

**Village of Queen Charlotte
AGENDA**

NOTICE IS HEREBY GIVEN THAT the regular meeting of the Village of Queen
Charlotte will be held on Tuesday, September 6, 2011 at 7:30 pm
at the Village of Queen Charlotte Office

- 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 August 15, 2011
 - 4.2** Village of Queen Charlotte Special Council Minutes August 22, 2011
- 5. Business Arising from the Minutes:**
 - 5.1** Municipal Auditor General Survey
- 6. Proclamations:**
- 7. Delegates and Petitions:**
- 8. Inquiries from the Public Regarding the Approved Agenda Items:**
- 9. Correspondence:**

For Information:

 - a.9.1** Hon. Michael de Jong – Re: BC’s Water Protection Act
 - a.9.2** Municipal Insurance Association of BC (MIABC) – Re: MIABC Dividend cheque
 - a.9.3** Union of BC Municipalities (UBCM) – Re: 2010 Resolutions
 - a.9.4** Regional District of Nanaimo – Re: Ecosystem Based Offsets for Local Governments
 - a.9.5** Councillor Kris Olsen –Re: Northern Gateway Pipelines Inc. Enbridge Northern Gateway Project, Information Request No. 1
 - a.9.6** Physicians of Haida Gwaii Northern Health Authority –Re: Northern Gateway Pipelines Inc.

For Action:
- 10. Reports of Committee, COTW and Commissions:**

From the Committee of the Whole August 22, 2011

Community Park Development

R2011/37/06 MOVED by Councillor Noddin, seconded by Councillor Martin that the Committee of the Whole recommend to Council that staff develop plans to facilitate consultation with stakeholders and the

community for development of the BMX Track, the Seniors Fitness and Activity Areas and the Playscape area for the Community Park; and, that the following members of Council work with staff to champion aspects of the Community Park development:

Kris Olsen – BMX Track

Greg Martin – Seniors areas

Leslie Johnson – Playscape and Family areas

CARRIED

PA/Sound Systems

R2011/37/07 MOVED by Councillor Martin, seconded by Councillor Olsen that the Committee of the Whole recommend to staff to move forward to purchase Profile 2RB sound system with fitted roller bag.

CARRIED

Tender – Re: Roll Over Curb Drainage on Causeway at Spirit Square

R2011/37/08 MOVED by Councillor Johnson, seconded by Councillor Martin that the Committee of the Whole recommend to Council to award the contract for Roll Over Curb on Causeway Road, adjacent to Spirit Square, for drainage received from Skidegate Inlet Construction Ltd. for the bid price of \$14,112.00 and, that the budget for this project be taken from reserves set aside for roads drainage projects.

CARRIED

11. Bylaws:

11.1 Village of Queen Charlotte Bylaw 54-2011- A Bylaw for Road Closure and Disposition for 1st reading on September 6, 2011

11.2 Village of Queen Charlotte Bylaw 55-2011 – A Bylaw to Define the Areas Exempted from Taxation Pursuant to Section 224 of the Community Charter for 1st reading on September 6, 2011

12. Unfinished Business:

12.1 Spirit Square Phase 2:

"In order to proceed with the Spirit Square Phase 2 Project and enable the utilization of approved NDI and CST funding , Council undertakes to cover the remaining amount, up to a maximum of \$12,105.33 from the already assigned Gas tax Reserve Fund."

13. New Business:

13.1 Union of BC Municipalities September 26-30, 2011 Meeting Request Update

13.2 Forfeited Properties

RECOMMENDATIONS:

- a. That Council receive the CFO report dated August 26, 2011 on Forfeited Properties.
- b. That Council resolve to request permission from the Minister of Community, Sport and Cultural Development (pursuant to Section 315.3 of the Local Government Act) to write off unpaid property taxes, plus applicable penalties and interest, of the following properties:
Roll No. 2855000 \$2,962.46 plus applicable penalties and interest
Roll No. 2869002 \$306.98 plus applicable penalties and interest
- c. That Council consider whether or not to pursue special consideration of this matter from the Ministry due to the time it has taken to resolve the status of these properties and the resulting costs to the Village of Queen Charlotte.

14. Notice of Motion:

15. Reports of Mayor, Council Members and Staff:

16. Inquiries from the Public:

17. Adjournment:

Village of Queen Charlotte

August 15, 2011

Minutes of the Council Meeting of the Village of Queen Charlotte held at 7.30 p.m. on Monday, August 15, 2011 at the Queen Charlotte Village Office, Queen Charlotte, B.C.

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
B. Greenough, Public Works Superintendent
S. Brown, Legislative/Financial Clerk

Public- 1

Media -1

1. CALL TO ORDER:

Mayor Kulesha called the meeting to order at 7.30 pm

2. Agenda Addition and/or Deletions:

- 9.8** Northern Development Trust – Re: Spirit Square Phase Two
- 9.9** BC Hydro – Re: Statement from David Cobb, CEO Officer, BC Hydro
- 10.0** Spirit Square Grand Opening - Budget

3. Approval of the Agenda:

R2011/35/02 MOVED by Councillor Martin, seconded by Councillor Noddin that the agenda be adopted as amended.

CARRIED

4. Adoption of the Minutes:

- 4.1** Village of Queen Charlotte Council Minutes July 4, 2011
- R2011/35/03 MOVED by Councillor Martin, seconded by Councillor Noddin that the Village of Queen Charlotte Council Minutes July 4, 2011 be adopted as circulated.

CARRIED

5. Business Arising from the Minutes:

5.1 2011 Union of BC Municipalities (UBCM) Registration –Mayor Kulesha, Councillor Johnson, Councillor Martin, Councillor Olsen and CAO Bill Beamish will be attending the 2011 UBCM and Councillor Noddin will stay in town as the Deputy Mayor

R2011/35/04 MOVED by Councillor Johnson, seconded by Councillor Martin that authorization be given to Mayor Kulesha, Councillor Johnson, Councillor Martin, Councillor Olsen and CAO Bill Beamish to attend the 2011 UBCM Conference in Vancouver, September 25 to October 1, 2011.

CARRIED

6. Proclamations:

7. Delegates

- 7.1** Sgt. Knapton presented a report of activity for the past quarter. He plans to have a report for Council every quarter. Copies are available at the Village Office.
Sgt. Knapton reported the good news that a lost hiker on Sleeping Beauty was found thanks to the volunteers from Search and Rescue, as well as support from the local office of the Ministry of Forest, Lands and Natural Resource Operations and Parks Canada also supplied a search co-ordinator.

action: send letter of thanks to Len Munt, District Manager of Ministry of Forest, Lands and Natural Resource Operations

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

none at this time

9. Correspondence:

For Information:

- 9.1** Ministry of Health – Re: Creating an Age Friendly Business in BC
9.2 Old Age Pensioners' Organization – Re: MSP Premiums for Seniors
9.3 Northern Development Initiative Trust (NDIT) –Re: Queen Charlotte City Community Hall Upgrade
9.4 The Coast Sustainability Trust II – Re: Village of Queen Charlotte – Spirit Square Phase 2
9.5 Health Link BC Presentation
9.6 City of Nelson - Re: Community Wildlife Protection Plan (CWPP)
9.7 Northern Health – Re: Northern Health announces Men's Health seed grants
9.8 Northern Development Trust – Re: Spirit Square Phase Two
9.9 BC Hydro – Re: Statement from David Cobb, CEO Officer, BC Hydro
- R2011/35/05 MOVED by Councillor Johnson, seconded by Councillor Noddin that Correspondence items 9.1 through 9.9 be received and filed.

CARRIED

For Action:

- 9.10** Moresby Island Management Committee – Re: Grey Bay Recreation Site Upgrade Project, request letter of support for Gwaii Trust application
- R2011/35/06 MOVED by Councillor Martin, seconded by Councillor Olsen that a letter of support be sent to Moresby Island Management Committee for their application to Gwaii Trust for Grey Bay Recreation Site Upgrade Project.

CARRIED

9.11 Ida Chong, Minister of Community, Sport and Cultural Development – Re: Call for Feedback Regarding Municipal Auditor General Office

R2011/35/07 MOVED by Councillor Martin, seconded by Councillor Noddin that Ida Chong, Minister of Community, Sport and Cultural Development – Re: Call for Feedback Regarding Municipal Auditor General Office be received and filed.

CARRIED

action: CFO to contact Government Financial Officers Association of BC for more information.

