylaw.
- (b) The fees set out in Schedule "C" to this bylaw shall paid at the Village's offices at the time of purchasing an interment right contract or any goods or services sold by the Village in connection with the operation of the cemetery.

### **PERMISSION TO INTER, EXHUME AND CREMATE**

9. No human remains or cremated remains shall be interred in the cemetery until a permit to inter the human remains or cremated remains has been obtained from the Village and the fee for the interment permit as specified in Schedule "C" hereof has been paid to the Village, except as may be permitted otherwise under the terms of Section 13.
10. All permits for interment of the human remains or cremated remains in the cemetery shall be in the form of Schedule "B" attached hereto and forming part of this bylaw.
11. All applications for a permit to inter in the cemetery must be made to the Administrator or the Village's offices during regular office hours, 8:30 am – 4:30 pm, Monday to Friday except Statutory Holidays, and in cases of emergency as described in Section 13.
12. Any person who makes application for an interment permit or who requires an interment to be made shall provide the Administrator with a statement of the name, age and date of the death of the deceased, whether or not the death was caused by a communicable disease as listed in the *Health Act Communicable Disease Regulation* (BC Reg. 4/83) made under the *Public Health Act*, the time and date of the funeral and any other information which it is reasonable for the Administrator to request.
13. (a) Where the Medical Health Officer directs that a body be buried in the cemetery during any period when the Village's offices are closed, permission to inter in the cemetery shall be obtained from the Administrator or the Mayor.
- (b) Where a burial in the cemetery is performed under the condition of sub-section (a) the person who permitted the burial and the person who performed the burial shall report the matter to the Administrator with full details of the deceased as required by Section 12 hereof together with such fees as may be required in accordance with Schedule "C" if such fees have not already been paid.
- (c) The information required to be given to the Administrator under the terms of sub-section (b) of this section shall be provided to the Administrator as soon after such interment as the Village's offices are opened.

14. No human remains or cremated remains interred in the cemetery shall be exhumed without a written order being first obtained from the proper authority in accordance with Part 4 of the *Cremation, Interment and Funeral Services Act*, and all exhumations must comply with the *Cremation, Interment and Funeral Services Act*.
15. It shall be unlawful to bury or cremate human remains or cremated remains within the boundary of the cemetery except pursuant to the terms of the *Cremation, Interment and Funeral Services Act* and Regulations thereunder.

### **INTERMENT IN THE CEMETERY**

16. No body other than a deceased human body, or the cremated remains or other remains of a deceased human body shall be interred in the cemetery, and all interments shall be subject to and comply with the provisions of this bylaw.
17. The holder of an interment right contract shall not permit an interment to be made in the grave space to which the interment right contract refers nor transfer or dispose of the said grave space to another person, group or organization unless such interment, transfer or disposal is made pursuant to and subject to the provisions of this bylaw.
18. Where the body of a person who died while suffering a communicable disease is to be buried in the cemetery, any instruction given by the Medical Health Officer respecting the interment shall be fully and carefully followed by those who perform the interment.
19.
  - (a) Each interment in the cemetery, other than the interment of cremated remains, shall provide for not less than 1 meter of earth between the general surface level of the ground at the grave site and the upper surface of the vault, casket or grave liner enclosing the body resting in the grave.
  - (b) Each interment of cremated remains in the cemetery shall be made in a container encased in a non decomposing liner and shall be buried in the grave not less than 60 cm deep.
  - (c) Not more than one (1) set of human remains and four (4) sets of cremated remains, may be interred in each grave space provided the soil composition permits, and the holder of an interment right contract or heirs of the holder of an interment right contract grant written authority to the Administrator permitting the interment of all remains subsequent to the first interment.
  - (d) The second or any subsequent interment in a grave space shall not be permitted to disturb or disinter any remains previously interred in the same space.
  - (e) Placement of cremated remains interred in each grave space shall be set in the grave space as follows:
    - (i) the first interment is to be placed on the left-hand side of the grave space just below the main memorial;
    - (ii) the second interment is to be placed on the right-hand side of the grave space just below the main memorial; and,
    - (iii) the third and fourth interments are to continue to follow this formation alternating from left to right.
20. Interments shall be permitted to take place on any day between one hour after sunrise and one hour before sunset.
21. Graves shall be dug or opened only by persons authorized by the Administrator.
22. Persons who dig or open the graves must comply with WorkSafeBC Occupational Health and Safety Regulations, Policies and Guidelines as appropriate.

**CEMETERY CARETAKER**

23. (1) Council may authorize the appointment of a cemetery caretaker and the duties and responsibilities of a caretaker so appointed shall be, among other things, to carry out, or cause to be carried out by cemetery workforces placed under their supervision:
- (a) The digging, preparation, opening and closing of graves as ordered by the Administrator;
  - (b) The direction of all funerals in the cemetery to the correct gravesite;
  - (c) The general work of the cemetery, to maintain it in a neat, tidy condition, including maintenance of walls, fences, gates, paths and other cemetery improvements;
  - (d) The installation of memorial tablets, markers and monuments on graves, and general construction of their foundations or bases; and
  - (e) The provisions for care of the cemetery tools and equipment.
- (2) Until such time as a cemetery caretaker is appointed, a duly authorized employee shall complete such duties, responsibilities and work as may be directed by the Administrator.

**ADMINISTRATION AND CARE FUND**

24. The Administrator shall maintain records as necessary to the administration and management of the cemetery and as required by the *Cremation, Interment and Funeral Services Act* and Regulations.
25. The Administrator is hereby authorized on behalf of the Village and subject to the provisions of this bylaw to grant an interment rights contract in the form set out in Schedule "A" hereof in respect of any unoccupied and licensed grave spaces in the cemetery.
26. The Administrator shall issue all permits for interment and exhumation required by this bylaw except as otherwise provided herein.
27. Upon issuing any permits for interment in the cemetery, or upon viewing an order for exhumation from the proper authority as required by Section 14 hereof, the Administrator shall notify the Caretaker or the authorized employee before the time of the intended interment or exhumation.
28. (a) Council hereby establishes a care fund in the form of a trust account to be known as "The Cemetery Care Fund Account" into which the Treasurer shall pay all funds received for care fund purposes and all such funds shall be deposited in said account, and there held pending investment or expenditure as hereinafter provided.
- (b) From each interment right contract sold, the Treasurer shall pay into The Cemetery Care Fund Account, the fee specified in Schedule "C" hereof.
- (c) On all interment right contracts, and on all agreements for the transfer of such interment right contracts, the amount required to be used for care fund purposes shall be specified, provided that the amount so specified shall not apply to grave space made available by the Village free of charge for indigent burial.
- (d) Any owner of a memorial marker desiring to install same in the cemetery, shall pay to the Administrator prior to the installation of such memorial marker, the fee specified in Schedule "C" hereof, and such amounts when received shall be paid by the Treasurer into The Cemetery Care Fund Account for investment as hereinafter provided.
- (e) Investment of funds received for care fund purposes shall be made as required by the *Cremation, Interment and Funeral Services Act* and its regulations.
- (f) The income from The Cemetery Care Fund Account including any appreciation thereof shall be used for the sole purpose of upkeep and maintenance of the property licensed and the cemetery of which it forms part.

