



Regular Meeting of the Council of the District of Port Edward

Tuesday, October 24, 2023

7:00 PM

District of Port Edward Council Chambers

Zoom Link Join: <https://us06web.zoom.us/j/81175839984>

Meeting ID: 811 7583 9984

AGENDA

We respectfully acknowledge we are meeting on the traditional unceded homeland and territories of the Tsimshian Peoples

1. Adoption of Agenda

Recommendation:

THAT the Agenda for the Regular Council Meeting of October 24, 2023 be adopted as presented.

2. Adoption of Minutes

Recommendation: THAT the minutes of the Special Meeting and the Regular Council on October 10, 2023 be adopted as presented.

3. Business Arising

4. Petitions & Delegation

5. Correspondence

6. Reports

a) Letter of Understanding # 2- CUPE Local 105-02 – Safety & Health

Recommendation: That Council approves entering into a Letter of Understanding#2 with CUPE Local 105-2, regarding Article 26, Safety and Health.

b) Sewer Services Agreement- Amendment – Prince Rupert Port Authority

Recommendation: THAT Council approves entering into the amended Sewer Services Agreement with the Prince Rupert Port Authority, expiring December 31, 2027.

c) Next Generation 911 Funding

Recommendation: That Council receives the 2023 Next Generation Funding letter for information.

d) UBCM- Community Emergency Preparedness Fund

Recommendation: That Council authorizes staff to submit a grant application to the UBCM Community Emergency Preparedness Fund for replacement of old equipment and to provide overall grant management.

e) CAO's Report to Council (Oct 6-Oct 18, 2023)

7. Bylaws

a) District of Port Edward Water Rates & Regulations Amendment Bylaw # 747, 2023

Recommendation: THAT Council gives final reconsideration and adoption to Water Rates & Regulations Amendment Bylaw # 747, 2023.

b) District of Port Edward Zoning Amendment Bylaw # 748, 2023

Recommendation: THAT Council gives final reconsideration and adoption to Zoning Amendment Bylaw # 748, 2023.

c) District of Port Edward Sewer Rates & Regulations Amendment Bylaw # 749, 2023

Recommendation: THAT Council gives final reconsideration and adoption to Sewer Rates & Regulations Amendment Bylaw # 749, 2023.

d) District of Port Edward Council Remuneration Amendment Bylaw # 750, 2023

Recommendation: THAT Council gives final reconsideration and adoption to Council Remuneration Amendment Bylaw # 750, 2023.

8. New Business

9. Reports on Council Activities

10. Questions from Audience – *Regarding Listed Agenda Items Only*

11. Adjournment

RE: Motion to move to In-Camera at the end of Regular Council meeting as per Community Charter Section 90(1):

(e)- the acquisition, disposition or expropriation of the land or improvements if the council considers that disclosure could be reasonably be expected to harm the interests of the municipality.

(m)- a matter that under another enactment, is such that the public may be excluded from the meeting

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MINUTES OF THE SPECIAL MEETING OF THE COUNCIL OF THE DISTRICT OF PORT EDWARD, HELD IN COUNCIL CHAMBERS ON TUESDAY, OCTOBER 10, 2023

PRESENT:

COUNCIL:

Mayor Knut Bjorndal, Chair
Councillors: Christine Mackenzie and Colleen McDonald
Absent: Councillors Dan Franzen and James Brown

ADMINISTRATION:

Elsie Lemke, Interim Chief Administrative Officer
Polly Pereira, Director of Corporate Administrative Services and Strategic Projects
Absent: Lorraine Page, Director of Financial Services

OTHERS:

CALL TO ORDER:

Mayor Knut Bjorndal called the Special meeting to order at 6:00 pm on Tuesday October 10, 2023.

Mayor opened the meeting by respectfully acknowledging we are meeting on the traditional unceded homeland and territories of the Tsimshian Peoples

AGENDA:

23-138 Moved by: Councillor McDonald
 Seconded by: Councillor MacKenzie

THAT the Agenda for the Special Council Meeting of October 10, 2023 be adopted as presented.

Carried Unanimously

1. RESOLUTION TO EXCLUDE THE PUBLIC

23-139 Moved by: Councillor McDonald
 Seconded by: Councillor MacKenzie

THAT the meeting be closed to the public under Section 90 of the Community Charter to consider items relating to one or more of the following:

90.1 (k) Negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were in public.

Carried Unanimously

ADJOURNMENT:

23-140 Moved by: Councillor MacKenzie
 Seconded by: Councillor McDonald

NOW THEREFORE BE IT RESOLVED THAT at 6:03 pm on October 10, 2023 Special Meeting of Council be adjourned and move to an In-camera meeting.

Carried Unanimously

CERTIFIED CORRECT

Knut Bjorndal, Mayor

Polly Pereira, Director Corporate
Administrative Services and Strategic
Projects

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE DISTRICT OF PORT EDWARD, HELD IN COUNCIL CHAMBERS ON TUESDAY OCTOBER 10, 2023

PRESENT:

COUNCIL

Mayor Knut Bjorndal, Chair
Councillors: Christine MacKenzie, James Brown and Colleen McDonald

Absent: Councillor Dan Franzen

ADMINISTRATION:

Elsie Lemke, Interim Chief Administrative Officer
Polly Pereira, Director of Corporate Administrative Services and Strategic Projects

Absent: Lorraine Page, Director of Financial Services

CALL TO ORDER:

Mayor Knut Bjorndal called the meeting to order at 7:00 pm on Tuesday October 10, 2023.

AGENDA:

23-141 Moved by: Councillor Brown
Seconded by: Councillor MacKenzie

THAT the Agenda for the Regular Council Meeting of October 10, 2023 be amended to include item 5f (Pole Raising Event); and

FURTHER THAT the Agenda be adopted as amended.

Carried Unanimously

MINUTES:

23-142 Moved by: Councillor MacKenzie
Seconded by: Councillor Brown

THAT the minutes of the Regular Meeting of Council dated September 12, 2023 be adopted as presented.

Carried Unanimously

BUSINESS ARISING:

PETITIONS AND/OR DELEGATION:

CORRESPONDENCE:

- a) **Rosa Miller, Corporate Administrator/Director of Recreation**
RE: NCLGA 2025

An email dated September 12, 2023 from Prince Rupert, City Manager Dr. Buchan, requesting support, in the form of a partnership, with the North Coast Regional District to host the North Central Local Government Association 2025 conference be considered by Council.

23-143 Moved by: Councillor MacKenzie
Seconded by: Councillor McDonald

THAT Council support a partnership with City of Prince Rupert and the North Coast Regional to host the 2025 North Central Local Government Association conference.

Carried Unanimously

**b) Prince Rupert Special Events Society
RE: Grant in Aid- 28th Annual Winterfest**

A Grant in Aid application from the Prince Rupert Special Events Society requesting financial support has been received for the upcoming Annual Winterfest.

23-144 Moved by: Councillor MacKenzie
Seconded by: Councillor McDonald

THAT Council supports the Prince Rupert Special Events Society request be contributing five hundred dollars towards this event.

Carried Unanimously

**c) Northern Health
RE: Review of subdivision proposals by Northern Health**

A letter dated September 25, 2023 was received as an update that Northern Health has temporarily suspended the review of routine subdivision proposals submitted by municipalities and regional district.

23-145 Moved by: Councillor MacKenzie
Seconded by: Councillor McDonald

THAT the letter advising that Northern Health has temporary suspended the review of routine subdivision proposals by submitted by municipalities and regional district be received and filed.

Carried Unanimously

**d) Rotary Club of Prince Rupert
RE: Grant in Aid- 59th Annual Rotary Club Auction of Prince Rupert**

A Grant in Aid application from the Rotary Club of Prince Rupert requesting financial support has been submitted for the upcoming 59th Annual Rotary Club Auction for Council to consider.

- 23-146 Moved by: Councillor MacKenzie
 Seconded by: Councillor Brown

THAT Council supports the Rotary Club of Prince Rupert request by contributing five hundred dollars towards this event.

Carried Unanimously

- e) **Prince Rupert Community Hallowe'en Fest**
RE: Grant in Aid- 36th Annual Hallowe'en Fest

A Grant in Aid application from the Prince Rupert Community Hallowe'en Fest requesting financial support has been submitted for the upcoming Annual Hallowe'en Fest for Council to consider.