9.12 BC Hydro – Re: Meet at the UBCM convention 2011

R2011/35/08 MOVED by Councillor Johnson, seconded by Councillor Olsen that a meeting be reserved with BC Hydro Northern Community Relations at the 2011 UBCM.

CARRIED

9.13 Coastal First Nations – Re: Request for Site Tour Comment – Enbridge Northern Gateway Project

R2011/35/09 MOVED by Councillor Olsen, seconded by Councillor Martin that a letter be sent to Coastal First Nations – Re: Request for Site Tour Comment – Enbridge Northern Gateway Project, to support their request to include a tour of the proposed Northern and Southern marine transport routes.

CARRIED

10. Reports of Committee, COTW and Commissions: From the Committee of the Whole July 21, 2011

R2011/35/10 MOVED by Councillor Noddin, seconded by Councillor Martin that recommendation of the Committee of the Whole, July 21, 2011, that the stage at Spirit Square should not be stained, be approved.

CARRIED

R2011/35/11 MOVED by Councillor Noddin, seconded by Councillor Martin that the recommendation of the Committee of the Whole, July 21, 2011, that up to \$63,000.00 be allocated for the Spirit Square walk ways from the Federal Gas Tax funds, be approved.

CARRIED

action: place an ad in the Observer for suggestions on content for a Time Capsule at Spirit Square.

Councillor Noddin presented her report - Spirit Square Grand Opening Update and Draft Budget

R2011/35/12 MOVED by Councillor Johnson, seconded by Councillor Martin that the report From Councillor Noddin, dated August 15, 2011 – Spirit Square Grand Opening Update and Draft Budget be received.

CARRIED

R2011/35/13 MOVED by Councillor Johnson, seconded by Councillor Martin that a budget up to \$1500.00 be approved for the Spirit Square Grand Opening on September 10, 2011.

CARRIED

R2011/35/14 MOVED by Councillor Olsen, seconded by Councillor Johnson that a Committee of the Whole be scheduled for Monday August 22, 2011 at 7.00pm to discuss plans for the Community Park and other parks issues.

CARRIED

11. Bylaws:

12. Unfinished Business:

Project Update:

12.1 Stanley Lake

Stanley Lake is ongoing – Councillors Martin and Noddin and Mayor Kulesha took a tour. The sheet pile is in place and Brian Walker, Opus, Dayton and Knight is in town today. Status – next step – trim to height and shape, add rip rap to bed creek and build a walkway. Working in fish window to 15 September, 2011. The excavator is being left in creek bed on logs in creek. The project is on schedule and de- watering/hauling (5 tanks today) is continuing, Jacks Creek remediation – carry over to 2012 and pay the bond of \$27,000.00 to DFO. Rick McDermit is the inspector for Opus Dayton Knight and the environmental inspector. Ken Dodd has donated trees that will be picked up and place by creek later this month.

12.2 BC Hydro Sturdy Creek Dam

Sturdy Creek dam is gone and a bridge is in place. BC Hydro will mediate trail and plant with local ferns. BC Hydro is donating left over cable. The Spidex is coming down the hill tomorrow. Eric Ross was of great assistance for information. The project was successful and employed locals.

action: send letter of thanks to BC Hydro

13. New Business:

13.1 Budget Reports – Second quarter 2011

RECOMMENDATIONS:

That Council receive the 2nd Quarter General Budget Report, the 2nd Quarter Water Budget Report and the 2nd Quarter Sewer Budget Report

R2011/35/15 MOVED by Councillor Olsen, seconded by Councillor Martin that the 2nd Quarter General Budget Report, the 2nd Quarter Water Budget Report and the 2nd Quarter Sewer Budget Report be received.

CARRIED

13.2 Cemetery Care Fund Account

Ms. Uliana has the new paperwork from the Northern Savings Credit Union for the Cemetery Care Fund Account and signatures are required from Mayor and Council.

14. Notice of Motion:

15. Reports of Mayor, Council Members and Staff:

Mayor Kulesha:

- Met with Skidegate Band Council (SBC) to continue conversations on the fire departments working together.
- Jan pointer completed the plein art box
- Met with representatives from ICBC
- Toured Stanley Lake to view our project
- The new EDO for MIEDS, Heather Hornoi is back and she is actively meeting with community members
- This week is the NWHRD and SQCRD meetings

Councillor Martin:

- Attended review panel – Health link
- Toured Stanley Lake to view our project

Councillor Olsen:

- Attended the meeting with SBC July 19, 2011
- webinar on Enbridge Oil Tankers – need to send info to Enbridge, review with Council, process river crossing and marine buoys

Councillor Johnson:

- Attended the meeting with SBC July 19, 2011
- Community co-ordinated response for violence against women, court and how it works. Prince Rupert project – hosting a workshop in future, Restorative Justice

Councillor Noddin:

- Attended the meeting with SBC July 19, 2011
- Attended a pot luck supper with Jan Poynter
- Toured Stanley Lake to view our project
- Working on the Spirit Square Grand Opening

CAO:

- Discussion at staff meeting today – web site development with Civic Net, another online presentation scheduled for 1st week in September. Our goals are to make it accessible, looks good, informative, maintainable by staff, keep only 2 years of info. and a current business directory
- Evaluate computers – 5 years old now, turn over on 6th year
- Paul Daniel here on Thursday from Gwaii Tel – talk to him about compute room overheating
- West Capp and Gwaii Trust applications submitted. 2 year extension to Boat Launch in anticipation of lease, need a survey – MoT survey going forward at same time
- Request for memorial bench, will hear back about location and content of plaque - \$800.00 will be the tax receipt, plaque - donors, maintenance \$100.00 fee – Village will propose site
- Meeting tomorrow at 10.00am with Babs Stevens, SBC and Fire Chief as a follow up to July meeting

- David Taylor will be leaving Opus Dayton and Knight
- Check out the Province Wide Walking Challenge

action: Comments for BC Ferries meeting August 29, 2011 – send out reminders to businesses, schools and hospital. Place ad in the Observer to remind the public about the upcoming BC Ferries meeting and to give comments.

CFO:

- Working on Election time lines and have polling clerks booked
- Covering off for staff vacations
- An energy audit of the Village building was done last week – waiting on report
- We have a new Xerox machine that is less expensive for copies etc.
- Signatures needed for the new Cemetery Care Trust Account
- We now have a Memorial Gift agreement in place
- Plan to send a billing letter out this week – outstanding taxes

PW Superintendent

- Working on brushing, replace road shoulders on Alder St.
- Assisting in major projects – Spirit Square
- Completed annual sewer pump maintenance (25 years old)
- short on staff – holidays during August and September 2011

16. Inquiries from the Public:

Observer

- Is Colin Hansen coming to the Grand opening of Spirit Square
 - Yes, MLA cannot make it but we hope to see Coast Sustainability Trust, Northern Development Initiative and Gwaii Trust

17.

R2011/35/16 MOVED by Councillor Olsen to Exclude the Public and move In Camera under the Community Charter Section 90(1) (e)Land.
CARRIED

18. Adjournment:

Meeting Adjourned at 9.30pm
Next meeting Tuesday September 6, 2011

Mayor C. Kulesha, Chair

D. Uliana, Recording

Village of Queen Charlotte

August 22, 2011

**Minutes of the Special Council Meeting of the Village of Queen Charlotte
held pursuant to section 126(1) of the Community Charter,
August 22, 2011 at the Queen Charlotte Village Office, Queen Charlotte, B.C.**

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

CALL TO ORDER:

R2011/38/02 Moved by Councillor Noddin, Seconded by Councillor Olsen, that pursuant to section 127(4) of the Community Charter, Council unanimously consent to waive notice of the special meeting held pursuant to section 12126(1) of the Community Charter.

Mayor Kulesha called the special meeting to order at 9:00 p.m.

R2011/38/03 MOVED by Councillor Noddin, seconded by Councillor Olsen to Exclude the Public and move In Camera under the Community Charter: Section 90(1)(g) Legal

CARRIED

Mayor C. Kulesha, Chair

D. Uliana, Recording

Municipal Auditor General Survey

BACKGROUND

All provinces in Canada have a Provincial Auditor General who conducts independent audits of government operations through both “financial audits” and “performance audits” (i.e., audits that consider value for money). It is important to note that the Auditor General is not designed to revisit or evaluate the decisions made by elected officials. For example, British Columbia’s *Auditor General Act* states that a report or examination “must not call into question the merits of program policies or objectives of the government”.