- (g) The principal sum of the Cemetery Care Fund shall not be reduced otherwise than in accordance with the *Cremation, Interment and Funeral Services Act* and its regulations.
- 29. A separate account of all monies received under the provisions of this bylaw and of all monies expended hereunder shall be kept by the Treasurer and any surplus remaining or receipts over expenditure shall be paid at the end of each financial year into a fund to be known as "The Cemetery Fund" and same shall be invested by the Village in accordance with the provisions of the *Community Charter*.

**MEMORIALS**

- 30. Improvements made to a grave space are the responsibility of the family or friends of the deceased to maintain. The Village is not responsible for damage incurred to these improvements.
- 31. Unless approved in advance of Council memorials installed on a grave space shall not exceed one meter in height and shall be made of wood, concrete, rock, or other suitable material.
- 32. A refundable deposit specified in Schedule "C" hereof, will be paid at the time the Interment Permit is issued and will be applied to the cost of a memorial to be placed by the Village if no memorial is installed on a grave space within eighteen (18) months of the interment. Temporary grave markers may be purchased from the Village at cost.

**GENERAL**

- 33. Council hereby establishes itself as a Board of Trustees to operate the cemetery.
- 34. Cut flowers, wreaths or floral offerings may be placed on graves, but may be removed by the caretaker or authorized employee when their condition is considered by him to be detrimental to the beauty of the cemetery.
- 35. Village employees or volunteers approved by the Superintendent of Public Works shall be responsible to plant, remove, cut down or destroy any trees, shrubs, plants, flowers, bulbs or rocks in the cemetery.
- 36. All persons are prohibited from damaging or defacing any memorial, monument, fence, gate or structure in the cemetery, or any improvements in the cemetery.
- 37. Any person not behaving with proper decorum within the cemetery, or disturbing the quiet and good order of the cemetery, may be evicted there from by the caretaker or authorized employee.
- 38. The discharging of firearms, other than in regular volleys at burial services, is prohibited in the cemetery.
- 39. Any person who willfully or unlawfully disturbs persons assembled for the purpose of burying a body therein, or who commits a nuisance, or at any time behaves in an indecent and unseemly manner, or deposits any rubbish or offensive matter or things in a cemetery, or in any way violates any grave, memorial or other structure within the same, shall be guilty of an infraction of this bylaw and liable to the penalties hereof.
- 40. The cemetery shall be deemed open one hour after sunrise and closed one hour after sunset.
- 41. Every person who commits an offence against this bylaw is liable to a fine and penalty not exceeding Five Hundred Dollars (\$500.00) and costs, or in default of payment thereof, or in the alternative, to imprisonment with or without hard labour for any period not exceeding six (6) months.
- 42. Notwithstanding anything herein contained, the administration and operation of the cemetery shall be carried out at all times in accordance with the *Cremation, Interment and Funeral Services Act* and regulations made thereunder.
- 43. If any section, subsection or clause of this bylaw is held invalid by a court of competent jurisdiction, the invalid portion shall be severed and the remainder of this bylaw shall be deemed to have been adopted without the invalid and severed section, subsection or clause.

44. This bylaw shall be cited as "Cemetery Bylaw No. 49-2011", and shall come into full force and effect upon adoption by Council.

READ A FIRST TIME this 21st day of March, 2011

READ A SECOND TIME this 18<sup>th</sup> day of April, 2011

READ A THIRD TIME this 2nd day of May, 2011

RECONSIDERED AND ADOPTED this        day of

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

Certified correct:

\_\_\_\_\_  
Corporate Officer

Schedule "A"

QUEEN CHARLOTTE CEMETERY  
 Box 580 – 903 A Oceanview Drive, Queen Charlotte , B.C.  
 Ph. 250-559-4765 & Fax 250-559-4742

**INTERMENT RIGHT CONTRACT - SCHEDULE A**

This **PURCHASE AGREEMENT** is entered into between the **Village of Queen Charlotte** and the undersigned **Purchaser** named herein.

DATE: \_\_\_\_\_

<b>NAME OF PURCHASER:</b>		
<b>ADDRESS:</b>		
<b>Ph:</b>	<b>Cell:</b>	<b>Email:</b>
<b>NAME OF DECEASED:</b>		<b>Gender: M F</b>
<b>LAST ADDRESS OF DECEASED:</b>		
<b>Date of death:</b>	<b>Place of Death:</b>	<b>Resident: Yes No</b>
<b>Date of Birth:</b>	<b>Place of Birth:</b>	<b>AGE:</b>

**INTERMENT PARTICULARS**

**INTERMENT OF HUMAN REMAINS or INTERMENT OF CREMATED REMAINS**

<b>BLOCK:</b>	<b>PLOT:</b>	<b>CEMETERY:</b>
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**FEES**

	<b>TOTAL</b>
<b>PLOT:</b>	
GRAVE FEE:	\$
CARE FUND CONTRIBUTION FEE:	\$
<b>SUB-TOTAL</b>	\$
MEMORIAL MARKER FEE (refundable):	\$
TEMPORARY GRAVE MARKER:	\$
<b>HST:</b>	\$
<b>TOTAL</b>	\$

**PAYMENT TERMS:** For the goods and services listed, payment in full is required at the time of entering into this agreement.

**IN WITNESS WHEREOF** the parties executed this agreement on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
 Signature of Purchaser/Authorized Person

\_\_\_\_\_  
 Relationship to Deceased

\_\_\_\_\_  
 Print Name of Purchaser/Authorized Person

\_\_\_\_\_

Signature for the Village of Queen Charlotte

## TERMS AND CONDITIONS

### CONTRACTUAL OBLIGATION

This Agreement is binding on the signatory parties, their heirs, successors, personal representatives and permitted assigns. The contract is subject to the *Business Practices and Consumer Protection Act; Cremation, Interment and Funeral Services Act* and related regulations.

### INTERMENT RIGHTS

The sale of interment right is not the sale of a plot but the ***right to be interred in an assigned plot***. An interment right holder does not acquire any right or interests in the roads, paths and other areas that allows access to and from any lot at ***Queen Charlotte Cemetery***. The interment right holder also does not acquire any right or interest in any gardens, structures, buildings or other property at ***Queen Charlotte Cemetery***.

### REQUIREMENTS PRIOR TO DISPOSITION

Pursuant to Section 8(3)(b)(ii) *Cremation, Interment and Funeral Services Act*, the ***Village of Queen Charlotte*** cannot proceed with or permit the interment of human remains at the cemetery unless a written authorization for disposition is received in advance from the person with the legal right to authorize the disposition of the deceased.