- 23-147 Moved by: Councillor MacKenzie
 Seconded by: Councillor McDonald

THAT Council supports the Prince Rupert Community Hallowe'en Fest request by contributing five hundred dollars towards this event.

Carried Unanimously

- f) **Roman Broch, Chief Operating Officer, Ts'msyen Prosperity Society**
RE: Totem Pole Raising

An email dated October 10, 2023 was received inviting Council to the upcoming pole raising feast.

- 23-148 Moved by: Councillor Brown
 Seconded by: Councillor MacKenzie

THAT Council support the totem pole raising by contributing two hundred and fifty dollars towards the feast.

Carried Unanimously

REPORTS:

- a) **Elsie Lemke's Appointment as Interim CAO and Signing Authority**

Council was provided a report from the Director of Corporate Administrative Services dated October 10, 2023, regarding the CAO position being vacant with Robert Grodecki's departure and a new Interim CAO has been hired, Elsie Lemke, as of September 18, 2023. As part of the position the District of Port Edward, must appoint Elsie Lemke at a Council meeting as the Interim CAO. Council also authorizes her to sign legal agreements or contracts on behalf of the District of Port Edward. Council also appoints Elsie Lemke as the Approving Officer for the District of Port Edward.

23-149 Moved by: Councillor Brown
Seconded by: Councillor MacKenzie

THAT Council appoints Elsie Lemke as the District of Port Edward Interim Chief Administrative Officer. Elsie Lemke will be an authorized signee on behalf of the District of Port Edward as well as the Approving Officer.

Carried Unanimously

b) Updated- Facility Rental Policy and Procedures

Council was provided a report from the Director of Corporate Administrative Services dated October 10, 2023, regarding the need to update the Facility Rental Policy and Procedures and the Facility Rental Agreement application. The last update was in 2007. The changes made were mostly updates such as insurance information, if serving liquor, the requirements of a liquor license and that a security deposit is required. A new fee has been included as part of this policy which includes Tournament/Camps for the McKeown Sports Field.

23-150 Moved by: Councillor MacKenzie
Seconded by: Councillor Brown

THAT Council approves the proposed changes to the Facility Rental Policy and Procedures (FIN# 500) as well the Facility Rental Agreement Application.

Carried Unanimously

c) Flag Policy

Council was provided a report from the Director of Corporate Administrative Services dated October 10, 2023, that introduced a new policy on the etiquette and use of a Port Edward flag. Also that the Port Edward flag will be made available to interested parties to be purchased.

23-151 Moved by: Councillor MacKenzie
Seconded by: Councillor Brown

THAT Council approves the District of Port Edward Flag Policy (ADM# 613).

Carried Unanimously

**d) Polly Pereira, Director of Corporate Administrative Officer
RE: Development Variance Permit for Lot 1; District Lot 446; Range 5;
Coastal District Plan EPP 129613**

Council was provided a report from the Director of Corporate Administrative Services dated October 10, 2023, this application was introduced to Council on September 27, 2023 and at that meeting it was to proceed to public notification.

Notices were provided to neighbouring property owners and an opportunity to comment was given until September 27, 2023, no comments were received.

The request from Mr. Thompson is to reduce the required rear setback to .75 meters for Unit # 7 and 2.50 meters for Unit # 4, as per illustrated in the drawing provided (C102). Also Council must be aware that a spatial separation of 2.4 meters is required for fire safety on the adjacent property, 333 Skeena Drive (Kinnikinnick Campground). The Campground requires a "no build" zone of approximately .15 meter along Unit # 7 and approximately 1.9 meters along Unit # 4. A Memo from the Building Inspector was also provided regarding the "no build" zone on 333 Skeena Drive. The required setback for C2 (Tourist Commercial) zoning is 3 meters.

23-152 Moved by: Councillor Brown
 Seconded by: Councillor MacKenzie

THAT Council approve the following variance for Lot 1, DL 446, Range 5 Plan EPP 129613:

- **Rear yard setbacks reduced by 0.75 meters for Unit # 7 and the rear yard setbacks reduce by 2.50 meters for Unit # 4 as illustrated on the drawing provided; and**

FURTHER THAT a "no build" zone is required for the adjacent property 333 Skeena Drive (Kinnikinnick Campground) of approximately .15 meters along Unit # 7 and approximately 1.90 meters along Unit # 4 to allow sufficient spatial separation for fire safety.

Carried Unanimously

e) Sewer Services Agreement- Prince Rupert Port Authority

Council was provided a report from the Interim Chief Administrative Officer dated October 10, 2023, regarding the District entering into a legal agreement to continue to accept sewage from the Prince Rupert Port Authority. Public Works reported that they were encountering problems with our system handling the waste which triggered an investigation into what was happening and potential causes. A study has been completed and reviewed by our engineers at MSR Innovative Engineering Services. MSR has provided recommendations to public works on how to handle the sewage waste flows. Additional staff time is required to properly handle the incoming waste, so the attached agreement reflects a price increase from \$1,500 per load, to \$2,00 per load. This fee will automatically increase each year by the consumer price index for BC. The term of this agreement will be until December 31, 2027.

23-153 Moved by: Councillor McDonald
 Seconded by: Councillor MacKenzie

THAT Council approves entering into the Sewer Service Agreement with the Prince Rupert Port Authority, expiring December 31, 2027.

Carried Unanimously

f) CAO's Report (September 18-October 5, 2023)

Council was provided a report from the Interim Chief Administrative Officer dated October 10, 2023 that outlined all the activities that she has been working on.

23-154 Moved by: Councillor MacKenzie
Seconded by: Councillor Brown

THAT Council approves the CAO's Report to Council -September 18-October 5, 2023.

Carried Unanimously

**REPORTS FROM
IN-CAMERA:**

BYLAWS:

a) District of Port Edward Water & Regulations Amendment Bylaw # 747, 2023

Council received a report from the Director of Finance, regarding water rates, the goal is to achieve sustainable service delivery. This requires appropriately pricing the sale of services to cover the cost of the service. A moderate increase in the water rates for January 2024 is being proposed to all water customers. The last water rate increase was January 2022. This amendment also includes a rate for bulk water sales.

23-155 Moved by: Councillor MacKenzie
Seconded by: Councillor McDonald

THAT Council gives first, second and third readings to the District of Port Edward Water & Regulations Amendment Bylaw # 747, 2023.

Carried Unanimously

b) District of Port Edward Zoning Amendment Bylaw # 748, 2023

Council received a report from the Interim Chief Administrative Officer, regarding the property located at 293-295 Bayview Drive. The property had been operated by Sakura Seafoods for a least 10-20 years. For some reason the zoning was not updated when the business changed to primarily fish processing. Coldfish

Seafoods Co. Inc. has now taken over ownership, and a business licence application triggered the need to correct the zoning on the properties. The owners have applied for M2 (Waterfront/General Industrial), which is a more appropriate zoning for the current land uses.

The OCP designates these properties as Industrial, therefore no public hearing is required. According to the Local Government Act Section 464(2). Notice is still required to be provided to owners/occupiers within 60 meters of the subject properties, and we will post it on our Notice Board as well. This notice process is intended for information only, as no public hearing is being held.

23-156 Moved by: Councillor McDonald
 Seconded by: Councillor Brown

THAT Council gives first, second and third readings to the District of Port Edward Zoning Amendment Bylaw # 748, 2023.

Carried Unanimously

c) **District of Port Edward Sewer Rates & Regulations Amendment Bylaw # 749, 2023**

Council received a report from the Director of Finance, proposing to slightly increase the sewer rates as of January 2024 to all sewer customers. The last increase in sewer rates was January 2016. There is also a change in the connection fees to include minimum charges to actual costs.

23-157 Moved by: Councillor MacKenzie
 Seconded by: Councillor McDonald

THAT Council gives first, second and third readings to the District of Port Edward Sewer Rates & Regulations Amendment Bylaw # 749, 2023.

Carried Unanimously

d) **District of Port Edward Council Remuneration Amendment Bylaw # 750, 2023**

Council received a report from the Director of Finance, for consideration regarding Council's remuneration. In the past this bylaw has been presented every three years with rate increases calculated using the BC Consumer Price Index. It is proposed that all future years increase be calculated this way.