Some other provinces also have an office of the Municipal Auditor General. Nova Scotia introduced legislation to appoint a Municipal Auditor General in 2008; however, full implementation has not yet occurred. In Ontario, municipalities may (other than Toronto, which must) establish their own office of the Municipal Auditor General (e.g., Ottawa, Oshawa, and Markham have created such offices) and so can municipalities with populations over 100,000 in Quebec.

In designing the office of the new Municipal Auditor General for British Columbia, there are a number of principles to keep in mind:

- it should not duplicate the existing accountability framework for local government;
- it should have independence and credibility;
- it should be cost effective, and;
- it should be accountable to the taxpayer (e.g., by making information publicly available).

SURVEY INSTRUCTIONS

The purpose of this survey is to obtain your feedback on the establishment of a Municipal Auditor General. Survey responses will be compiled by staff at the Ministry of Community, Sport and Cultural Development to enable further discussion at the annual UBCM convention in September.

Please return completed surveys by September 9, 2011, by email to: CSCD.Minister@gov.bc.ca

You may choose to fill out this form as an individual elected official or as an organization as a whole (e.g. council or board).

Please provide the following information to assist in reviewing the results:

- This survey response is from an individual elected official (yes or no):
- This survey response is from a local government council or board (yes or no):
- Name of municipality or regional district: _____
- Name of individual councillor or director (if applicable): _____

SURVEY

- 1) What should be the general role or purpose of the Municipal Auditor General?

Need more information on the issues the MAG is to address? Basically – What is the problem the province wishes to address? Is there a more cost effective mode of answering the problem or issues?

- 2) What specific functions or duties should the Municipal Auditor General have (e.g., should it focus on value for money audits? should it identify best practices?)?

Without information on the problem(s) not sure. Identifying best practices are important.

- 3) Who should a Municipal Auditor General report to?

To the municipality?

- 4) What should be done with the recommendations made by a Municipal Auditor General as a result of an audit (e.g. should local governments be required to consider the results of an audit as part of their financial plans or annual reports?)?

- 5) Should the Municipal Auditor General have authority to audit just municipalities and regional districts, or should the office also have authority over other local bodies (e.g., the greater boards, corporations incorporated by municipalities)?

If there is a need for a MAG than MIA, MFA could be part of audit.

- 6) What do you see as the benefits of having an office of the Municipal Auditor General?

Unknown

- 7) Do you have any additional comments?

Further discussion needed on the issues that brought this idea forward, if there are methods of addressing them without the creation of a new government body such as increasing or clarifying the duties the Inspector General, the Consumer Advocate, andIf after all discussion a MAG is determined to be needed than municipalities should not be the funders of the MAG office.



August 11, 2011

Her Worship Carol Kulesha
Mayor of the Village of Queen Charlotte
PO Box 580, 903A Oceanview Dr
Queen Charlotte, BC V0T 1S0

Dear Mayor Kulesha:

Thank you for your letter, on behalf of the Village of Queen Charlotte, regarding British Columbia's *Water Protection Act* and, in particular, the stewardship and management of our province's drinking watersheds. Your position on the *Private Managed Forest Act* is noted and I appreciate the time you have taken to make me aware of your views on these important matters.

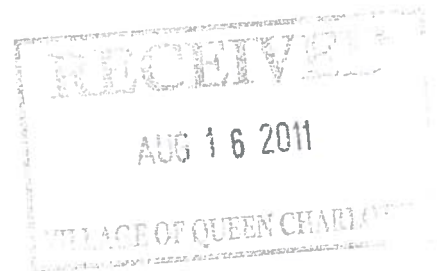
I have provided a copy of your correspondence to my colleague, the Honourable Michael de Jong, Minister of Health. The Minister, or a member of his staff, will follow up with you directly on my behalf. You will be hearing from his office at the earliest opportunity.

Thank you again for being in touch. I am encouraging input from local governments and I look forward to seeing you at the Union of British Columbia Municipalities convention next month.

Sincerely,

Christy Clark
Premier

pc: Honourable Michael de Jong

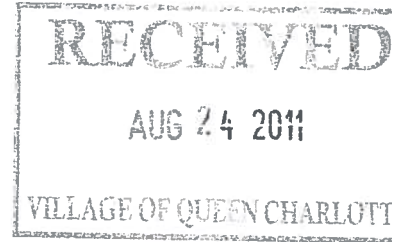




390 – 1050 Homer Street
Vancouver, BC V6B 2W9
Phone: 604 683 6266 Fax: 604 683 6244
www.miabc.org
tbarnes@miabc.org

August 10, 2011

Mayor Carol Kulesha
Queen Charlotte, Village of
PO Box 580, 903 A Oceanview Dr.
Queen Charlotte BC V0T 1S0



Dear Mayor Kulesha,

Re: MIABC Dividend Cheque

Enclosed is your dividend cheque for the 2010 fiscal year. The enclosed cheque represents your portion of the dividend based on the size of your Subscriber Account Balance.

The Board declared a \$1.27 million dividend at its June meeting, bringing the total dividends distributed over the last five years to \$5.7 million. The MIABC first began returning money to its members in 2002 by subsidizing reinsurance costs. By 2006 \$7.3 million was returning to members in this way. This was replaced by dividends following the 2005 fiscal year. Since then over \$8 million in dividends have been distributed, bringing the total funds returned to MIABC members to \$15.3 million. This represents a return of 11.25% of the total costs paid by members over the last ten years. During that time MIABC premiums increased an average of 3.7% annually (over the past nine years the MIABC's annual average cost increase has been only 0.6%) before taking dividends into account.

In addition to the dividend, members are eligible for \$1 million in risk management grants. So far 100 members have already taken advantage of this program – receiving 135 grants totaling \$855,662. The funds may be used for any purpose that will help to reduce liability claims. Details of the programs requirements and the application process can be found on the MIABC website.

Yours truly,

Thomas W. Barnes LLB
Chief Executive Officer & General Counsel

\$193.00

Syzell

a.9.2 info

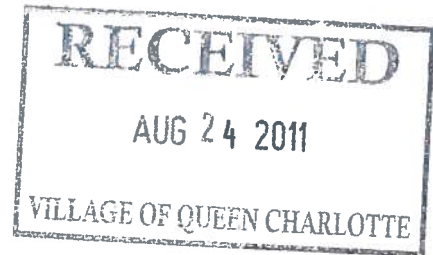


Union of BC Municipalities
Suite 60 10551 Shellbridge Way
Richmond, BC, Canada V6X 2W9

Phone: 604.270.8226
Email: ubcm@ubcm.ca

August 16, 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 federal 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 Tel: 604.270.8226 ext. 115

Sincerely,

A handwritten signature in black ink that reads "Barbara Steele".

Barbara Steele
President

Enclosure

Sept 6
a.g.j info.

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.

FEDERAL RESPONSE

Ministry of Natural Resources

Regarding B139 (bulk crude oil tanker traffic), this resolution cites the proposed Enbridge Northern Gateway Pipelines (NGP) project and asks the Government to establish a legislated ban on bulk crude oil tanker traffic in northern B.C. waters. This proposal aims to prevent the NGP project from proceeding; this would, in essence, require the federal government to make a decision on the NGP project prior to the completing of the ongoing environmental and regulatory review by the Joint Review Panel (JRP), which was established by the federal government. The Government intends to await the JRP's report and recommendations before making a decision on the project.

a.g.3 info

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.

FEDERAL RESPONSE

Ministry of Natural Resources

Concerning B140 (tar sands/oil sands), this resolution cites the UBCM's opposition to the proposed Enbridge Northern Gateway Pipelines (NGP) project. The federal Joint Review Panel (JRP) is currently assessing whether the NGP application contains sufficient information to initiate the joint review process. On July 5, 2010, the JRP invited the public to: comment on the list of issues for the review, provide any additional information that Enbridge should file; and propose locations for review sessions. Written comments were due on September 8, 2010. The JRP also visited Whitecourt, Kitimat and Prince George, B.C., to hear comments from the public. After the JRP reviews the public's input, the panel may be in a position to issue a hearing order, which would set out the details for a public review. If the UBCM is interested in participating in the review, there are a number of ways in which it can do this, e.g. from a simple letter of comment to full intervener status. I would advise you to contact the JRP at the address below and ask to receive the JRP's hearing order when it is issued.