### RECLAMATION of UNUSED INTERMENT RIGHTS

The ***Village of Queen Charlotte*** reserves the right to reclaim the interment rights for an unused plot where such reclamation shall be carried out in compliance with and subject to the reclamation requirements set out in Section 25 of the *Cremation, Interment and Funeral Service Regulation of B.C.* as follows:

**25** (1) With prior approval of the director, an operator may sell a right of interment for a lot in a place of interment where the right of interment for the lot has been sold previously, but only if

(a) the owner of the right of interment is at least 90 years of age or, if living, would be at least 90 years of age,

(b) a period of at least 50 years has elapsed from the date the prior right of interment was sold,

(c) at least 90 days have passed since the date the operator sent a notice of the operator's intention to resell the right of interment to the last known address of the interment right holder and the operator has not received a response from the interment right holder, and

(d) the operator has made diligent attempts to contact the interment right holder but is not able to locate or contact the interment right holder.

(2) On receipt of an application from an operator, the director may approve or reject the application for a sale of the right of interment with or without conditions.

(3) If the director refuses the application, the director must give the applicant written reasons for the decision.

(4) If a right of interment for a lot is sold in the circumstances described in subsection (1), and the right of interment is subsequently required for use by the original interment right holder, the operator must provide another right of interment of equal or greater value that is acceptable to the original interment right holder or the person who has authority under section 5 of the Act with respect to the deceased interment rights holder.

### INFORMATION PRIVACY

The collection, use, disclosure and retention of personal information acquired by the cemetery in the process of providing goods and services is subject to the ***Village of Queen Charlotte Privacy Policy***.

### BYLAWS, RULES & REGULATIONS

The use of any lot, exercise of interment rights, installation of any memorial, visitation of any memorial site and performance of all services is subject to the bylaws, rules and regulations of the cemetery as may be currently in effect or from time-to-time amended by the Village of Queen Charlotte.

**CANCELLATION & REFUNDS:**

**TO CANCEL**, you must provide a written notice of cancellation. The notice must be forwarded to Box 580, Queen Charlotte B.C. VoT 1S0.

- **INTERMENT RIGHTS FOR LOTS:** Refund payable shall be the original purchase price of the space identified LESS the amount of the Care Fund contribution for the space and LESS the current Cancellation Fee.
- **CARE FUND CONTRIBUTIONS:** If you cancel interment rights after funds have been deposited into the care fund, the amount deposited into the care fund shall not be refundable.
- Upon confirmation of the requesting party's or deceased's estate's legal right to receive any refund, the ***Village of Queen Charlotte*** =will provide any refund owing within 30 days from the confirmation date.

**COLLECTION, USE AND PRIVACY OF PERSONAL INFORMATION**

- The Purchaser, by signing this agreement, acknowledges that ***the Village of Queen Charlotte***, in the course of providing the goods and services requested shall as required by law or as it deems necessary collect, retain and disclose such personal information as is necessary to fulfill the terms and conditions of this agreement. The use of personal information about the purchaser or a deceased person shall be strictly controlled and will never be provided to another party or organization unless required to provide a good or service under this agreement or is required by legislation, regulation or court order.
- The Purchaser, by signing this agreement, acknowledges and gives their permission to the Queen Charlotte Cemetery to, from time to time as requested, provide interment or memorial locations to cemetery visitors.
- The Purchaser, by signing this agreement, waives any responsibility or liability of the ***Village of Queen Charlotte*** to control, limit, restrict or prevent access to or disclosure of personal information that may be recorded on any monument, marker or memorial installed for display at the cemetery.

**CEMETERY RULES AND REGULATIONS**

- The Purchaser, by signing this agreement, acknowledges receipt of a copy of this agreement and acknowledges and agrees to observe that the provision, use and maintenance as applicable covered in this agreement together with the all of the facilities of the cemetery are subject without exception to the Bylaws, Rules & Regulations and Schedule of Rates for the cemetery in their entirety now or hereafter in effect.
- The Purchaser, by signing this agreement, acknowledges there are, without exception, restrictions and limitations on the exercise of interment rights and on the form, type and installation of memorial products in the cemetery and that it is the responsibility of the Purchaser to ensure the exercise of interment rights and that any memorial product is in compliance with the Bylaws, Rules and Regulations of the cemetery.
- The Village of Queen Charlotte reserves the right, without prior notice, to remove any memorial product, personal memento, decoration or floral tributes which do not comply with the cemetery Bylaws, Rules and Regulations.
- Subject to a request being made in advance and with the permission and at the sole discretion of the Cemetery Supervisor, ***may*** allow the display of normally unauthorized items on interment lots and memorial sites on holidays, anniversaries or other dates that were of significance to the deceased memorialized. Such displays will be permitted to remain on the site for no more than the number of days allowed by the Cemetery Supervisor and will be removed thereafter without prior notice.

***By placing your signature, you agree and accept the above noted terms and conditions***

**PURCHASER'S INITIALS** \_\_\_\_\_

Schedule "B"

QUEEN CHARLOTTE CEMETERY
Box 580- 903A Oceanview Drive , Queen Charlotte , B.C.
Ph. 250-559-4765 & Fax 250-559-4742

INTERMENT PERMIT - SCHEDULE B

Name of Deceased: \_\_\_\_\_ Gender: M F

Date of Birth: \_\_\_\_\_ Place of Birth: \_\_\_\_\_

Date of Death: \_\_\_\_\_ Place of Death: \_\_\_\_\_

Age: \_\_\_\_\_

Interment Particulars:

Interment Location:

Block \_\_\_\_\_ Plot \_\_\_\_\_ Cemetery: \_\_\_\_\_

Interment Date: \_\_\_\_\_ Time of Interment: \_\_\_\_\_

Authorization:

Under the 'Order of Priority' in Section 5(1) Cremation, Interment and Funeral Services Act, I \_\_\_\_\_ certify that I am the legally authorized representative to the above named deceased. Pursuant to Section 8(3)(b)(ii) Cremation, Interment and Funeral Services Act, I hereby authorize the interment of \_\_\_\_\_ at Queen Charlotte Cemetery.

By authorizing this interment, I agree to indemnify and hold harmless the Village of Queen Charlotte, its officers and employees, from any liability, costs, expenses or claims resulting from this authorization.

Signature of Authorized Person

Relationship to Deceased

Print Name of Authorized Person

Dated Signed (YYYY/MM/DD)

Address of Authorized Person

Village Representative Signature

Bylaw Section 23: "Persons who dig or open the graves must comply with WorkSafeBC Occupational Health and Safety Regulations, Policies and Guidelines as appropriate."

Excerpt from *Cremation, Interment and Funeral Services Act*:

**Control of disposition of human remains or cremated remains**

5 (1) Subject to this section and section 8 (3) (b) (i) [requirement for authorization before funeral services or disposition], the right of a person to control the disposition of the human remains or cremated remains vests in, and devolves on, the following persons in order of priority:

- (a) the personal representative named in the will of the deceased;
- (b) the spouse of the deceased;
- (c) an adult child of the deceased;
- (d) an adult grandchild of the deceased;
- (e) if the deceased was a minor, a person who was a legal guardian of the person of the deceased at the date of death;
- (f) a parent of the deceased;
- (g) an adult sibling of the deceased;
- (h) an adult nephew or niece of the deceased;
- (i) an adult next of kin of the deceased, determined on the basis provided by sections 89 and 90 of the *Estate Administration Act*;
- (j) the minister under the *Employment and Assistance Act* or, if the official administrator under the *Estate Administration Act* is administering the estate of the deceased under that Act, the official administrator;
- (k) an adult person having a personal or kinship relationship with the deceased, other than those referred to in paragraphs (b) to (d) and (f) to (i).