23-158 Moved by: Councillor MacKenzie
 Seconded by: Councillor Brown

THAT Council gives first, second and third readings to the District of Port Edward Council Remuneration Amendment Bylaw # 750, 2023.

Carried Unanimously

NEW BUSINESS:

RE: Every Child Matters Flag

23-159 Moved by: Councillor Brown
 Seconded by: Councillor McDonald

THAT staff purchase a “Every Child Matters” flag to be flown near the Port Edward Fire Hall.

Carried Unanimously

REPORTS ON COUNCIL ACTIVITIES:

RE: North Coast Regional District - September Board Highlights

Mayor Bjorndal & Councillor Brown

Attended the Union of British Columbia Municipalities conference in Vancouver and the scheduled meeting with the various Ministers.

ADJOURNMENT:

23-160 Moved by: Councillor Franzen
 Seconded by: Councillor Brown

NOW THEREFORE BE IT RESOLVED THAT at 8:11 pm the October 10, 2023 Regular Meeting of Council be adjourned.

Carried Unanimously

CERTIFIED CORRECT

Knut Bjorndal, Mayor

Polly Pereira, Director Corporate
Administrative Services and
Strategic Projects



REGULAR COUNCIL REPORT FOR DECISION

Date: October 24, 2023
To: Mayor and Council
From: Elsie Lemke, Interim Chief Administrative Officer
Subject: Letter of Understanding #2 – CUPE Local 105-02 - Safety & Health

Recommendation: That Council approves entering into Letter of Understanding #2 with CUPE Local 105-02, regarding Article 26, Safety and Health.

Background:

The current Collective Agreement requires that a Joint Health and Safety Committee is established, under the requirements of the *Workers Compensation Act*. The requirement to establish and maintain a joint health and safety committee is applicable to a workplace where 20 or more workers are regularly employed. The committee is required to have at least 4 members, representing both the employer and the workers.

When a workplace is smaller (between 9 and 20 workers), a worker health and safety representative can be appointed by the union, instead of utilizing the joint health and safety committee format. The worker representative model is a lot more practical for the District of Port Edward, and the union has agreed to make this amendment to the Collective Agreement.

Upon adoption of this new model, the Health and Safety Program policies and procedures will be amended accordingly.

Approved for Submission to Council:



Elsie Lemke, Interim CAO

- Well Planned Finances
- Well Planned, Maintained, Financed Public Works & Infrastructure
- Growing & Progressive Economic Development
- High Quality of Life & Community Development
- Excellent Organization

Attachment:

- Letter of Understanding #2 – Safety & Health

LETTER OF UNDERSTANDING #2

Between

DISTRICT OF PORT EDWARD

And

CUPE LOCAL 105-02

RE: Article 26, Safety and Health

It is mutually agreed by the Employer and the Union that the District of Port Edward is not required to form a Joint Health and Safety Committee under the *Workers Compensation Act*, Part 2: Occupational Health & Safety, Division 5: Joint Committees and Worker Representatives.

However, the District is required to appoint a Worker Health & Safety Representative to act in this capacity as outlined in subsections 45 and 46 of the *Act*. Division 5 has been included in its entirety as a point of reference to these subsections.

Division 5 — Joint Committees and Worker Representatives

General requirement for employer to establish joint committee

31 *An employer must establish and maintain a joint health and safety committee*

(a) in each workplace where 20 or more workers of the employer are regularly employed, and

(b) in any other workplace for which a joint committee is required by order.

Variations in committee requirements

32 *(1) Despite section 31, the Board may, by order, require or permit an employer to establish and maintain*

(a) more than one joint committee for a single workplace of the employer,

(b) one joint committee for more than one workplace or parts of more than one workplace of the employer, or

(c) one joint committee for the workplace or parts of the workplaces of a number of employers, if the workplaces are the same, overlapping or adjoining.

(2) An order under subsection (1) may

(a) specify the workplace, workplaces, or parts for which a joint committee is required or permitted, and

(b) provide for variations regarding the practice and procedure of a joint committee from the provisions otherwise applicable under the OHS provisions or the regulations.

Membership of joint committee

33 *A joint committee for a workplace must be established in accordance with the following:*

(a) it must have at least 4 members or, if a greater number of members is required by regulation, that greater number;

(b) it must consist of worker representatives and employer representatives;

(c) at least half the members must be worker representatives;

(d) it must have 2 co-chairs, one selected by the worker representatives and the other selected by the employer representatives.

Selection of worker representatives

34 *(1) The worker representatives on a joint committee must be selected from workers at the workplace who do not exercise managerial functions at that workplace, as follows:*

(a) if the workers are represented by one or more unions, the worker representatives are to be selected according to the procedures established or agreed on by the union or unions;

(b) if none of the workers are represented by a union, the worker representatives are to be elected by secret ballot;

(c) if some of the workers are represented by one or more unions and some are not represented by a union, the worker representatives are to be selected in accordance with paragraphs (a) and (b) in equitable proportion to their relative numbers and relative risks to health and safety;

(d) if the workers do not make their own selection after being given the opportunity under paragraphs (a) to (c), the employer must seek out and assign persons to act as worker representatives.

(2) The employer or a worker may request the Board to provide direction as to how an election under subsection (1) (b) is to be conducted.

(3) The employer, or a union or a worker at a workplace referred to in subsection (1) (c), may request the Board to provide direction as to how the requirements of that provision are to be applied in the workplace.

Selection of employer representatives

- 35** (1) *The employer representatives on a joint committee must be selected by the employer from among persons who exercise managerial functions for the employer and, to the extent possible, who do so at the workplace for which the joint committee is established.*
- (2) *For certainty, an individual employer may act as an employer representative.*

Duties and functions of joint committee

- 36** *A joint committee has the following duties and functions in relation to its workplace:*
- (a) to identify situations that may be unhealthy or unsafe for workers and advise on effective systems for responding to those situations;*
 - (b) to consider and expeditiously deal with complaints relating to the health and safety of workers;*
 - (c) to consult with workers and the employer on issues related to occupational health and safety and occupational environment;*
 - (d) to make recommendations to the employer and the workers for the improvement of the occupational health and safety and occupational environment of workers;*
 - (e) to make recommendations to the employer on educational programs promoting the health and safety of workers and compliance with the OHS provisions and the regulations and to monitor their effectiveness;*
 - (f) to advise the employer on programs and policies required under the regulations for the workplace and to monitor their effectiveness;*
 - (g) to advise the employer on proposed changes to the workplace, including significant proposed changes to equipment and machinery, or the work processes that may affect the health or safety of workers;*
 - (h) to ensure that accident investigations and regular inspections are carried out as required by the OHS provisions and the regulations;*
 - (i) to participate in inspections, investigations and inquiries as provided in the OHS provisions and the regulations;*
 - (j) to carry out any other duties and functions prescribed by regulation.*

Joint committee procedure

- 37** (1) Subject to the OHS provisions and the regulations, a joint committee must establish its own rules of procedure, including rules respecting how it is to perform its duties and functions.
- (2) A joint committee must meet regularly at least once each month, unless another schedule is permitted or required by regulation or order.

Board assistance in resolving disagreements within committee

- 38** (1) If a joint committee is unable to reach agreement on a matter relating to the health or safety of workers at the workplace, a co-chair of the committee may report this to the Board, which may investigate the matter and attempt to resolve the matter.
- (2) If the Board considers that a joint committee is unable to reach agreement on a matter relating to the health or safety of workers at the workplace, the Board, on its own initiative, may investigate the matter and attempt to resolve the matter.

Employer must respond to committee recommendations

- 39** (1) This section applies if a joint committee sends a written recommendation to an employer with a written request for a response from the employer.
- (2) Subject to subsections (4) and (5), the employer must respond in writing to the committee within 21 days of receiving the request, either
- (a) indicating acceptance of the recommendation, or
 - (b) giving the employer's reasons for not accepting the recommendation.
- (3) If the employer does not accept the committee's recommendations, a co-chair of the committee may report the matter to the Board, which may investigate and attempt to resolve the matter.
- (4) If it is not reasonably possible to provide a response before the end of the 21-day period, the employer must provide within that time a written explanation for the delay, together with an indication of when the response will be provided.
- (5) If the joint committee is not satisfied that the explanation provided under subsection (4) is reasonable in the circumstances, a co-chair of the committee may report this to the Board.
- (6) On receiving a report under subsection (5), the Board may investigate the matter and may, by order, establish a deadline by which the employer must respond.
- (7) Nothing in this section relieves an employer of the obligation to comply with the OHS provisions and the regulations.