*Joint Review Panel - Enbridge Northern Gateway Project
444 Seventh Avenue Southwest
Calgary, Alberta T2P 0X8*

ca 9.3 info



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

Phone: 604.270.8226
Email: ubcm@ubcm.ca

August 17, 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 federal 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 Tel: 604.270.8226 ext. 115

Sincerely,

A handwritten signature in black ink, appearing to read "B Steele".

Barbara Steele
President

Enclosure

Sytle

ca 9.3 info

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

FEDERAL RESPONSE

Ministry of Natural Resources

Regarding B139 (bulk crude oil tanker traffic), this resolution cites the proposed Enbridge Northern Gateway Pipelines (NGP) project and asks the Government to establish a legislated ban on bulk crude oil tanker traffic in northern B.C. waters. This proposal aims to prevent the NGP project from proceeding; this would, in essence, require the federal government to make a decision on the NGP project prior to the completing of the ongoing environmental and regulatory review by the Joint Review Panel (JRP), which was established by the federal government. The Government intends to await the JRP's report and recommendations before making a decision on the project.

Ministry of Environment

With regard to oil tanker traffic, although a moratorium exists on oil and gas exploration and development off the coast of British Columbia, it does not apply to tanker traffic. Under federal and provincial law, tankers are free to travel to and from British Columbia ports. There is, however a Tanker Excursion Zone, which is a voluntary measure negotiated between Canada and the United States. This applies only to loaded southern-bound oil tankers en route from Alaska and would not apply to the proposed Enbridge Gateway Pipeline Project.

The Project is currently the subject of an environmental assessment by a Joint Review Panel. The review panel process provides the most thorough type of review available under the Canadian Environmental Assessment Act and the National Energy Board Act. Under this process, the proponent, Northern Gateway Pipelines Inc. must describe in detail the nature of the Project it proposes, the anticipated environmental effects and the proposed measures to mitigate adverse impacts. This includes provision for a broad assessment of the potential environmental effects, including those resulting from a marine transportation. The environmental assessment is being conducted in an open and transparent public forum by a panel of experts appointed by the Chair of the National Energy Board and the former Minister of Environment.

The review panel process will provide an opportunity for all hearing participants to make their view known on the Project. All interested organizations and individuals are encouraged to bring their views on the Project and its associated issues forward to the Panel.

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

FEDERAL RESPONSE

Ministry of Natural Resources

Concerning B140 (tar sands/oil sands), this resolution cites the UBCM's opposition to the proposed Enbridge Northern Gateway Pipelines (NGP) project. The federal Joint Review Panel (JRP) is currently assessing whether the NGP application contains sufficient information to initiate the joint review process. On July 5, 2010, the JRP invited the public to: comment on the list of issues for the review, provide any additional information that Enbridge should file; and propose locations for review sessions. Written comments were due on September 8, 2010. The JRP also visited Whitecourt, Kitimat and Prince George, B.C., to hear comments from the public. After the JRP reviews the public's input, the panel may be in a position to issue a hearing order, which would set out the details for a public review. If the UBCM is interested in participating in the review, there are a number of ways in which it can do this, e.g. from a simple letter of comment to full intervener status. I would advise you to contact the JRP at the address below and ask to receive the JRP's hearing order when it is issues.

*Joint Review Panel - Enbridge Northern Gateway Project
444 Seventh Avenue Southwest
Calgary, Alberta T2P 0X8*

Ministry of Environment

With regard to oil tanker traffic, although a moratorium exists on oil and gas exploration and development off the coast of British Columbia, it does not apply to tanker traffic. Under federal and provincial law, tankers are free to travel to and from British Columbia ports. There is, however a Tanker Excursion Zone, which is a voluntary measure negotiated between Canada and the United States. This applies only to loaded southern-bound oil tankers en route from Alaska and would not apply to the proposed Enbridge Gateway Pipeline Project.

The Project is currently the subject of an environmental assessment by a Joint Review Panel. The review panel process provides the most thorough type of review available under the Canadian Environmental Assessment Act and the National Energy Board Act. Under this process, the proponent, Northern Gateway Pipelines Inc. must describe in detail the nature of the Project it proposes, the anticipated environmental effects and the proposed measures to mitigate adverse impacts. This includes provision for a broad assessment of the potential environmental effects, including those resulting from a marine transportation. The environmental assessment is being conducted in an open and transparent public forum by a panel of experts appointed by the Chair of the National Energy Board and the former Minister of Environment.

The review panel process will provide an opportunity for all hearing participants to make their view known on the Project. All interested organizations and individuals are encouraged to bring their views on the Project and its associated issues forward to the Panel.



August 18, 2011

To All Members of the Union of BC Municipalities

RE: Ecosystem Based Offsets for Local Governments

Please be advised that at the regular meeting held June 28, 2011, the Board of the Regional District of Nanaimo considered a report with respect to ecosystem based offsets for local governments. The Board endorsed the following resolution for debate at the upcoming UBCM Convention.

WHEREAS local government signatories to the BC Climate Action Charter may wish to invest in valid ecosystem based offset projects within their respective jurisdictions;

AND WHEREAS baseline scenarios for ecosystem based offset projects can reasonably be derived from current zoning and established regulations that govern land uses, including:

- i. Zoning and Land Use Regulations, as established by Bylaw;*
- ii. Statutory requirements for the provision of park land and conservation areas through the subdivision of land, as stipulated by Section 941 of the Local Government Act; or*
- iii. Other relevant regulations or statutes;*

THEREFORE BE IT RESOLVED that the UBCM and the Province of BC recognize that any land provided to the local government as park land or conservation areas through rezoning, subdivision or other land development process that:

- i. Is in excess of that which is required by current regulations; and*
- ii. Meets the definition of forest land as provided in the BC Forest Offset Protocol (including instances in which multiple parcels are bundled together to meet minimum area thresholds);*

is additional to the baseline scenario, and constitutes a valid avoided conversion project with a verifiable quantity of carbon that can be counted against a corporate emissions inventory.

AND BE IT FURTHER RESOLVED that if the local government is a Regional District, that Regional District can allocate monies raised for the purpose of purchasing offsets toward the maintenance of the additional parkland provided, rather than raising the necessary maintenance monies through a Parks Maintenance Tax Requisition, or other commonly used fees and charges.

Sincerely,

Maureen Pearse,
Senior Manager, Corporate Administration

6300 Hammond Bay Rd.
Nanaimo, B.C.
V9T 6N2

Ph: (250)390-4111
Toll Free: 1-877-607-4111
Fax: (250) 390-4163

for:

RDN Website: www.rdn.bc.ca

a-9-4 info



Information Request
To: Northern Gateway
From: The Village of Queen Charlotte Government Participant

**Northern Gateway Pipelines Inc.
Enbridge Northern Gateway Project**

Information Request No. 1

1.1 Aboriginal Engagement

Reference: i) Northern Gateway B24-2 -Volume 5A- Aboriginal Engagement Update 2011, page 418, A1Z6R1

Preamble: In reference i) the proponent has stated, "Northern Gateway hosted three informal meetings in the Town of Masset, including an open house and presentation. This open house was followed by a question and answer session. Display boards, presentation, handouts, mail drop notifications and articles were made available to all participants.

Request:

- Please provide:
- a) How were these informal meetings and open house advertised?
 - b) How long in advance of these informal meetings and open house were they advertised?
 - c) What was the location of these informal meetings and open house?
 - d) How many people attended these informal meetings and open house?
 - e) Confirmation that prior approval to host these informal meetings in the town of Masset by the proprietor of the event location was granted.
 - f) Example of mail drop notification and date mailed.

a 9.5 info



25 August 2011

Mr. Kenneth MacDonald
VP, Law and Regulatory Affairs
Northern Gateway Pipelines Inc.
Suite 3000, 425 – 1st Street SW
Calgary, AB T2P 3L8
Facsimile 403-718-3525

Ms. Abby Dorval
Manager, Regulatory Affairs
Northern Gateway Pipelines Inc
Suite 3000, 425 – 1st
Calgary, AB T2P 3L8
Facsimile 403-231-7380

Mr. Richard Neufeld, Q.C.
Barrister & Solicitor
Fraser Milner Casgrain
15th Floor, 850 – 2nd
Street SW
Calgary, AB T2P 0R8
Facsimile 403-268-3100

Dear Sirs and Madame,

**Northern Gateway Pipelines Inc. (Northern Gateway)
Northern Gateway's Enbridge Northern Gateway Project , Update to Sec. 52 Application,
Volume 5A: Aboriginal Engagement, Volume 5B: Aboriginal Traditional Knowledge, June
2011
Information Request Number 1 to Northern Gateway**

The Village of Queen Charlotte is examining Northern Gateway's Enbridge Northern Gateway Project , Update to Sec. 52 Application, Volume 5A: Aboriginal Engagement, Volume 5B: Aboriginal Traditional Knowledge, June 2011. Information Update and has determined that further information is requested, as detailed in the attached Information Request No. 1.