(2) If the person at the top of the order of priority set out in subsection (1) is unavailable or unwilling to give instructions, the right to give instructions passes to the person who is next in priority.

(3) If, under subsection (1), the right to control the disposition of human remains or cremated remains passes to persons of equal rank, the order of priority

- (a) is determined in accordance with an agreement between or among them, or
- (b) in the absence of an agreement referred to in paragraph (a), begins with the eldest of the persons and descends in order of age.

(4) A person claiming that he or she should be given the sole right to control the disposition of the human remains or cremated remains may apply to the Supreme Court for an order regarding that right.

(5) When hearing an application under subsection (4), the Supreme Court must have regard to the rights of all persons having an interest and, without limitation, give consideration to

- (a) the feelings of those related to, or associated with, the deceased, giving particular regard to the spouse of the deceased,
- (b) the rules, practice and beliefs respecting disposition of human remains and cremated remains followed or held by people of the religious faith of the deceased,
- (c) any reasonable directions given by the deceased respecting the disposition of his or her human remains or cremated remains, and
- (d) whether the dispute that is the subject of the application involves family hostility or a capricious change of mind respecting the disposition of the human remains or cremated remains.

(6) Despite subsections (1) to (3), if the Supreme Court makes an order in favour of a person who has applied to it under subsection (4), that person is deemed to be at the top of the order of priority set out in subsection (1).

**Requirement for authorization before funeral services or disposition**

8 (3) An operator of a cemetery, mausoleum and crematorium must not dispose of human remains unless

(a) the operator is authorized to do so under the *Vital Statistics Act*, and

(b) the operator

(i) is ordered to do so by a medical health officer under the *Public Health Act*, or

(ii) has received the authorization from the person who, under section 5 [*control of disposition of human remains or cremated remains*], has the right to control the disposition of the human remains.

**Protection from liability**

9 If

(a) there is an error or omission in an authorization provided under section 8 [*requirement for authorization before funeral services or disposition*] to an operator or a funeral provider, or

(b) the person who signed an authorization provided under section 8 [*requirement for authorization before funeral services or disposition*] did not have the authority to give the directions set out in the authorization,  
the operator or funeral provider is not liable for acting on the authorization unless the operator or funeral provider knew, or ought to have known, that the facts stated in the authorization were not true or the person giving the authorization did not have the authority to do so.

VILLAGE OF QUEEN CHARLOTTE  
 Box 580 – 903A Oceanview Drive , Queen Charlotte , B.C.  
 Ph. 250-559-4765 & Fax 250-559-4742

**TARIFF - SCHEDULE "C"**

<u>GRAVE SPACE</u>	INTERMENT RIGHT CONTRACT	
(a) <u>Adult size:</u>	(Plus Care Fund Contribution of \$31.25)	\$125.00
(b) <u>Child Size:</u>	(1 to 12 years of age)(Plus Care Fund Contribution of \$25.00)	\$ 75.00
(c) <u>Infant Size</u>	(under 1 year of age)(Plus Care Fund Contribution of \$25.00)	\$ 50.00
Cremated Remains	Grave Spaces (all ages – Plus Cemetery Care Fund Contribution of \$25.00)	\$ 55.00

**PERMITS**

Interment Permit for Human Remains by Private Arrangement	No Fee (Section 22 applies)
Interment or Exhumation Permit for Human Remains (Adult size)	By Village of Queen Charlotte \$350.00 - workdays, M-F \$500.00 – Saturday or Stats
Interment or Exhumation Permit for Human Remains (Child or Infant)	By Village of Queen Charlotte \$350.00 - workdays M-F \$500.00 – Saturday or Stats
Interment Permit for Cremated Remains By Private Arrangement	No Fee (Section 22 applies)
Interment or Exhumation Permit for Cremated Remains	By Village of Queen Charlotte \$150.00 – workdays M-F \$225.00 – Saturday or Stats

**OTHER**

Transfer of Interment Right Contract	\$ 2.00
Care Fund Contribution Fee	\$25.00 or 25% of interment right contract fee, whichever is greater
Memorial Marker Fee (refundable - Section 32)	\$100.00
Temporary Grave Marker	at cost

**Village of Queen Charlotte**  
**Official Community Plan Bylaw No. 50-2011**

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**A Bylaw to Adopt an Official Community Plan for the Village of Queen Charlotte**

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WHEREAS Section 876 of the *Local Government Act* gives the Village of Queen Charlotte the authority to adopt an Official Community Plan Bylaw ; and

WHEREAS Sections 876-882 of the *Local Government Act* outlines procedures for developing and adopting such plans including a public hearing; and

WHEREAS Section 877 of the *Local Government Act* identifies required content that must be addressed in a Plan; and

WHEREAS Section 884(1) of the *Local Government Act* does not commit or authorize the Council to proceed with any project that is specified in the Plan; and

WHEREAS Section 884(2) requires that all bylaws enacted, permits issued, and works undertaken by the Village of Queen Charlotte be consistent with the Official Community Plan;

NOW THEREFORE the council of the Village of Queen Charlotte enacts as follows:

**TITLE**

1. This Bylaw shall be cited as the "Village of Queen Charlotte Official Community Bylaw No. 50-2011".

**APPLICATION**

2. This Bylaw applies to: the land areas and the surface of water, all being part of the Village of Queen Charlotte.

**ORGANIZATION**

3. Parts A, B, C, D and E, attached to and forming part of this Bylaw , are hereby designated as the Village of Queen Charlotte Official Community Plan Bylaw No.50-2011.
4. The Parts comprising of this Bylaw are as follows:  
Schedule A

**Part A: Introduction**

**Part B: Land Use Objectives and Policies**

**Part C: Implementation – Studies and Plans**

**Part D: Map Schedules**

- Part D-Schedule B - Land Use Designations
- Part D-Schedule C - Environmentally Sensitive Areas
- Part D-Schedule D - Roads and Trails
- Part D- Schedule E - Water Supply Service Area
- Part D- Schedule F - Waste Water Collection Service Area
- Part D- Schedule G - Heritage and Archaeological Sites

**Part E: Glossary of Terms**

**SEVERABILITY**

- 5. If a portion of this Bylaw is found invalid by a court, it will be severed and the remainder of the Bylaw will remain in effect.