Time from work for meetings and other committee functions

- 40** (1) A member of a joint committee is entitled to time off from work for
- (a) the time required to attend meetings of the committee, and
 - (b) other time that is reasonably necessary to prepare for meetings of the committee and to fulfill the other duties and functions of the committee.
- (2) Time off under subsection (1) is deemed to be time worked for the employer, and the employer must pay the member for that time.

Educational leave for committee members

- 41** (1) Each member of a joint committee is entitled to an annual educational leave totalling 8 hours, or a longer period if prescribed by regulation, for the purposes of attending occupational health and safety training courses conducted by or with the approval of the Board.
- (2) A member of the joint committee may designate another member as being entitled to take all or part of the member's educational leave.
- (3) The employer must provide the educational leave under this section without loss of pay or other benefits and must pay for, or reimburse the worker for, the costs of the training course and the reasonable costs of attending the course.

Other employer obligations to support committee

- 42** (1) The employer must provide the joint committee with the equipment, premises and clerical personnel necessary for the carrying out of its duties and functions.
- (2) On request of the joint committee, the employer must provide the committee with information respecting
- (a) the identification of known or reasonably foreseeable health or safety hazards to which workers at the workplace are likely to be exposed,
 - (b) health and safety experience and work practices and standards in similar or other industries of which the employer has knowledge,
 - (c) orders, penalties and prosecutions under the OHS provisions or the regulations relating to health and safety at the workplace, and
 - (d) any other matter prescribed by regulation.

Committee reports

- 43** (1) After each joint committee meeting, the committee must prepare a report of the meeting and provide a copy to the employer.
- (2) The employer must

(a) if so requested by a union representing workers at the workplace, send a copy of the reports under subsection (1) to the union,

(b) retain a copy of the reports for at least 2 years from the date of the joint committee meeting to which they relate, and

(c) ensure that the retained reports are readily accessible to the joint committee members, workers of the employer, officers and other persons authorized by the Board or the minister.

Employer must post committee information

44 At each workplace where workers of an employer are regularly employed, the employer must post and keep posted

(a) the names and work locations of the joint committee members,

(b) the reports of the 3 most recent joint committee meetings, and

(c) copies of any applicable orders under this Division for the preceding 12 months.

Worker health and safety representative

45 (1) A worker health and safety representative is required

(a) in each workplace where there are more than 9 but fewer than 20 workers of the employer regularly employed, and

(b) in any other workplace for which a worker health and safety representative is required by order of the Board.

(2) The worker health and safety representative must be selected in accordance with section 34 [selection of worker representatives on joint committee] from among the workers at the workplace who do not exercise managerial functions at that workplace.

(3) To the extent practicable, a worker health and safety representative has the same duties and functions as a joint committee.

(4) Sections 39 to 42 [rules respecting joint committees] apply in relation to a worker health and safety representative as if the representative were a joint committee or member of a joint committee.

Participation of alternate for worker representative

46 (1) This section applies if

(a) the OHS provisions or the regulations give a worker representative the right to be present for an inspection, investigation or inquiry at a workplace, and

(b) no worker representative is reasonably available.

(2) The right to be present may be exercised by another worker who has previously been designated as an alternate by the worker representative.

In light of the foregoing excerpt from the *Workers Compensation Act*, Articles 26.01 and 26.02 of the current Collective Agreement (January 1, 2022 – December 31, 2026) are amended as follows:

26.01 Worker Health & Safety Representative

CUPE Local 105-02 shall appoint one of its members as Worker Health & Safety Representative under the provisions of the *Workers Compensation Act*, Part 2: Occupational Health & Safety, Division 5: Subsections 45 and 46 and in accordance with subsection 34(1)(a) *Selection of worker representatives*.

26.02 Safety Equipment and Clothing

Employees working in any unsanitary or dangerous jobs shall be supplied with all the necessary tools, safety equipment and protective clothing as determined by the Worker Health & Safety Representative and the Employer.

Signed this _____ day of _____, 2023

For the District of Port Edward:

For CUPE Local 105-02:



DISTRICT OF PORT EDWARD

6b

REGULAR COUNCIL REPORT FOR DECISION

Date: October 24, 2023
To: Mayor and Council
From: Elsie Lemke, Interim Chief Administrative Officer
Subject: Sewer Services Agreement – Amended – Prince Rupert Port Authority

Recommendation: That Council approves entering into the amended Sewer Services Agreement with the Prince Rupert Port Authority, expiring December 31, 2027.

Background:

There was an error in the Sewer Services Agreement presented to Council at their last meeting (October 10, 2023). Section C had an incorrect discharge location (“Connection Point”). The sewage from the Port Authority is intended to be received at the District’s sewer treatment facility location, at 100 Boundary Drive.

The remainder of the Agreement is identical to the one presented to Council previously.

Approved for Submission to Council:



Elsie Lemke, Interim CAO

- Well Planned Finances
- Well Planned, Maintained, Financed Public Works & Infrastructure
- Growing & Progressive Economic Development
- High Quality of Life & Community Development
- Excellent Organization

Attachment:

- Sewer Services Agreement – as amended

SEWER SERVICES AGREEMENT

THIS AGREEMENT dated for reference _____, 2023, is

BETWEEN:

DISTRICT OF PORT EDWARD
PO Box 1100, 770 Pacific Avenue
Port Edward, BC V0V 1G0

(the "District")

AND:

PRINCE RUPERT PORT AUTHORITY
200 – 215 Cow Bay Road
Prince Rupert, BC V8J 1A2

(the "Port Authority")

GIVEN THAT:

- A. The District operates a sanitary sewer collection system (the "District Sewer System");
- B. The Port Authority owns and operates a facilities located at:
 - Fairview Container Terminal – 3100 Scott Road
 - Diep Sea – 2700 Fairview Ave
 - SAAM – 2550 Fairview Ave
 - Alaska Ferries – 2100 Park Ave
 - Scott Road Office – 2120 Scott Road the "Facilities") from which it collects and stores domestic wastewater and non-domestic waste, as those terms are defined in the Municipal Wastewater Regulation, B.C. Reg 87/2012, in a storage tank located at the Facility ("Facility Sewage");
- C. The Port Authority wishes to discharge Facility Sewage into the District Sewer System through their sewer treatment facility location at 100 Boundary Drive, Port Edward, BC (the "Connection Point"); and
- D. The District and the Port Authority wish to enter into this Agreement to permit the Port Authority to discharge Facility Sewage into the District Sewer System at the Connection Point.

THIS AGREEMENT IS EVIDENCE THAT in consideration of the promises below, and other good and valuable consideration the receipt and sufficiency of which is acknowledged by each party, the District and the Port Authority agree as follows:

1. **Sewer Discharge** – The District shall permit the Port Authority to discharge Facility Sewage into the District Sewer System at the Connection Point on the terms and conditions of this Agreement.
2. **Term** – The term of this Agreement shall commence on the date this Agreement is fully executed and shall terminate on December 31, 2027 unless otherwise terminated in accordance with this Agreement.
3. **Sewage Discharge Restrictions** – The Port Authority shall:
 - (a) discharge Facility Sewage only between the hours of 8 AM and 4 PM Monday through Friday;
 - (b) provide the District with 2 hours' notice before connecting to the Connection Point and discharging Facility Sewage;
 - (c) only discharge Facility Sewage at the Connection Point and discharge Facility Sewage no more than twice per week; and
 - (d) not discharge more than ten thousand (10,000) litres of Facility Sewage into the District Sewer System at one time.
4. **Discharge Fee** – The Port Authority shall pay the District \$2,000.00 for each discharge of Facility Sewage into the District Sewer System (the "Discharge Fee"). This Discharge Fee will be increased annually effective January 1st, by the same percentage as the latest annual percentage increase in the "all items" consumer price index for British Columbia as published by Statistics Canada. The Port Authority agrees that the District may adjust the amount of the Discharge Fee from time to time to reflect increases in the cost of operating and maintaining the District Sewer System, and for other reasons and will provide the Port Authority with reasonable notice of such adjustment to the Discharge Fee
5. **Invoice and Payment** – The District shall invoice the Port Authority for the Discharge Fee monthly and the Port Authority shall pay the District the amount of the invoice within 30 days after delivery of such invoice to the Port Authority.
6. **Waste Study** – Before the Port Authority discharges any Facility Sewage into the District Sewer System, the Port Authority shall cause a qualified professional, satisfactory to the District, to prepare a report that, in accordance with section 7 of the Municipal Wastewater Regulation, B.C. Reg 87/2012, demonstrates that a source control bylaw, or equivalent measure, is not required to protect the District Sewer System or the receiving environment (e.g. ground or water) from the Port Authority's discharge of Facility Sewage into the District Sewer System.
7. **Standards for Discharge** – The Port Authority shall test Facility Sewage once per month to ensure that Facility Sewage meets the standards or is within the ranges specified in the