Respectfully,

Kris Olsen
Councillor, Village of Queen Charlotte

Attachment

aq.5 info

Physicians of Haida Gwaii
Northern Health Authority
c/o Dr Tracy Morton
8 Robertson Island, Box 484
Queen Charlotte BC V0T1S0
zenbro@gmail.com

23 August 2011

TO: Northern Gateway Pipelines Inc. (Northern Gateway)

Mr. Kenneth MacDonald VP, Law and Regulatory Affairs Northern Gateway Pipelines Inc. Suite 3000, 425 – 1st Street SW Calgary, AB T2P 3L8 Facsimile 403-718-3525	Ms. Abby Dorval Manager, Regulatory Affairs Northern Gateway Pipelines Inc. Suite 3000, 425 – 1st Street SW Calgary, AB T2P 3L8 Facsimile 403-231-7380	Mr. Richard Neufeld, Q.C. Barrister & Solicitor Fraser Milner Casgrain 15th Floor, 850 – 2nd Street SW Calgary, AB T2P 0R8 Facsimile 403-268-3100
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Subject: Information Request #1

Enbridge Northern Gateway Project Application of 27 May 2010

File OF-Fac-Oil-N304-2010-01 01

Dear Sirs and Madame:

Thank you in advance for your time and efforts to respond to the following Information Request #1 from the Physicians of Haida Gwaii. Our primary professional interest is the health and welfare of the human population resident on the archipelago of Haida Gwaii. As such, our interest in this project is focused specifically on the potential effects of a Marine oil spill with contamination of the land and marine environment surrounding Haida Gwaii.

Sincerely,



Tracy Morton MD CCFP

On behalf of:

Dr Lawrence Fawcett, Masset
Dr Michele Leslie, Masset
Dr Andrea Wilhelm, Masset

Dr James Chrones, Queen Charlotte
Dr Gordon Horner, Queen Charlotte
Dr Peter Lake, Queen Charlotte
Dr Caroline Shooner, Queen Charlotte

at 9.6 info

IR 1.1: Probability of Hydrocarbon Spills

Reference:

- i. Exhibit B3-37 - Vol 8C – Gateway Application – Risk Assessment and Mgmt of Spills - Marine Transportation (Part 1 of 6) - A1T017, Section 3: Probability of Hydrocarbon Spills (Adobe p 23-25)
- ii. Exhibit B3-37 - Vol 8C – Gateway Application – Risk Assessment and Mgmt of Spills - Marine Transportation (Part 1 of 6) - A1T017, Section 3, Table 3-1 (Adobe p26): Return Period of a Spill Associated with the Tanker Traffic for the Northern Gateway Project
- iii. Exhibit B23-34 - TERMPOL TDR - Marine Shipping Quantitative Risk Analysis A1Z6L8

Preamble:

Northern Gateway commissioned Det Norske Veritas (DNV) to complete a Marine Shipping Quantitative Risk Analysis for the TERMPOL review process (Ref. iii.). The QRA estimates probabilities of a marine oilspill from a tanker along various sections of the proposed routes. It provides estimates, reported in “return periods”, for spills of various sizes – 5000m³, 20000m³ and 40000m³ – in each navigational segment and as an aggregate estimate for the whole route. The risk of large spills is much less than the risk of small spills. A return period is the likely time (in years) between events. With all proposed risk mitigation measures in place, the aggregate return period of a spill of >5000m³ anywhere along the route is reported to be 350. No estimates are reported for spill sizes less than 5000m³.

Request:

1. Please provide the reasons why 5000m³ was the minimum spill volume for which return periods have calculated?
2. Considering that there have been well documented adverse effects with spills of sizes considerably smaller than 5000m³ (egs. Nestucca Barge 875m³, Barge Bouchard 1270m³), please provide estimated return periods for spills of 1000m³ and 3000m³.
3. Using the aggregate return period of 350 for a spill of >5000m³, is it correct to say that the risk of a spill of this or greater magnitude during the 50-year lifespan of this project is 1/7?

IR 1.2: Incident Prevention & Response

Reference:

- i. Exhibit B3-37 - Vol 8C – Gateway Application – Risk Assessment and Mgmt of Spills - Marine Transportation (Part 1 of 6) - A1T017, Section 5, Incident Prevention and Response, Table 5-4 Proposed Hydrocarbon Recovery Capability (Adobe p45)
- ii. Exhibit B21-2 - General Oil Spill Response Plan - Enbridge Northern Gateway (March 2011) - A1Y3Y8, Section 8, Marine Response, Figure 8-2 (Adobe p79)

Preamble:

These exhibits discuss various methods that will be used to recover hydrocarbons in the event of a Marine spill. Ref i. summarizes the volumes that could be recovered with these measures at different locations in the Confined Channel Assessment Area (CCA). Ref ii. summarizes the effect of wave heights on the use of response approaches: mechanical recovery, in-situ burning, and use of dispersants. Northern Gateway indicates that further planning is underway to determine the response recommendations for the Open Water Area (OWA).

Request:

1. Please provide a summary of what the response recommendations will be in the OWA? How will greater distances of a spill in the OWA from the Response Organization centres affect spill response?
2. Considering the frequency of wave heights higher than 3ft (the upper limit for use of mechanical collection and in-situ burning) in the waters of the North Coast, please comment on the likelihood of successful use of mechanical collection or in-situ burning in locations along the CCAA and OWA and throughout the year.
3. Which dispersant(s) would likely be used?
4. What are realistic estimates of volumes recovered from the environment in light of the world history of recovery efforts with spills in similar geographic and weather conditions?

IR 1.3: Hydrocarbon Mass Balance Estimates

Reference:

- i. Exhibit B3-41 - Vol 8C – Gateway Application – Risk Assessment and Mgmt of Spills - Marine Transportation (Part 6 of 6) - A1T0J2, Section 10, Mass Balance Examples for Response Planning
- ii. Exhibit B25-2 - Hydrocarbon Mass Balance Estimates - Inputs for Spill Response Planning TDR - A1Z6T0: Page 4-1 to 4-27.

Preamble:

Hydrocarbon mass balances refers to the distribution of hydrocarbons in the air, water column, sediment and on shore. It is important to have a good understanding of the behavior of a hydrocarbon spill to predict the impact on human and ecosystem health, and to provide appropriate mitigating responses. In Ref ii., Hay & Company examine the characteristics of hydrocarbon behaviors in the marine environment, explain models for predicting said behavior and then provide various spill scenarios whereby they estimate hydrocarbon mass balances following the event. Both references refer to six spill scenarios, four of which discuss diluted bitumen spills of various sizes in four different locations (Kitimat Terminal 250m³, Principe Channel 10,000m³, Wright Sound 36,000m³, Ness Rock 10,000m³). In this scenarios, the predicted hydrocarbon distribution in the water column varies between 2% to 6%.

In the aftermath of the July 2010 Line 6A spill into the Kalamazoo River, more bitumen entered the water column and sank than had been predicted, leading to contamination of 200 acres of riverbed, and a more protracted cleanup effort, which is still ongoing.

Request:

1. Please explain how the behavior of diluted bitumen in the Kalamazoo River spill impacts the Mass Balance Estimates for a spill on the North Coast.
2. Please explain whether and how this might change a response to a spill.

IR 1.4: Compensation for those affected by Spills

Reference:

- i. B3-41 - Vol 8C – Gateway Application – Risk Assessment and Mgmt of Spills - Marine Transportation (Part 5 of 6) - A1T0J1

Preamble:

As per above Reference, Northern Gateway commits to providing compensation as below:

“Where individuals or businesses or Aboriginal groups can demonstrate a quantifiable loss as a result of restrictions imposed on marine or foreshore access or activities, compensation would be available to offset these losses. This would mean that businesses could be compensated for loss of revenue, damage to boats and/or equipment, and/or any operating costs of having to travel to alternate sites to pursue commercial fishing or other activities. Similarly, Aboriginal groups would be eligible for compensation for quantifiable losses.”