**BYLAW REPEAL**

- 6. We repeal the existing Bylaw No. 233-1992 Queen Charlotte City Skidegate Landing Official Community Plan

READ A FIRST TIME this 4th day of April, 2011

READ A SECOND TIME                      this              day of

READ A THIRD TIME                      this              day of

RECONSIDERED AND ADOPTED              this              day of

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

Certified correct:

\_\_\_\_\_  
Corporate Officer



May 2<sup>nd</sup>, 2011

Dear Mayor/Chair:

As you know, MIEDS has been implementing a wide variety of economic development projects on behalf of the Communities over the last 3 years. In doing so, we have been following the Haida Gwaii Community Viability Strategy (CVS) completed in 2007 as a key source for broadly identified economic development priorities, which we have reported to the Communities regularly.

Our funding agreement with Coast Sustainability Trust (CST) is based on the Community Viability Strategy (CVS) which is our "Regional Economic Development Plan". CST specifically requires that we have an accepted "Regional Economic Development Plan" and through our final reporting process with CST we have recently learned that the Community Viability Strategy has never been accepted by the Communities by resolution, despite having formed the basis for many of the strategic priorities that are being worked on in each of the Communities and on the Islands in general. Neither CST nor MIEDS staffs were aware that the CVS had not had formal acceptance until it was looked into more closely at the time of final reporting and no supporting documents could be found. This oversight has placed this project in jeopardy of completion and CST is unable to release the associated funds (\$70,000 remaining of \$140,000 total) until this key item is addressed. We regret that this situation was not identified earlier.

In order to resolve this situation in the most expedient manner, the MIEDS board is requesting that each Community consider adopting the following draft resolution in order to satisfy this funding requirement, which follows the advice of CST staff.

*Whereas the Haida Gwaii Community Viability Strategy was completed in 2007 as a Regional Economic Plan for Haida Gwaii,*

*Therefore be it resolved that the <insert name> accepts the Haida Gwaii Community Viability Strategy as the Regional Economic Plan, with the understanding that it is a living document that may be amended from time to time with the consent of the communities.*

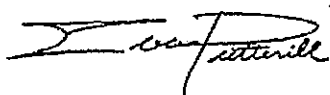
We acknowledge that the Community Viability Strategy is dated to some degree and our board is planning for a renewed process to update the strategic priorities. Formally accepting the CVS does not lock the Communities into listed priorities, as it is a living document to be revisited on a regular basis. This will, however, resolve the current funding issue and also form the basis to initiating a

renewal process to update the strategic economic priorities. We note that the CVS also contains some social priorities, however, we are not asking the communities for a resolution on these items.

We request that you please consider this resolution at your next meeting and forward a letter confirming your decision on the resolution to our Executive Director so that we may finalize this project with CST as soon as possible. The CVS documents can be found on our website under the Strategic Direction page. For your ease of reference we have attached a short excerpt from the CVS, which also provides a listing of the 3-year priorities from the CVS and the relative progress that the Islands has made collectively on each priority as noted by MIEDS staff.

Thank you for your consideration and assistance with this matter and our apologies for having missed the documentation.

Sincerely,

A handwritten signature in black ink, appearing to read "Evan Putterill". The signature is written in a cursive style with a large, stylized initial "E".

Evan Putterill, Chair

tg



March 31<sup>st</sup>, 2011

Under the Regional Economic Development Implementation (REDI) Plan, MIEDS has undertaken the review and update of the lists of the 3 year priorities that were established through the Haida Gwaii Community Viability Strategy (CVS). Each of the priorities has been updated for their state of progress based on known projects and activities of the various related organizations on Haida Gwaii conduct since the completion of the CVS. The progress for each listed priority has been identified as follows: blank where nothings has been formally planned to date; **PLANNED** where formal plans have been made to deal with a given priority; **IN ACTION** where projects that address the priority have been initiated; and **ACHIEVED** where we believe a priority, or a component of the priority, has been addressed. As well, we have noted the organization(s) involved. Where possible, we have identified specific projects that fit under a broader priority.

The intention of this work is to form the basis for tracking our collective progress on the identified economic and social priorities over time. This work will again be reviewed formally in 3 to 5 years, with annual updates being made on known progress. Since many of these priorities are rather broad and complex, we will be striving over the coming years to design a more detail means of qualitative and quantitative measurement to ensure that meaningful tracking of our collective progress can be achieved. As the Communities, related organizations, and residents become increasingly fluent in what community economic development requires, we expect that another comprehensive Islands-wide public process will be necessary to reengage and reinvigorate the work done under the CVS process. This is the only way to ensure long term success on Haida Gwaii. As part of this we must celebrate our progress and achievement, of which there are many as presented below.

As this document is inherently a living document, any new information or evident discrepancies will be added or corrected as information is provided.

The Board and Staff of MIEDS

113 Oceanview Drive • Box 652 • Queen Charlotte, BC V0T 1S0  
T. 250.559.8050 • F. 250.559.8055 • E. [executive@mieds.ca](mailto:executive@mieds.ca) • W. [www.mieds.ca](http://www.mieds.ca)

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## **Extracts from the Executive Summary of the Haida Gwaii Community Viability Strategy Final Report 2007**

The following is included for ease of reference regarding the Islands Vision established through the CVS that resulted in the priorities that follow.

*In November, 2006, in Skidegate, the Community Viability Strategy Steering Committee and other stakeholders from Haida Gwaii/Queen Charlotte Islands (HG/QCI) gathered to discuss a strategic plan for the future economic development of the Islands. The following vision and mission statements, one of the outcomes of this workshop gathering, express a desired future state for the Islands and how communities might cooperate to that end.*

*In 10 years time, population growth will be sustainable and communities will manage to retain their youth, particularly new labour force entrants. This will be accomplished by creating a more diversified economy with locally-based processing and a greater number of well-paying jobs capable of supporting families.*

*Islanders' control, use and management of local resources will be much greater than it is today. This will, in part, be advanced by a completed land use plan, a marine use plan and settled land claims between the Haida and the province and federal levels of government.*

*Basic infrastructure and services will be secure and in keeping with acceptable standards of quality of life. Our sources of energy will be renewable and sustainable, while a dependable and secure transportation system will allow the efficient movement of people and goods on and off the Islands. Our educational and training capacity will be substantially enhanced and allow families and youth to adapt to new economic and employment opportunities.*

*To achieve this future, communities on the Islands will cooperate to deliver economic development services. An Islands-wide economic development organization will strive to serve all residents and communities on the Island, including youth.*

*The organization will undertake planning and research, provide brokering services and advocacy, assist local and regional government secure infrastructure improvements, enhance training capacity and help businesses, entrepreneurs and local government raise equity capital. It will promote the Islands to visitors and investors. It will also seek out partnerships and alliances with other stakeholders to improve the chances of reaching our vision and achieving our goals.*

*The organization will be expected to follow a long-term strategic economic development plan, be properly resourced and professionally operated. It will also be accountable to local government and residents but be free from political interference so it can operate in the best interests of all Islanders.*

*This is the foundation of the following Community Viability Strategy.*

## CVS Recommendations

### 1.6.1 Priority Goals

1. Create more land use certainty by encouraging the completion of the land use plan. ←ACHIEVED
2. Establish more local control over the natural resource base that is able to balance environmental objectives with the economic needs and welfare of islanders. ←IN ACTION
3. Encourage a reasonable level of population growth commensurate with the employment and income needs of the region, but without compromising quality of life. ←IN ACTION
4. Actively pursue an expansion of the local job base, with an emphasis on well paying jobs capable of supporting families and with equal opportunity for employment by island residents. ←IN ACTION
5. Create a better business climate that will allow the diversification of the business and industrial base with a focus on commercially viable processing of local resources. ←IN ACTION
6. Promote an improved, reliable infrastructure system that includes a clean, sustainable energy supply, a dependable and secure transportation system and community land development that provides long term affordability to residents. ←IN ACTION
7. Nurture the human "resource" to achieve better standards of educational attainment and work force readiness ←IN ACTION

### 1.6.2 Three Year Plan Summary

The strategies for achieving the Plan goals are summarized under five main sections (infrastructure, sector development, community marketing, human resources and implementation) in the following table. All are considered important and there is no implied prioritization by the order in which they are presented.