Standard for Discharges Directed to Municipal or Industrial Effluent Treatment Works under Column 3 of Schedule 1.2 of the Hazardous Waste Regulation, B.C. Reg 63/88. The District may, from time to time, request copies of the tests and the Port Authority shall provide the District with copies of all certificates, inspections and tests within ten (10) days.

8. **Discharge to Comply with Laws** – The Port Authority shall ensure that Facility Sewage discharged into the District Sewer System complies with all statutes, laws, regulations, bylaws, judgements, orders, permits, approvals or licenses which govern what wastes may or may not be discharged into the District Sewer System, including any orders and permits under such enactments and any plan that may be prepared by the District and approved by the Minister of Environment under the *Environmental Management Act* (British Columbia), notwithstanding that any of the foregoing may be inapplicable to the Port Authority by its status as a federally regulated entity or by any rule of law.
9. **Damage to District Sewer System** – In the event that the Port Authority damages any part of the District Sewer System, the Connection Point or both, the Port Authority shall promptly notify the District of such damage and if the District, in its sole discretion, considers it necessary in order to protect the District Sewer System, the District may suspend the Port Authority's rights under section 1 of this Agreement until such repairs are completed.
10. **District May Repair Damage** – If the Port Authority damages the District Sewer System, the District may complete such repair at the expense of the Port Authority and the Port Authority shall repay to the District all reasonable costs incurred by the District in so doing forthwith upon receipt of the District's invoice for same.
11. **No Obligation to Maintain** – The District shall have no obligation to maintain the District Sewer System or the Connection Point.
12. **Termination with Notice** – Either party may, in its sole discretion and without reason, terminate this Agreement upon providing thirty (30) days' notice to the other party. Neither party is entitled to, and irrevocably waives and releases the other party from any and all claims for, any damages or compensation for costs incurred, directly or indirectly, arising out of the termination of this Agreement.
13. **Termination for Default** – The District may terminate this Agreement, by giving notice to the Port Authority, which is effective upon delivery of the notice, if the Port Authority breaches this Agreement and the Port Authority has not cured the breach within five (5) days after notice of the breach is given to the Port Authority by the District.
14. **Indemnity** – The Port Authority shall indemnify, defend and save harmless the District and its elected and appointed officials, employees, contractors and agents, from and against all claims, losses, damages, costs, expenses (including legal fees and disbursements on a solicitor and own client basis), liabilities, actions and proceedings,

suffered, made, incurred, sustained, brought, prosecuted, threatened to be brought or prosecuted, in any manner caused, based upon, occasioned by or attributable to,

- (a) any personal injury or death, damage to or loss of property;
- (b) wilful or negligent acts or omissions or other actionable wrongs; and
- (c) any loss or damage of any kind

connected with or related in any way to the performance or breach of this Agreement by the Port Authority. The Port Authority's liability to indemnify the District and its elected and appointed officials, employees, contractors and agents under this section does not limit or affect any other rights or remedies the District may have against the Port Authority in respect of the Port Authority's performance or breach of this Agreement. The Port Authority's obligations under this section shall survive the expiry or earlier termination of this Agreement. The Port Authority will not, under any circumstances, be liable or responsible in any way for any business, economic or indirect or consequential loss or damage to the District however caused.

15. General Liability Insurance – The Port Authority shall obtain and maintain throughout the term of this Agreement commercial general liability insurance providing coverage for death, bodily injury, property loss and damage and other losses arising out of or in connection with this Agreement in an amount not less than \$5,000,000.00 per occurrence, or in such a greater amount as may be required by the District from time to time, acting reasonably. The policy of insurance required under this section shall:

- (a) name the District as an additional insured;
- (b) include that the District is protected notwithstanding any act, neglect or misrepresentation by the Port Authority which might otherwise result in the avoidance of a claim and that such policies are not affected or invalidated by any act, omission or negligence of any third party which is not within the knowledge or control of the insureds;
- (c) not be cancelled or materially altered without the insurer providing the District with 30 days' written notice stating when such cancellation or change is to be effective;
- (d) be primary and non-contributing with respect to any policies carried by the District and shall provide that any coverage carried by the District is excess coverage;
- (e) include a cross-liability clause; and
- (f) be issued by an insurance company entitled to carry on the business of insurance under the laws of British Columbia.

16. **Insurance Certificates** – The Port Authority shall provide the District with certificates of insurance confirming the placement and maintenance of the required insurance before the Port Authority discharges any Facility Sewage into the District Sewer System and from time to time upon the District's request.
17. **District May Insure** – If the Port Authority fails to insure as required, the District may effect the missing insurance in the name and at the expense of the Port Authority and the Port Authority shall promptly repay the District all costs incurred by the District in doing so. For clarity, the District has no obligation to effect such insurance.
18. **Assignment** – The Port Authority shall not assign this Agreement or the benefit hereof without the prior written consent of the District, which may be withheld without reason.
19. **Time of the Essence** – Time is of the essence of this Agreement.
20. **Alternative Rights and Remedies** – Exercise by a party to this Agreement of any right or remedy of that party, whether granted in or under this Agreement or at law or equity, does not limit or affect any other right or remedy of any kind, whatever its source, that the party may have against the other party and does not affect the right of the party exercising the right or remedy to exercise other rights or remedies against the other party.
21. **Waiver** – Waiver of any default by either party must be express and in writing to be effective and a waiver of a particular default does not waive any other default.
22. **Notice** – Any notice, direction, demand, approval, certificate or waiver which may be or is required to be given under this Agreement shall be in writing and delivered personally or by courier or sent by fax or e-mail, addressed as follows:

(a) to the District:

District of Port Edward
PO Box 1100, 770 Pacific Avenue
Port Edward, BC V0V 1G0
Fax Number: 250-628-9225
E-mail Address: cao@portedward.ca
Attention: CAO

(b) to the Port Authority:

Prince Rupert Port Authority
200 – 215 Cow Bay Road
Prince Rupert, BC V8J 1A2
Fax Number: 250.627.8980

E-mail Address: generalcounsel@rupertport.com

Attention: Vice-President, Commercial and Regulatory Affairs and General Counsel

or to such other address, e-mail address or fax number of which notice has been given as provided in this section.

Any notice, direction, demand, approval or waiver delivered is to be considered given on the third business day after it is dispatched for delivery. Any notice, direction, demand, approval or waiver sent by fax or e-mail is to be considered given on the day it is sent, if that day is a business day and if that day is not a business day, it is to be considered given on the next business day after the date it is sent.

23. Interpretation – In this Agreement:

- (a) where the word "including" is followed by a list, the contents of the list are not intended to circumscribe the generality of the expression preceding the word "including";
- (b) reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;
- (c) reference to a particular numbered section or Schedule is a reference to the correspondingly numbered section or Schedule of this Agreement;
- (d) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
- (e) if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
- (f) the word "enactment" has the meaning given to it in the *Interpretation Act* (British Columbia) on the reference date of this Agreement;
- (g) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;
- (h) reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced; and
- (i) reference to a "party" is a reference to a party to this Agreement and to its respective corporate successors, trustees, administrators and receivers.

24. Governing Law – This Agreement is governed by and is to be interpreted according to the laws of British Columbia.

25. **Binding on Successors** – This Agreement enures to the benefit of and is binding upon the parties and their respective heirs, executors, administrators, successors and permitted assigns.