It is noted that these commitments do not extend to compensation for quantifiable health effects on individuals and communities. Following the Exxon-Valdez Oil Spill, there were a wealth of data collected on the impacts of the spill on individuals, their communities and interruption of cultural and social practices. These effects reached well beyond the economic impacts on tourism and the commercial fisheries in Prince William Sound. Specific examples include:

1. The decline of subsistence harvesting in Native communities by up to 77%, primarily because of villagers' uncertainty about the safety of foods (Fall and Field, American Fisheries Society Symposium, 1996)
2. Substantial increases in rates of generalized anxiety disorder, post-traumatic stress disorder and depressive symptoms above background rates in 13 Alaskan communities surrounding the EVOS. In a survey of 600 residents at 1-year following the spill, the rates for these three conditions were 20.2%, 9.4% and 16.6%, respectively. These are rates 3.6, 2.9 and 1.8 times the baseline rate for these conditions. It was noted that Alaskan Natives and women were particularly vulnerable to these symptoms. (Palikas et al, Am J Psychiatry 1993: 150: 1517 – 1523)
3. Persistently higher rates of social disruption, anxiety and depression at time periods both short term (6m and 18m: Picou et al, Industrial Crisis Quarterly (1992) 235 – 257) and long term (6 years: Arata et al, Journal of Traumatic Stress, Vol 13, No. 1, 2000)

While difficult to quantify in economic terms, these effects following spills are pervasive, persistent and in many respects, more impactful in terms of suffering than a pure economic analysis indicates.

Request:

1. Does Northern Gateway accept that psychiatric disorders are amongst the quantifiable and compensable consequences arising from oil spills? If not, why not?
2. If legitimate mental health conditions arise from a spill, how will Northern Gateway compensate or assist in counseling and recovery efforts?

**VILLAGE OF QUEEN CHARLOTTE
ROAD CLOSURE BYLAW NO. 54- 2011
Road Closure and Disposition Bylaw**

WHEREAS, pursuant to Section 40 of the *Community Charter*, Council may, by bylaw, close a portion of a highway to traffic and remove the dedication of the highway, if prior to adopting the bylaw, Council publishes notices of its intention in a newspaper and provides an opportunity for persons who consider they are affected by the bylaw to make representations to Council;

AND WHEREAS the Council of the Village of Queen Charlotte deems it expedient to close to traffic, remove the dedication of highway, and dispose of that portion of highway comprising approximately 283 square metres known as 4th Street dedicated as highway by Plan 934, which is shown outlined in bold black on the plan, Schedule A, prepared by David Hardwicke, B.C.L.S. on the 16th day of June,2011, a reduced copy of which is attached hereto (the "Road Closure Plan");

AND WHEREAS the disposition of that portion of highway will be to Walter Noddin and Gladys Noddin for the purpose of consolidation with the adjacent property owned by them legally described as PID: 014-339-757, Lot 1, DL16A Queen Charlotte District Plan 934 (the "Adjacent Parcel") in exchange for \$16,195.50 to be paid into a reserve fund pursuant to Section 41(1)(d) of the Community Charter.

AND WHEREAS notices of Council's intention to close that portion of highway to traffic, to remove its dedication as highway, and to dispose of it were published in a newspaper and posted in the public notice posting place, and Council has provided an opportunity for persons who consider they are affected by the closure and disposition to make representations to Council;

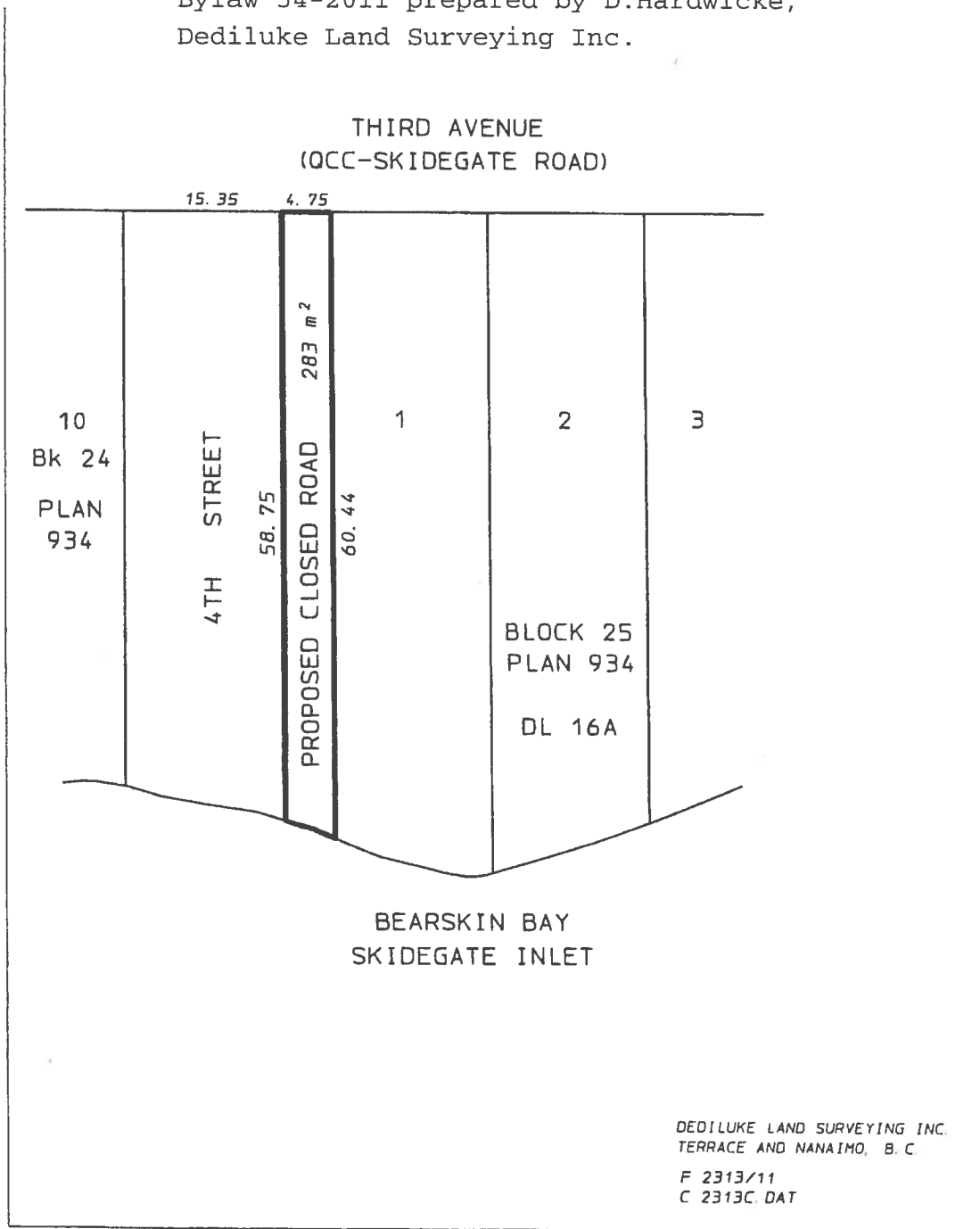
AND WHEREAS the Council does not consider that the closure of the Closed Road will affect the transmission or distribution facilities or works of utility operators;

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

1. The Village hereby authorizes the closure to traffic and removal of highway dedication of the 283 square metre portion of highway (which was dedicated as highway at the Prince Rupert Land Title Office by Plan 934), labelled "Closed Road" on the Road Closure Plan (the "Closed Road").
2. On deposit of the Road Closure Plan and all other documentation for the closure of the Closed Road in the Prince Rupert Land Title Office, the Closed Road is closed to public traffic, it shall cease to be public highway, and its dedication as a highway is cancelled.

SCHEDULE "A" - Closed Road Plan

Map of Proposed Closed Road for
Bylaw 54-2011 prepared by D.Hardwicke,
Dediluke Land Surveying Inc.