#### *Infrastructure Development*

1. Establish a transportation task force.
2. Improve communications with BC Ferries.  
Communities (FAC) ←IN ACTION
3. Seek changes to the ferry reservation system to increase capacity utilization and service efficiency  
Communities ←IN ACTION
4. Investigate private ferry services for HG/QCI.
5. Expand commercial freight services.
6. Monitor Prince Rupert port development for opportunities on HG/QCI.  
Haida Gwaii Community Futures and MIEDS ←IN ACTION
7. Assess demand and financial options for enhanced transit services to allow the more efficient flow of workers and families.
8. Cooperate with other island agencies to implement Community Electricity Plan recommendations.  
BC Hydro, Hecate Energy Institute, MIEDS ←IN ACTION
9. Support sustainable, green energy pilot projects.  
BC Hydro, CHN, Hecate Energy Institute, Sierra Club ←IN ACTION
10. Maximize benefits from the NaiKun Wind Project.  
CHN financial partner with NaiKun Wind Energy Group Inc ←IN ACTION
11. Increase access to reasonably-price and reliable telecommunications services.  
Gwaii Tel (Communities/Haida), Telus ←IN ACTION
12. Identify sources of new development lands.  
Communities/MIEDS ←IN ACTION
13. Transfer Crown lands to local and regional government for housing and economic development purposes.  
Communities/MIEDS ←IN ACTION
14. Study the feasibility of a land development corporation.

***Sector Development - Forestry***

15. Leverage proposed community forest tenures into long-term economically viable license.  
CHN, Province, Communities, and MIEDS ←IN ACTION
16. Request the Ministry establish BCTS timber pricing and sales policies that is more reflective of local conditions.  
Communities and CHN ←IN ACTION
17. Promote opportunities in value-added niches with the potential for long term competitiveness.  
Conducted Value-Added Public Input Meetings (MIEDS) ←ACHIEVED  
Product Investment Profiles (MIEDS) ←IN ACTION
18. Investigate the feasibility of piloting a new forestry financial model on HG/QCI.  
CHN and communities ←IN ACTION
19. Encourage the development of a viable NTFFP industry.  
HG Local Foods Co-op ←ACHIEVED  
Old Massett Economic Development ←IN ACTION
20. Prioritize forest research  
Identified in Land Use Plan Process (CHN, Province) ←IN ACTION
21. Evaluate the feasibility of cooperative wood networks.
22. Assess the feasibility of HG/QCI forest products certification.  
TaanForest, MIEDS and BCTS ←IN ACTION

***Sector Development - Tourism***

23. Develop better organizational capacity among the tourism industry.  
Formed Haida Gwaii Tourism Advisory Committee (MIEDS) ←ACHIEVED
24. Apply for Tourism BC's Community Tourism Foundations Program.  
Third Year of Funding (MIEDS) ←ACHIEVED
25. Update the Heritage Tourism Plan and incorporate destination and market development components.  
Community Tourism Foundation Tourism Plan (MIEDS) ←IN ACTION
26. Strengthen visitor services on and off the islands.  
MIEDS, Visitor Centres ←IN ACTION
27. Develop a better understanding of local visitor markets on which to base product and market programs.  
Community Tourism Foundation Tourism Plan (MIEDS) ←IN ACTION
28. Provide assistance to new and existing tourism businesses to encourage more product development and professional service levels.  
Tourist Map of Islands including business listings (MIEDS) ←ACHIEVED  
Investigate Resort Region program (MIEDS) ←IN ACTION
29. Assist in the development of the arts sector.  
Artisan Markets in Masset and Queen Charlotte (MIEDS) ←ACHIEVED
30. Package and promote existing artists.  
Art Route Brochure (MIEDS) ←ACHIEVED

***Sector Development - Fishing***

31. Increase the local benefits from the fishing lodge sector.  
Additional Hotel Room Tax (MIEDS) ←IN ACTION
32. Prepare a strategy for the development and maintenance of backcountry roads and trails.  
Trails Strategy (MIEDS) ←IN ACTION
33. Work with communities to expand community quota harvests.  
CHN, Bands ←IN ACTION
34. Consider a larger scale approach to community quotas by collaborating with other coastal BC communities.

- 35. Provide strategic economic impact information to community groups to assist with lobbying efforts.
- 36. Work with commercial fishers and processing plant operators to improving their competitiveness.  
Fish Offal (Haida Gwaii Community Futures) ←IN ACTION
- 37. Provide logistical support to communities for expanding local seafood production.  
Mariculture Licenses (CHN, Private) ←IN ACTION
- 38. Assist local licensed processors with locally marketing local seafood to visitors.  
Tourist Map of Islands including business listings (MIEDS) ←IN ACTION
- 39. Investigate the market potential for increased margins for processors by creating and operating a HG/QCI branding program. CHN, Old Massett ←PLANNED

***Sector Development – Agriculture***

- 40. Provide market and research assistance that will increase the local production of food products.  
Agriculture Strategy for Haida Gwaii (MIEDS) ←IN ACTION  
Support Local Farmers Markets (MIEDS, Communities) ←IN ACTION  
Research Transportation Assistance for Local Agriculture (MIEDS) ←IN ACTION  
Various (Island Food Group, Graham Island Farmers Institute, HG Local Food Co-op)

***Community Marketing***

- 41. Secure funding assistance for early-stage marketing activities.  
Investigate Hotel Tax for Destination Marketing (MIEDS) ←IN ACTION
- 42. Create a Haida Gwaii brand for use in community and industry marketing.  
GoHaida Gwaii (MIEDS), FSC Certification (Taan. BCTS) ←IN ACTION
- 43. Develop a set of early-stage marketing tools.  
BC Ferries ad campaign (MIEDS) ←ACHIEVED  
Update Haida Gwaii Business Directory (MIEDS) ←ACHIEVED  
Develop a Haida Gwaii Investor Profile Package (MIEDS) ←ACHIEVED  
Destination Marketing Website (MIEDS) ←ACHIEVED  
Destination Marketing Venue for Islands at the Olympics (SBC & MIEDS) ←ACHIEVED
- 44. Pilot a direct recruitment campaign.  
Facilitated Islands Tours for Various Travel Writers (MIEDS) ←ACHIEVED