26. **Entire Agreement** – This Agreement is the entire agreement between the parties and it terminates and supersedes all previous communications, representations, warranties, covenants and agreements, whether verbal or written, between the parties with respect to the subject matter of this Agreement.

As evidence of the agreement of the parties to be bound by the above terms and conditions of this Agreement, the parties have executed this Agreement below, on the respective dates written below.

DISTRICT OF PORT EDWARD

by its authorized signatories:

Name:

Name:

Date

PRINCE RUPERT PORT AUTHORITY

by its authorized signatories:

Name:

Name:

Date



REGULAR COUNCIL REPORT FOR DECISION

Date: October 24, 2023
To: Mayor and Council
From: Elsie Lemke, Interim Chief Administrative Officer
Subject: **Next Generation 911 Funding**

Recommendation: That Council receives the 2023 Next Generation 911 Funding letter for information.

Background:

The attached letter from the Union of BC Municipalities sets out the details regarding a grant in the amount of \$45,000 approved for the District of Port Edward, under the Next Generation 911 funding program.

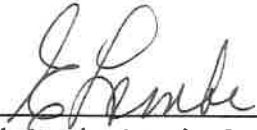
Next Generation 911 (NG911) refers to the modernization of 911 networks and infrastructure across Canada, and is a federally mandated transition of the emergency communications network from the current model to an internet protocol-based technology. NG911 will make improvements to public safety, including better 911 caller location information, real time texting, streaming audio and video and new ways to direct calls to services other than police, fire and ambulance (such as mental health support).

The funding is intended to support local preparedness for NG911 as follows:

- “Public education specific to NG911, including information related to increased opportunity for better location identification, voice, real time text and eventually sending image/video to 911. Examples include: specific education activities tailored to local demographics or economy (translation, culturally appropriate education materials, education tailored for tourism, seasonal workers, work camps, etc.); updating websites, social media, newsletters.”
- “Legal and contract costs for migration to NG911.”
- “Mapping and GIS. Examples include readiness assessments, mapping/GIS improvements related to boundary disputes, out-dated place/road names; Indigenous place names, etc.”
- “Training for staff, local agencies, etc. including development of training materials. Examples include targeted training for staff, elected officials, emergency response personnel, local fire departments and/or community organizations.”

All project activities must be completed within three years, and no later than August 7, 2026. A final report is required to be submitted to UBCM within 30 days of project completion, and no later than September 11, 2026.

There may be an opportunity to work with area communities to combine our efforts to prepare for this transition to NG911. Council will be regularly updated on progress as the program rolls out to communities across the country.



Elsie Lemke, Interim CAO

Approved for Submission to Council:

- Well Planned Finances
- Well Planned, Maintained, Financed Public Works & Infrastructure
- Growing & Progressive Economic Development
- High Quality of Life & Community Development
- Excellent Organization

Attachment:

- UBCM Letter dated August 4, 2023 re: 2023 Next Generation 911 Funding



August 4, 2023

Mayor Bjorndal and Council
District of Port Edward
770 Pacific Avenue
Port Edward, BC V0V 1G0

Reference: AP8282

Re: 2023 Next Generation 911 Funding – Approval Agreement & Terms and Conditions of Funding

Dear Mayor Bjorndal and Council,

I am pleased to inform you that a grant in the amount of \$45,000 has been approved for the District of Port Edward under the Next Generation 911 funding program that is being administered by the Union of BC Municipalities (UBCM).

This funding is to support local preparedness for the implementation of Next Generation 911. Funding is being provided on an allocation-basis and 50% of the approved amount will be issued when the signed copy of this agreement is returned to UBCM. The balance of the grant will be available when UBCM has received and approved the required final report and financial summary.

The Ministry of Citizens' Services has provided funding for this program and the general Terms & Conditions are attached. In addition, and in order to satisfy the terms of the contribution agreement, the following requirements must be met in order to be eligible for grant payment:

- (1) This approval agreement is required to be signed by the CAO or designate and returned to UBCM within 30 days of the date of this letter;
- (2) The funding is to be used solely for the purpose of local preparedness for the implementation of Next Generation 911;
- (3) All expenditures must meet eligibility and funding requirements as defined in the *Program & Application Guide* (refer to Sections 3 and 4);
- (4) All project activities must be completed within three years and no later than August 7, 2026;
- (5) The final report is required to be submitted to UBCM within 30 days of project end date and no later than September 11, 2026;

The Next Generation 911 program is funded by the Province of BC

- (6) Any unused funds must be returned to UBCM within 30 days following the project end date;

Please note that descriptive information regarding eligible recipients will be posted on the UBCM and/or provincial government websites, or shared through provincial governments news releases or events, and all interim, progress and/or final report materials may be made available to the provincial government.

If you have any questions, please contact Local Government Program Services at 250-387-4470 or rbishop@ubcm.ca.

Sincerely,



Rebecca Bishop, Program Officer

cc. Rob Grodecki, CAO

Reference: AP8282

Approval Agreement (to be signed by the CAO or designate)

I, Elsie Lemke, authorized designate of the District of Port Edward, have read and agree to the general Terms & Conditions and the requirements for funding under the **2023 Next Generation 911** program.

E. Lemke, Interim CAO

Signature, Title

Oct. 11/23

Date

A digital or original signature is required

Please return an electronic copy of this signed Approval Agreement Attention of the Program Administrator to lgps@ubcm.ca

Local Government Program Services

General Funding Terms & Conditions

The purpose of the Terms & Conditions is to provide basic information on grants administered by the Union of BC Municipalities through Local Government Program Services (LGPS). For specific information regarding the requirements of each funding program, please refer to the relevant Program & Application Guide. For information regarding a specific project approved through LGPS, please refer to the approval agreement.

1. Definitions

Approved Applicant: In general, LGPS grants are awarded to local governments (regional districts and municipalities) and, in some programs, First Nations or other eligible applicants. The approved applicant is the primary contact for UBCM and is responsible for overall grant management.

Approved Partner(s): Organizations that contribute directly to the approved project and are identified in the application. This may include boards of education, health authorities, First Nations or Indigenous organizations, non-profit organizations and local governments (other than the applicant). Refer to program guides for requirements for partners in regional applications.

Approved Project: The activities described in the application and budget and approved by UBCM.

Cash Expenditures: Direct costs properly and reasonably incurred and paid for with money by the approved applicant or approved project partner for the development or implementation of the approved project. For example, catering and consultant fees can be cash expenditures.

Community Contribution: Some LGPS programs require cost-sharing. The community contribution is the portion of the approved project cost that is required to be provided by the approved applicant or an approved partner. This can be in cash or in-kind, but must be an eligible expenditure.

In-Kind Expenditures: The use of resources of the approved applicant or approved project partner for the development or implementation of the approved project. For example, the use of meeting rooms owned by the applicant or approved partner can be an in-kind expenditure.

2. Eligible & Ineligible Expenditures

Eligible expenditures, including community contributions, are direct costs that are properly and reasonably incurred by the approved applicant or approved partner as part of the approved project.

To be eligible for grant funding, these costs must be outlined in the detailed budget submitted by the approved applicant as part of the application process and be approved by UBCM.

3. Grant Management & Applicant Responsibilities

Notice of Decision

All applicants will be informed of the status of their application by letter, generally within 90 days of the application deadline. Approved applicants will be informed of specific conditions of the grant approval and are required to sign and return a copy of the Approval Agreement.

Applicant Responsibilities

Approved applicants are responsible for:

- Ensuring that approved activities are undertaken as outlined in the approved application and within the required timeline

- Providing proper fiscal management of the grant and approved project (see below)
- Submitting final reports as required by the Program & Application Guide (see below)

Accounting Records

Acceptable accounting records must be kept that clearly disclose the nature and amounts of eligible expenditures (cash and in-kind) incurred as part of the approved project. Financial summaries are required to be submitted as part of the final report and must be signed by a representative of the approved applicant.

In all cases, the final project expenditure must be net of any rebates (such as GST/PST) that the approved applicant or approved partner is eligible to receive.

Changes to or Cancellation of Approved Project

Any significant variation from the approved project as described in the approved application must be approved, including any major changes to:

- Start or end dates
- Cash and in-kind expenditures or matching funds (when required)
- Project purpose, goals, outcomes or milestones
- Project partners

If an approved project is cancelled, the approved applicant is responsible for ensuring any grant monies that have been advanced are returned to UBCM within 30 days, or as outlined in the Program & Application Guide.