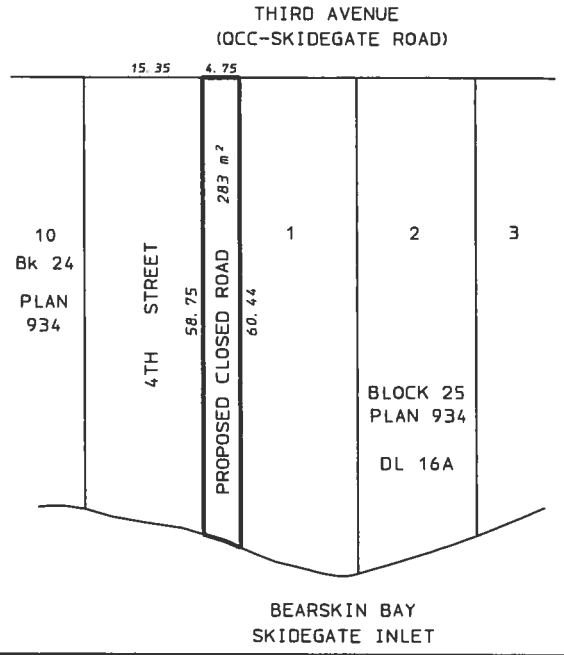
**VILLAGE OF QUEEN CHARLOTTE
NOTICE OF ROAD CLOSURE AND EXCHANGE**

The Village of Queen Charlotte gives notice of its intention to close to traffic a portion of the road known as 4th Street, dedicated as highway by Plan 934, shown shaded as marked as "Closed Road" on the sketch below, and to remove the dedication of those portions as highway.

Bylaw number 54-2011, closing that portion of road to traffic and removing its dedication as highway, will be considered by the Council at its regular meeting at the Village Office, 903 A Oceanview Drive, Queen Charlotte, on 6th September 2011 at 7.30 pm. Persons who consider they are affected by the bylaw will be provided an opportunity to make representations to Council at the meeting or by delivering a written submission to the Chief Administrative Officer by 7.00 pm on that date.

The Village of Queen Charlotte further gives notice of its intention to sell the closed portion of road to Walter Noddin and Gladys Noddin for consolidation with their adjacent property. Lot 1, Plan 934, Block 25, DL 16A. The closed portion of road will be transferred to Walter Noddin and Gladys Noddin in exchange for \$16,195.50 to be paid into a reserve fund pursuant to Section 41(1)(d) of the Community Charter.

Bill Beamish
Chief Administrative Officer



au 18,25

VILLAGE OF QUEEN CHARLOTTE

REPORT TO COUNCIL

DATE: July 11, 2011
FILE: Road Closure
AUTHOR: Bill Beamish, Chief Administrative Officer
SUBJECT: Application to Close and Purchase a Portion of 4th Street ROW

The following Report to Council and resolutions were approved by Council at an in-camera meeting held on July 18, 2011.

R2011/33/12 MOVED by Councillor Johnson, seconded by Councillor Martin

- 1. That Council direct the Chief Administrative Officer to commence the process to stop up and permanently close a portion of 4th Street, approximately 286.9m², pursuant to Section 40 of the Community Charter and to initiate proceedings to sell the closed portion of the road to the adjacent property owner, Gladys and Walter Noddin;**
- 2. That the proceeds of the sale of the ROW, approximately \$16,195.50 be placed in a reserve fund pursuant to Section 41(1)(d) of the Community Charter.**

CARRIED

REASON FOR REPORT:

Council direction is required before proceeding with an application from Gladys Noddin, 324 Oceanview Drive, to stop up and permanently close a portion of 4th Street to traffic, and to purchase the closed portion to be attached to her property, Lot 1, Plan 934, Block 25, DL 16A, Queen Charlotte Land District. The portion to be closed is a 4.75m strip on the east side of the ROW and is approximately 286.9m² in area. The existing ROW is 20meters wide.

The reasons for this request are:

- a. to resolve 2 encroachments by buildings on Lot 1 which cross onto the ROW, and,
- b. to establish a 1.5m side-yard setback that includes the owners water and sewer service lines.

The ROW at this location includes a significant ditch that manages the water run-off from Isabel Creek and ditches to the north and it has never been fully developed for municipal use. The Noddins have established access for deliveries, like firewood, to their property and they maintain the grassed area of the ROW on the east side of the ditch for pedestrian use. The retained access is sufficient to enable pedestrians and persons wanting to launch or recover kayaks or canoes with access to the water. Access is also available for emergency purposes.

Municipal services, water and sewer, for Lot 1 are located within this ROW. However, by extending the property line 4.75m on the west side, service lines will be within the property envelope.

The closure of a portion of the ROW will not affect access to the waterfront and will maintain the existing access as per Official Community Plan Policies noted below.

Photos and a site plan showing the proposed 4.75m strip are attached for reference.

BACKGROUND AND DISCUSSION:

The Community Charter establishes the procedure and process required to stop up and close a road as and to transfer ownership to an adjacent property owner. Copy of this procedure is attached for information.

A. Community Charter:

The applicable sections of the Community Charter that establish process are:

40 – Bylaw required

40(3) – requirement for public notice (s. 94)

40(4) – notice to utilities

41(1) - Restriction – Access to ocean

41(3) - Notice to MOTI

26(1) (3) - Property Disposition

94 – Public Notice

B. OCP Policies that apply:

The Official Community Plan provides direction to Council in respect to land use and development. It is not a regulatory bylaw. Bylaw 50 -2011 includes that following Objectives and policies with regard to access to the waterfront:

9.6.7 Identify and retain as many public accesses to the foreshore areas as possible.

12.2.3 Retain and consider acquiring public access to the ocean and other areas of public Interest.

12.3.7 Ensure public access to the waterfront to provide emergency service and recreational opportunities for people of all ages.

13.4.2 Promote recreational water use by supporting the development of accesses to the water for non-motorized (canoes, kayaks, etc.) and motorized vessels.

**C. BC Land Title Act,
Requirements for subdivisions**

75 (1) A subdivision must comply with the following, and all other, requirements in this Part:

(c) if the land subdivided borders on

(i) a body of water, the bed of which is owned by the Crown,

access must be given by highways 20 m wide to the body of water ... at distances not greater than 200 m between centre lines.

FINANCIAL CONSIDERATIONS:

Based on the 2010 assessed value of the applicants adjoining land, 937m², of \$52,900.00 , the value of the closed portion of the road, 286.9m², has been calculated to be: \$16,195.50 (\$56.45/m²) plus HST.

ENVIRONMENTAL CONSIDERATIONS:

Although the 'ditch' portion of the ROW is not a fish bearing stream, it does provide nutrients to the ocean and as such must be protected. The ditch will not be affected by this subdivision.

LEGAL CONSIDERATIONS:

Community Charter; OCP Bylaw 50, 2011; and. BC Land Title Act Section 75, as referenced above.

Bill Beamish, Chief Administrative Officer

Attachments

Road Closure Procedure:

1) Preparation of Documents and Plans

- 2) Bylaw: - The Village needs a bylaw to close the portion of road to traffic and remove its dedication as highway (s. 40 Community Charter). If there are any utilities located in the road area, the Village needs to give notice to the operators of those utilities, and the operator may require the municipality to provide reasonable accommodation to those utilities.

The bylaw can also approve of the sale of the road area.

- Before adoption, the Village needs to give public notice in accordance with s. 94 Community Charter.
- Before adoption, the Village needs to give an opportunity to person who consider they are affected by the bylaw to make representations to council (s. 40(3)).
- If the road allowance is within 800 metres of a Provincial arterial highway, the MOT needs to approve the bylaw before adoption.

3) Bylaw adoption process

- (a) council gives staff instruction to move forward on road exchange, to prepare bylaw and notices, and inform utility operators
 - (b) first council meeting - council gives three readings to the bylaw
 - (c) newspaper notices - once a week for two consecutive weeks - and notices published in the Village's posting place
 - (d) concurrently with (c), the bylaw is sent to MOT for approval
 - (e) at following council meeting, assuming that utilities are satisfied and bylaw approved by MOT, public representation opportunity is given.
- If council is prepared, council adopts bylaw

4) Execution and delivery of documents

Village staff would arrange for Village execution of the documents (full list in item 5 below) and the Approving Officer would approve the subdivision/consolidation plan.
The Village would then deliver the package of plans and documents to owner's solicitor/notary to register in the Land Title Office, pursuant to his undertakings.

5) Registration of closing documents

The following is the list of documents that would be registered at the Land Title Office:

- (a) 2 certified copies of road closure bylaw and bylaw plan
- (b) Form 17 to raise title to the road allowance
- (c) Form 17 to cancel the Province's right of resumption in the road allowance (s. 35(8) Community Charter) - signed by Village's Administrator

- (d) Form A transfer of road area - signed by Village's authorized signatories
- (e) Subdivision Plan - signed by owner and Village's approving officer
- (f) any covenants/SRWs required by approving officer in conjunction with subdivision

Once the package of plans and documents has been accepted at the Land Title Office, the owner's solicitor/notary will, pursuant to his undertakings, deliver to the Village his trust cheque(s) in the amount of the purchase price for the road area (if applicable) and the HST payable (always applicable, based on fair market value of land), and any contribution to the Village's legal fees.