***Human Resource Development***

- 45. Establish labour task force.
- 46. Expand tailored specialized programs linked to key on Islands employers.  
Identified Funding Opportunities with Local Entrepreneurs (MIEDS, HG Community Futures) ←IN ACTION  
Spearhead High School Job Readiness Project (MIEDS, SD50) ←IN ACTION  
Coordinated Community Economic Development Training (MIEDS) ←ACHIEVED  
Small Business Employee Training (Hecate Strait Development Society) ←ACHIEVED  
Social Media Workshop ←ACHIEVED
- 47. Establish funds linked to trades training.  
Small Business Employee Training (Hecate Strait Development Society) ←ACHIEVED  
Worker Retraining funds (CST, HRDC) ←ACHIEVED
- 48. Establish funds linked to technology training.  
Small Business Employee Training (Hecate Strait Development Society) ←ACHIEVED
- 49. Reallocate the Central Coast Trust Fund monies to the HG/QCI for training and capacity building.
- 50. Continue to encourage students to pursue Univ. education.  
Gwaii Trust, Bands, School District ←IN ACTION
- 51. Establish a “mother hen” service to link post-secondary students with on Island employers.

**Implementation**

- 52. Adoption of the Plan by CVSC. ←ACHIEVED
- 53. Approve CVSC as the implementing authority for the community viability strategy.
- 54. Prepare a new constitution and policies and procedures for CVSC.
- 55. Obtain official support and participation of member organizations in CVSC.
- 56. Seek transitional funding from the provincial government.  
MIEDS Seed Money, CHN Revenue Sharing Money ←ACHIEVED
- 57. Make application to senior government agencies for core funding and project funding support.  
Communities ←IN ACTION
- 58. Prepare a local funding and financing strategy. ←PLANNED
- 59. Request appropriate government staff to propose options for sharing of stumpage revenues.  
Communities ←PLANNED
- 60. Establish an economic development office.  
Establishment of MIEDS ←ACHIEVED
- 61. Hire staff positions.  
Currently 3 positions at MIEDS ←ACHIEVED  
Service Contract Providers List (MIEDS) ←ACHIEVED
- 62. Prepare a work plan for this fiscal year. ←ACHIEVED
- 63. Use existing communications tools to inform the community on economic development goals and planning.  
MIEDS Communication Strategy ←IN ACTION  
Networking with Island Organizations ←IN ACTION
- 64. Implement a leadership program for CVSC member organizations, board positions and staff.  
Board Development Workshop (MIEDS, NSCU, NWCC, VoQC) ←ACHIEVED
- 65. Prepare a comprehensive review of the potentials for Islands governance.  
Communities and CHN through Gwaii Trust funding ←PLANNED
- 66. Monitor plan implementation and evaluate effectiveness of projects.  
Regional Economic Development Implementation Project (MIEDS) ←IN ACTION

VILLAGE OF QUEEN CHARLOTTE

REPORT TO COUNCIL

**DATE:** May 12, 2011  
**FILE:** 2011 Local Government Election  
**AUTHOR:** Bill Beamish, Chief Administrative Officer  
**SUBJECT:** Appointment of Election Officers

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**RECOMMENDATIONS:**

1. That pursuant to section 41(1) of the Local Government Act, Council appoint Debra Uliana as Chief Election Officer for the purpose of conducting the 2011 local government election for Queen Charlotte; and,
2. That pursuant to section 41(1) of the Local government Act, Council appoint Sandra Brown as Deputy Chief Election Officer for the purpose of conducting the 2011 local government election in Queen Charlotte.

**REASON FOR REPORT:**

General voting for the 2011 local government election will be held on Saturday, November 19, 2011. In anticipation of the preparations required, it is timely that Council appoint the election officials so that planning can commence.

Both Debra Uliana and Sandra Brown are experienced in working on elections and Debra Uliana has previously been appointed as deputy CEO.

**BACKGROUND AND DISCUSSION:**

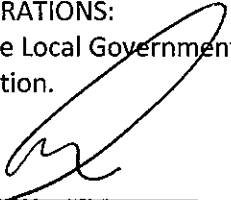
The duties for the CEO are as set out in section 41 and 42 of the Local Government Act, attached for information.

**FINANCIAL CONSIDERATIONS:**

The 2011 budget includes \$10,000 for the 2011 election process. The remuneration for election officials and workers will be established based on comparisons with similar sized municipalities and the SQCRD.

**LEGAL CONSIDERATIONS:**

Section 41 of the Local Government Act requires that Council appoint the CEO and Deputy CEO to conduct an election.

  
\_\_\_\_\_  
Bill Beamish, CAO

**BC Local Government Act:**

**Appointment of election officials**

- 41 (1) For the purposes of conducting an election, the local government must appoint a chief election officer and a deputy chief election officer.
- (2) The chief election officer must appoint election officials required for the administration and conduct of the election.
- (3) Without limiting the generality of subsection (2), the chief election officer must appoint the following:
- (a) presiding election officials for election proceedings where the chief election officer is not acting as presiding election official;
  - (b) election officials to act as alternate presiding election officials for election proceedings;
  - (c) election officials required to assist the presiding election official at election proceedings.
- (4) The chief election officer may delegate the authority under subsection (3) (c) to the presiding election official for the election proceedings.
- (5) The chief election officer may appoint peace officers as election officials to assist presiding election officials in fulfilling their duty to maintain peace and order at the election proceedings for which they are responsible.
- (6) If an election official is absent or unable to act, a person appointed as deputy chief election officer or appointed under this section as alternate for the official must perform the duties and has the powers of the official.
- (7) A candidate, candidate representative or financial agent may not be appointed as an election official.
- (8) Before assuming duties, an election official must make a solemn declaration that the person
- (a) will faithfully and impartially fulfill the duties of the position to which the election official is appointed,
  - (b) has not received and will not accept any inducement to perform the duties of the position otherwise than impartially and in accordance with this Act or to otherwise subvert the election,
  - (c) will preserve the secrecy of the ballot in accordance with section 113, and
  - (d) is not and will not become a candidate, candidate representative or financial agent while holding the position of an election official.

**Chief election officer duties and powers**

- 42 (1) In addition to all other duties established by this Part, the chief election officer must do the following:
- (a) ensure that a sufficient number of ballots are prepared for an election by voting;
  - (b) ensure that each voting place is supplied with sufficient numbers of ballots, ballot boxes and voting books and has an area that may be used as a voting compartment;
  - (c) take all reasonable precautions to ensure that a person does not vote more than once in an election;
  - (d) do all other things necessary for the conduct of an election in accordance with this Part and any regulations and bylaws under this Part.
- (2) In addition to all other powers given by this Part, the chief election officer may do one or more of the following:

- (a) exercise any power conferred on a presiding election official in relation to the election proceedings for which the presiding election official is responsible;
- (b) take solemn declarations where these are required by this Part;
- (c) as an exception to the restrictions on where an elector may vote when municipal voting divisions are established, authorize an election official to vote at the voting place at which the official is working;
- (d) delegate the chief election officer's duties and powers to other election officials, subject to any restrictions or conditions specified by the chief election officer;
- (e) apply to the minister for an order under section 155.