4. Reporting Requirements

Submission of Reports

Approved applicants are required to submit final reports as outlined in the Program & Application Guide. Please note the following when submitting a report:

- When completing a UBCM report form please ensure that each question is answered and that all attachments are complete. Follow any sample templates that UBCM provides.
- Submit all documents as Word or PDF files. Note: files over 20mb cannot be accepted.
- Submit all digital photos or images as JPEG files. Note: files over 20mb cannot be accepted.

Extensions and Outstanding Reports

In order for an approved project to continue past the approved end date – or for a final report to be submitted after the established deadline – approved applicants must contact UBCM to request and be granted approval for an extension.

Approved applicants that do not request extensions and have outstanding reports may forfeit the final payment of their grant and may not be eligible to apply to future LGPS programs until reports are received.

5. Recognition of Funding and Funders

Approved applicants should contact UBCM for more information on recognizing funding and for information on the appropriate use of logos. Please contact LGPS at (250) 356-2947.



DISTRICT OF PORT EDWARD

6d

Director of Corporate
Administrative Services & Strategic Projects

COUNCIL REPORT FOR CONSIDERATION

Date: October 24, 2023
To: Elsie Lemke, Interim Chief Administrative Officer
From: Polly Pereira, Director of Corporate Administrative Services
Subject: **UBCM Community Emergency Preparedness Fund -Volunteer & Composite Fire Dept. Equipment & Training (VCFDET)**

RECOMMENDATION: That Council authorize staff to submit a grant application to the UBCM Community Emergency Preparedness Fund for replacement of old equipment and to provide overall grant management.

BACKGROUND

The District of Port Edward has an opportunity once again to apply for a grant through the UBCM (VCFDET) to support the Port Edward Volunteer Fire Dept. to replace old equipment. The funding request will be for approximately \$31,821.96, the UBCM grant will cover \$30,000 and any additional funding will be required to be covered by the District of Port Edward (approximately \$ 1, 900). The deadline for this grant opportunity was October 20, 2023. A copy of the resolution, if supported, will be sent to UBCM.

Prepared By:

Approved for Submission to Council


Polly Pereira, DCAS


Elsie Lemke, Interim CAO


Lorraine Page, Director of Finance

Strategic Plan Priority Aligned With:

- Well Planned Finances
- Well Planned, Maintained, Financed Public Works & Infrastructure
- Growing & Progressive Economic Development
- High Quality of Life & Community Development
- Organizational Excellence



DISTRICT OF PORT EDWARD

6e

COUNCIL REPORT FOR INFORMATION

Date: October 24, 2023
To: Mayor and Council
From: Elsie Lemke, Interim Chief Administrative Officer
Subject: CAO's Report to Council – October 6 – 18, 2023

Administration

- Completed Safety Talks/Inspections binder for Public Works and set up monthly meetings calendar. Held first monthly safety talk with crew.
- Worked with information technology company on needs assessment for computer system upgrade and maintenance; proposal being prepared for consideration in 2024 budget discussions.
- Legal advice received and discussions followed with engineer and homeowner regarding concerns about large retaining wall. Further discussions regarding drainage issues to follow.
- Followed up on discussions regarding proposals for Dam Emergency Plans for Wolf Creek Dam and Alwyn Lake Dam.
- Reviewed Telus property remediation files and arranged for meeting to move the project forward.
- Dealt with various human resources, safety and performance management matters. Meetings with recruitment consultant to shortlist CAO candidates and arrange for interviews.
- Met with City of Prince Rupert staff on various matters of mutual interest.
- Arranged for staff cross training and follow-up.
- Weekly on-site meetings with engineers and contractors at Oceanview Drive and Sunset Drive road construction projects. Completion date has been extended to November 5.*

Public Works

- Roadway brushing along road to water treatment plant.
- Worked on road drainage on Evergreen.
- Winterizing equipment – mowers maintenance and repairs.
- Start up of monthly safety meetings and municipal buildings quarterly safety inspections.

- Porta-potti screening project got underway.
- Storm drainage installation.
- Redecked and repaired two public works trailers.
- Repairs to mixer at sanitary sewer treatment plant.
- Preparing for hydrant flushing expected to get underway next week.

Approved for Submission to Council



Elsie Lemke, Interim CAO

*Additional Information regarding homeowners who are concerned about their driveways:

In consultation with McElhanney Engineering and Adventure Construction, the following process has been established:

- Once the curb is installed, a walk through with Adventure, Port Edward and McElhanney will be set up. The goal of the walkthrough will be to determine the daylight extents and repairs for the various driveways.
- Those home owners with more significant impacts will then be contacted and a meeting set up with the homeowner, Adventure, McElhanney and Port Edward to present and discuss the plan with the home owner.
- Noted that the design drawings and contract quantities took this information into account.



DISTRICT OF PORT EDWARD

Director of Corporate
Administrative Services & Strategic Projects

7a

COUNCIL REPORT FOR CONSIDERATION

Date: October 24, 2023
To: Elsie Lemke, Interim Chief Administrative Officer
From: Polly Pereira, Director of Corporate Administrative Services
Subject: **Water Rates & Regulations Amendment Bylaw # 747**

RECOMMENDATION: That Council gives final reading and adoption to the attached Water Rates & Regulations Amendment Bylaw No. 747, 2023.

BACKGROUND: The attached Water Rates & Regulation Amendment Bylaw was given first, second and third reading at the last Council meeting on October 10, 2023. It is now being presented for adoption.

Prepared By:


Polly Pereira, DCAS

Approved for Submission to Council


Elsie Lemke, Interim CAO

Strategic Plan Priority Aligned With:

- Well Planned Finances
- Well Planned, Maintained, Financed Public Works & Infrastructure
- Growing & Progressive Economic Development
- High Quality of Life & Community Development
- Organizational Excellence



DISTRICT OF PORT EDWARD BYLAW NO. 747

WATER RATES & REGULATIONS AMENDMENT BYLAW NO. 747, 2023

A BYLAW TO AMEND THE DISTRICT OF PORT EDWARD WATER RATES & REGULATIONS BYLAW NO. 535, 2013

WHEREAS Council for the District of Port Edward wishes to amend the water rates within the Municipality; and

WHEREAS pursuant to the Community Charter, a Council may by bylaw regulate, prohibit and improve requirements in relation to municipal services;

THEREFORE the Council of the District of Port Edward in open meeting assembled enacts as follows:

1. That the water users rates set out in "Schedule A" of the Water Rates & Regulations Bylaw No. 535, 2013 be amended; and
2. That the water user rates be replaced by "Schedule A" attached to this bylaw.

CITATION

This Bylaw may be cited as the "WATER RATES & REGULATIONS AMENDMENT BYLAW NO. 747, 2023".

REPEALS

That "WATER RATES & REGULATIONS AMENDMENT BYLAW NO. 724, 2021" and its amendments be repealed in its entirety.

READ a first time this 10th day of October, 2023;
READ a second time this 10th day of October, 2023;
READ a third time this 10th day of October, 2023;

RECONSIDERED AND ADOPTED THIS __ day of October, 2023.