**VILLAGE OF QUEEN CHARLOTTE
BYLAW NO. 55 -2011**

**A BYLAW TO DEFINE THE AREAS
EXEMPTED FROM TAXATION PURSUANT
TO SECTION 224 OF THE COMMUNITY CHARTER**

WHEREAS Section 224 of the Community Charter empowers the Council, by bylaw to exempt certain lands and improvements from municipal taxation

NOW THEREFORE the Municipal Council of the Village of Queen Charlotte, in an open meeting assembled, enacts as follows:

1. This bylaw may be cited for all purposes as “Village of Queen Charlotte Taxation Exemption Bylaw No. 55-2011.”
2. The following properties or portions of properties situated in the Village of Queen Charlotte, B.C. shall be and are hereby exempt from property taxation by the Village of Queen Charlotte for the year 2012.
 1. Block 10, Plan 934, DL 16A owned by the QCC Community Club and used for a community hall.
 2. Licence no. 635285 covering that part of D.L. 16, Plan 934 owned by the QCC Community Club and used for a park and playing field.
 3. Lots 13,14,& 15, Block 20, Plan 934, DL 16A licence number 634529 owned by the QCC Community Club and used for the purpose of a day use park.
 4. Lot 17, Block 13, Plan 934, DL 16 and 16A owned by the QCC Volunteer Fire Prevention Society and used for the purposes of a fire hall.
 5. Lot 10, Block 11, Plan 934, DL 16A owned by the Charlotte Thrift Shop Society and used for the purposes of a thrift store.
 6. Lot 11, 12, Block 11, Plan 934, DL 16A owned by the Royal Canadian Legion Queen Charlotte #220 for the purpose of a legion.
 7. Lot 16, Block 26, Plan 934, DL 16A owned by the Queen Charlotte Youth Education Society for the purpose of a school.
 8. Lot 15-16, Block 13, Plan 934, DL16A, owned by the Trustees of the QC Congregation of Jehovah’s Witnesses and used for the purpose of a Church and bible school. (Parking lot only).

READ A FIRST TIME this day of , 2011.

READ A SECOND TIME this day of , 2011.

READ A THIRD TIME this day of , 2011.

RECONSIDERED AND FINALLY ADOPTED THIS day of , 2011.

Mayor

Chief Administrative Officer

I hereby certify that the above is true and correct copy of “Village of Queen Charlotte Taxation Exemption Bylaw No. 55-2011” as adopted by Council of the Village of Queen Charlotte on the day of , 2011.

Chief Financial Officer

Union of BC Municipalities, September 25 - 30, 2011

Minister meetings requested:

Office of the Premier, Hon. Christy Clark

Minister of Health - Hon. Michael de Jong

Minister of Small Business, Technology and Economic Development - Hon. Ida Chong

Minister of Jobs, Tourism and Innovation - Hon. Pat Bell

staff meetings requested:

Public safety and Solicitor General

Community Sport and Cultural Development

mtgs. requested from invitations:

Northern Health - Cathy Ulrich, President and CEO and Charles Jago, Chair

BC Hydro Northern Community Relations

others:

Minister of Energy and Mines - Hon. Rich Coleman (MIEDS)

Minister of Agriculture - Hon. Don Mc Rae (MIEDS)

Minister of Forests, Lands and Natural Resource Operations - Hon. Steve Thomson (MIEDS)

Minister of Advanced Education - Hon. Naomi Yamamoto (Haida Gwaii Higher Education Society)

VILLAGE OF QUEEN CHARLOTTE

REPORT TO COUNCIL

DATE: August 26, 2011
AUTHOR: Debra Uliana, CFO
SUBJECT: Forfeited Properties

RECOMMENDATIONS:

- a. That Council receive this report on forfeited properties.
- b. That Council resolve to request permission from the Minister of Community, Sport and Cultural Development (pursuant to Section 315.3 of the Local Government Act) to write off unpaid property taxes, plus applicable penalties and interest, of the following properties:
Roll No. 2855000 \$2,962.46 plus applicable penalties and interest
Roll No. 2869002 \$306.98 plus applicable penalties and interest
- c. That Council consider whether or not to pursue special consideration of this matter from the Ministry due to the time it has taken to resolve the status of these properties and the resulting costs to the Village of Queen Charlotte.

REASON FOR REPORT:

Upon incorporation two properties (Roll No. 2855000 and Roll No. 286002) were already in forfeiture to the Crown. The folios were included in those transferred to the Village of Queen Charlotte upon incorporation and have continued to accrue property taxes, frontage taxes, penalties and interest (please refer to the attached spreadsheet). BC Assessments did not remove these two properties from the Village of Queen Charlotte tax assessment until 2010 and 2009 respectfully.

BACKGROUND AND DISCUSSION:

Our office has been inquiring into the status of the forfeited properties since 2007.

Roll No. 2855000 (McNeil)- Forfeited in 1999 – Removed from the Assessment Roll in 2010:

Correspondence from the Ministry (Debbie Dowell by email):

2007 – The property was not redeemed or revested; the owners applied for remission and that was denied; cannot be redeemed by the owners by simply paying outstanding taxes; advised the Village to not accept payment of property taxes.

2008 – Requested a status update. The file had been transferred to Integrated Land Management Bureau. ILMB later reported to her that the property was still in limbo, the owners had not gone forward with another remission process, the property is considered Crown property, the property is exempt. However, the property remained on the assessment roll for 2008 and 2009.

2009 – We again asked for a status report. Nothing further had happened, the remission did not proceed. The property was forfeited and has not been redeemed or revested. BC Assessments had assigned a tenure code of “simply occupiers” – with ongoing taxation. She suggested the Village of Queen Charlotte contact BC Assessments and ask them to change the property to “exempt” status. She also advised that there was a process available for writing off taxes and we might want to consider this.

2010 – BC Assessment changed this property to an “exempt” status for the 2010 Assessment Roll.

Roll No. 2869002 (BC Association of Non-Status Indians): Forfeited Dec. 1, 2005 – Removed from the Assessment Roll in 2009.

The status of this property was not clear to our office and was included in our assessment roll up on incorporation. When taxes outstanding became delinquent in 2007 the delinquent portion of the outstanding taxes were collected. In 2008 delinquent taxes were again paid by the owner. The property was changed to “exempt” status by BC Assessments in 2009. There remain outstanding taxes owing on the account at this time as the current and arrears taxes were never paid.

BYLAW OR POLICY CONSIDERATIONS:

Lauren Kerr, our Financial Advisor with the Ministry, has responded to our request for direction on how to proceed with forfeited properties. We have supplied the Ministry the financial information required for a Ministers Order under section 315.3 of the Local Government Act and are now seeking the resolution of Council which is also needed to proceed with the write off of the outstanding property taxes.

FINANCIAL CONSIDERATIONS:

Upon receipt of the 315.3 Ministers Order, the Village of Queen Charlotte will be authorized to write off the total amount of taxes, interest and penalties outstanding for both properties. The information we have to date indicates that the only taxes that are refundable to the municipality are the School Taxes. We have an inquiry outstanding with the Skeena-Queen Charlotte Regional District as to the process for regional requisitions. These two properties are now on the Village of Queen Charlotte’s assessment roll as Provincial properties and are exempt from property taxation. This will prevent further property taxes from accruing.

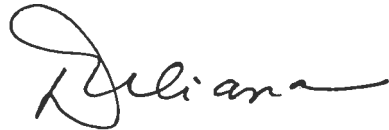
LEGAL CONSIDERATIONS:

The Village of Queen Charlotte is proceeding pursuant to Section 315.3 of the Local Government Act to deal with these two forfeited properties.

CONCLUSION:

As with all “exempt” properties, including those properties with statutory exemptions (provincial, federal or municipal properties) and permissive tax exempt properties (by bylaw) the assessment values will be included in the Village of Queen Charlotte’s total assessment. These assessment values form part of the tax rate calculation for the entire community. Some federally exempt properties qualify for a “Payment In Lieu of Tax” payment to the Village of Queen Charlotte. Those provincial properties with improvements also remit a “Payment in Lieu of Tax” payment to the Village of Queen Charlotte. The

cost of this write off will impact the bottom line for the Village of Queen Charlotte by reducing accounts receivable and thereby reducing reserves.



Debra Uliana, Chief Financial Officer