VILLAGE OF QUEEN CHARLOTTE

REPORT TO COUNCIL

**DATE:** May 12, 2011  
**FILE:** Stanley Lake Control Structure Project  
**AUTHOR:** Bill Beamish, Chief Administrative Officer  
**SUBJECT:** Award of Tender for Construction of Stanley Lake Control Structure

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**RECOMMENDATIONS:**

1. That Council receive the report of the Chief Administrative Officer dated May 12, 2011, concerning the Award Of Tender for Construction and the letter dated May 5, 2011 from Opus DaytonKnight referencing Contract No. 163.8.7 – Stanley Lake Control Structure;
2. That Council award the contract for construction of the Stanley Lake Control Structure, Contract No. 163.8.7, to D. Kendall and Son Contracting Ltd., in the amount of \$292,500, including applicable taxes, subject to receipt of outstanding approvals and permits.

**BACKGROUND AND DISCUSSION:**

Letter dated May 5, 2011 from Opus DaytonKnight is attached and refers.

A total of 6 sets of tender documents were purchased by contractors interested in this project. Two tenders were received and copy of the Tender Summary as opened at 2:30pm, on April 27, 2011 is attached.

**FINANCIAL CONSIDERATIONS:**

The Stanley Lake Control Structure Project is funded by a BC Towns for Tomorrow Contribution Agreement in the amount of \$400,000, that was received in 2008 that includes a lake control structure and installation of a 'run of river' micro hydro energy system. Queen Charlotte is responsible to pay an additional \$100,000 toward the cost of this project.

Opus DaytonKnight is continuing to investigate options to the micro hydro energy system and the latest idea is described in an e-mail from Sean Brophy, on May 10, 2011, which states...*"we have contacted a turbine supplier to see if energy can be recovered from the inlet flow to the plant. Currently head is controlled by throttling a valve. I have asked David to talk to them today to see what options there are"*.

The Province has agreed to a scope change relative to the micro hydro project and is waiting to receive details for the new plan. An extension to March 31, 2013, was approved at the meeting held with the Ministry at UBCM in 2010.

**ENVIRONMENTAL CONSIDERATIONS:**

Archaeological and environmental assessments of the area have been completed for this project and extensive environmental monitoring will be conducted during and after construction of the project in accordance with permits and approvals.

**LEGAL CONSIDERATIONS:**

None.



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Bill Beamish, CAO



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Debra Uliana, CFO

Attachments



May 5, 2011

**VIA EMAIL**

Mr. Bill Beamish  
 Chief Administrative Officer  
**Village of Queen Charlotte**  
 903A Highway 13  
 Village of Queen Charlotte, BC  
 V0T 1S0

Dear Mr. Beamish:

**RE: Contract No. 163.8.7 - Stanley Lake Control Structure**

Two tenders were received for the subject contract on April 27, 2011.

D. Kendall and Son Contracting Ltd. (D. Kendall) tendered \$302,500.00 and Wildstone Construction and Engineering Ltd. (Wildstone) tendered \$601,965.00. Both tenders are in general compliance with the tendering requirements.

D. Kendall included a \$30,000 official cheque as the bid deposit. The tender documents ask for a letter of credit. The official cheque is considered equal to the letter of credit and we recommend its acceptance as the bid deposit. The Schedule 1 prices that total \$302,500 are lower than the design estimate of \$450,000. We believe this is primarily due to two factors; the Schedule 3 low unit rates for labour and equipment and a conservative design estimate. Schedule 2 offers nine proposed variations as follows:

Item	Savings	Recommendation
1) Lock blocks for coffer dam	\$1,000	Acceptable
2) Spruce log boom	None	Acceptable
3) Water reducer for concrete	None	Acceptable
4) \$2 million insurance	\$1,000	Not acceptable
5) Clear crush compaction	None	Acceptable
6) Concrete sand	None	Acceptable
7) 4 m wide road	\$4,000	Acceptable
8) Used culverts	\$1,000	Inspection required
9) Dry grass seeded	\$5,000	Acceptable
	<b>\$10,000</b>	

The acceptable savings total \$10,000, excluding the \$1,000 for used culverts which require inspection before acceptance. If acceptable, the \$1,000 savings for used culverts will be applied

to a payment progress estimate. D. Kendall has not listed any sub-contractors and the major materials noted in Schedule 6 are compliant with the specifications.

D. Kendall completed a shoreline erosion control project in Old Massett a number of years ago that Dayton & Knight engineered. The job was satisfactorily completed, however, D. Kendall tended to "do things his own way" and increased inspection was needed to ensure the specifications were met.

B.C. Timber Sales is listed in Schedule 5 as a reference. Mr. Lawrence Musgrave was contacted who advised that D. Kendall has a three year road maintenance contract which is in its final year. D. Kendall's work is reported to be satisfactory, Mr. Kendall has been cooperative and work has been completed on time. The only negative comment relates to the use of paper work and not electronic communication.

The tender submitted by Wildstone offers no benefit over the low tender from D. Kendall.

We recommend the Village award Contract No. 163.8.7 to the lowest acceptable tenderer D. Kendall and Son Contracting Ltd. in the amount of \$292,500, subject to funds being legally available for this project and providing the Village has received reasonable assurance that outstanding Approvals will be forthcoming.

Contract award at an early date is essential if the work is to be completed in 2011 within the "fisheries window" of June 15 to August 15.

Yours truly,

**Opus DaytonKnight Consultants Ltd.**

  
Brian L. Walker, P.Eng.

BW/ab  
163.8.7  
Encls.



## TENDER SUMMARY

NAME OF PROJECT & NUMBER: Stanley Lake Control Structure  
 CLOSING DATE & TIME: APRIL 27 2011 TIME OF OPENING: 2:30 PM.  
 (2:00 PM. NO 163.8.7)

NAME OF BUSINESS	CONTACT INFO	BID AMOUNT
① WILDSTONE CONSTRUCTION ENGINEERING	1101 MAW ST. PENTICTON 250-493-3947	\$1,150,000.00
	DELETION BY FAX	601,954.00
		\$548,046.00 (+ Pro Fee)
② D. KENDALL + SON CONTRACTORS LTD.	BOX 681 QUEEN CHARLOTTE BC 250-559-4587	\$302,500.00 (+\$30,000 Chq. incl.)

PERSONS PRESENT AT OPENING: (NAMES AND CONTACTS FOR ALL PRESENT)

BILL BEAMISH, CAO  
ASH ALEXANDER, SPW  
DEBRA UKIANA, CFO  
  
RUTH KENDALL  
KEVIN MEARNS.

WITNESS: *Juliana*

SIGNED: *[Signature]*

DATE: APRIL 27, 2011.