Knut Bjorndal
Mayor

Polly Pereira
Director of Corporate Administrative Services

SCHEDULE A
(Effective January 1, 2024)

1. <u>WATER RATES</u>	<u>QUARTERLY RATE</u>
Each self contained dwelling unit, including each Suite within a Multiple Dwelling or each unit within an Apartment Block - Each unit	\$ 110.00
Trailer Parks, Manufactured Home Parks Each site, space, or pad whether or not occupied by a trailer or manufactured home	\$ 110.00
Campground Each cabin or camping space whether or not occupied by a Recreational Vehicle	\$ 55.00
Rooming or Boarding House Plus for each Housing Unit Plus for each sleeping room	\$ 110.00 \$ 110.00 \$ 55.00
Restaurant, Café, Coffee Shops Snack Bars (Unlicenced)	\$ 286.00
Licensed Lounge, Licensed Restaurant, Licensed Coffee Shops, Licensed Cafes	\$ 434.50
Hotel, Motels Plus for each unit with kitchen facilities Plus for each unit without kitchen facility	\$ 286.00 \$ 110.00 \$ 55.00
Schools	\$ 495.00
Business Premises, Stores, Offices Workshops Garages & Service Stations (without car washes) Warehouses, Industrial buildings or Other Commercial undertakings not otherwise classified	\$ 165.00
Private Clubs, Service Clubs, Churches	\$ 110.00

2. **BULK WATER RATE** \$ 10.00 PER CUBIC METER

3. **WATER METER RATES**

(1) Where it is deemed that any user, requires 1,000 or more cubic meters of water per month, the applicant will be required to install and maintain an acceptable water meter. Those users may be **business premises including stores, offices, workshops, garages and service stations with car wash, warehouses, industrial buildings or other commercial undertakings not otherwise classified**. The following monthly rates per cubic meters will apply:

CONSUMPTION (Cubic Meters)	BASIC RATE (Monthly)	PLUS COST PER CUBIC METER
0 - 2,800	\$ 130.00	\$ 0.90
Over 2,800	\$130.00	\$ 1.10

(2) Should the meter become inoperative, the owner shall cause the necessary repairs to be completed within thirty (30) days. This period of repairs will be billed at the average rate for the preceding twelve months.

4. **CONNECTION CHARGES**

19 mm-25 mm connection	\$ 2,000.00 minimum plus actual costs incurred over this amount
38mm connection	\$ 2,500.00 minimum plus actual costs incurred over this amount
51mm connection or larger	\$ 2,500.00 minimum plus actual costs incurred over this amount

For all connections, the minimum charge will be paid in advance of work performed.

All road crossings and rock excavating shall be actual costs.

5. **WATER TURN ON/OFF FEE**

Between 8:00 am- 4:30pm Monday to Friday (except Statutory Holidays)	\$ 0.00
All other times	\$ 250.00

6. **FIRE HYDRANTS**

First day fee	\$ 300.00
Each additional day	\$ 100.00



DISTRICT OF PORT EDWARD

7b

REGULAR COUNCIL REPORT FOR DECISION

Date: October 24, 2023
To: Mayor and Council
From: Elsie Lemke, Interim Chief Administrative Officer
Subject: **Zoning Amendment Bylaw 748, 2023**
Located at 293 – 295 Bayview Drive, Port Edward
Coldfish Seafoods Co. Inc.

Recommendation: That Council gives final reconsideration and adoption to Zoning Amendment Bylaw 748, 2023.

Background:

After Council gave first, second and third reading to this bylaw at their last meeting (October 10, 2023) notice of the zoning amendment bylaw was mailed to all property owners/occupiers within 60 meters of the rezoning area, and posted on the District's Notice Boards. As no public hearing was required, the bylaw is now ready for final reconsideration and adoption.

Approved for Submission to Council:



Elsie Lemke, Interim CAO

- Well Planned Finances
- Well Planned, Maintained, Financed Public Works & Infrastructure
- Growing & Progressive Economic Development
- High Quality of Life & Community Development
- Excellent Organization

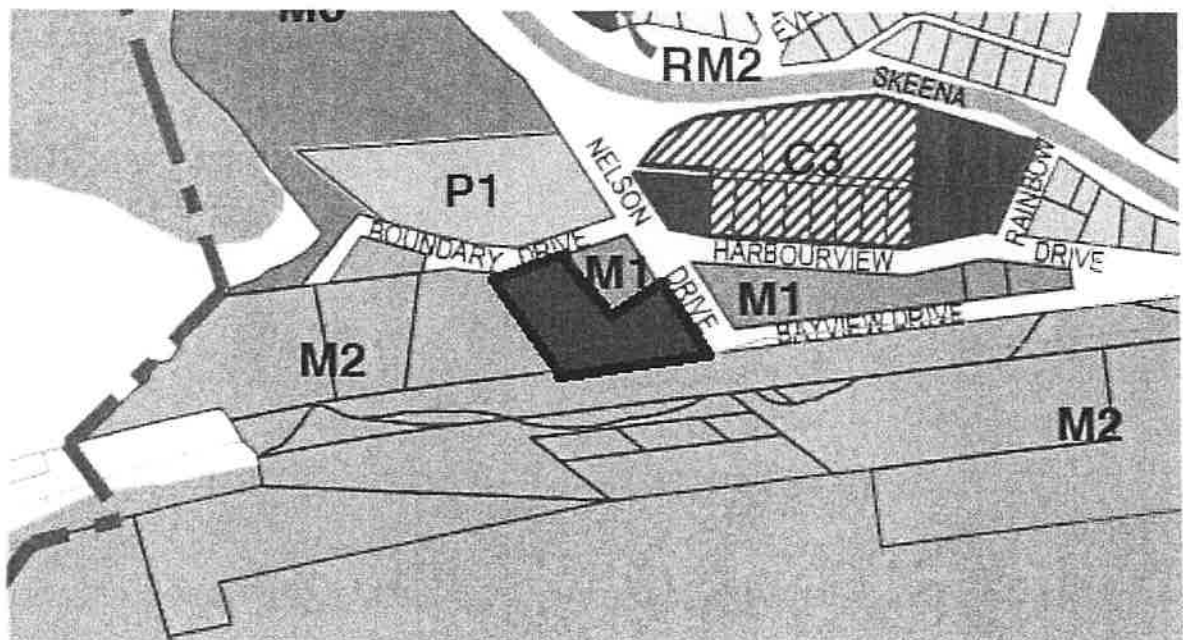
Attachment:

- Notice of Zoning Amendment Bylaw 748, 2023
- Zoning Amendment Bylaw 748, 2023

Notice of Zoning Amendment Bylaw # 748, 2023

Address: 293-295 Bayview Drive, Port Edward, BC

Coldfish Seafoods Co. Inc. has applied to rezone three of their properties. The properties are: **Legal Description** Lot A, District Lot 446, Range 5, Coast Range 5; Plan 11261; PID 004-368-002; Lot 2; District Lot 446; Range 5; Plan 10981 except Plan 112161; PID 005-042-798; Block D; District Lot 446; Range 5; PID 024-917-249 from **Core Commercial (C1) to Waterfront/ General Industrial (M2)** see map below. The purpose of the rezoning is to correct the Zoning Townsite map, to accommodate the use of the land as industrial.



Core Commercial (C1) to Waterfront/General Industrial (M2)

A copy of Zoning Amendment Bylaw #748 is attached. Council gave this bylaw first, second and third reading on October 10, 2023 and will be presented to Council for final reading at the upcoming Council Meeting on October 24, 2023.

A requirement, is that notice of the rezoning, be given to all property owners within 60 meters of the proposed rezoning area. Your property is within the area to be notified.

If you have any questions, please call the Municipal Office at (250) 628-3667.



**DISTRICT OF PORT EDWARD
BYLAW NO. 748, 2023**

A Bylaw to amend the District of Port Edward Zoning Bylaw No. 713, 2020

WHEREAS there has been an application to rezone three particular parcels of properties;

AND WHEREAS the Council of the District of Port Edward has deemed it desirable that an amendment be made to Zoning Bylaw No. 713, 2020 to amend "Schedule C" Zoning Townsite Map to allow the rezoning of Lot A; District Lot 446; Range 5; Plan 11261; PID 004-368-002; Lot 2; District Lot 446; Range 5; Plan 10981 except Plan 11261; PID 005-042-798; Block D, District Lot 446; Range 5; PID 024-917-249 from Core Commercial (C1) to Waterfront/General Industrial (M2). The purpose of the rezoning is to accommodate the use of the land as industrial.

NOW THEREFORE the Council of the District of Port Edward, in open meeting assembled, **ENACTS AS FOLLOWS:**

1. That the District of Port Edward Zoning Bylaw No. 713, 2020 be, and is, hereby be amended by changing "Schedule C" Zoning Townsite Map the land shown in bold outlined in Schedule A attached to this bylaw from "Core Commercial" to "Waterfront/General Industrial", in order to support the use of the land as industrial.
2. That Council is hereby empowered to do all things necessary to give effect to this Bylaw.
3. That this Bylaw may be cited for all purposes as the "**District of Port Edward Zoning Amendment Bylaw No. 748, 2023**".

READ a first time by Council this 10th day of October, 2023

READ a second time by Council this 10th day of October, 2023

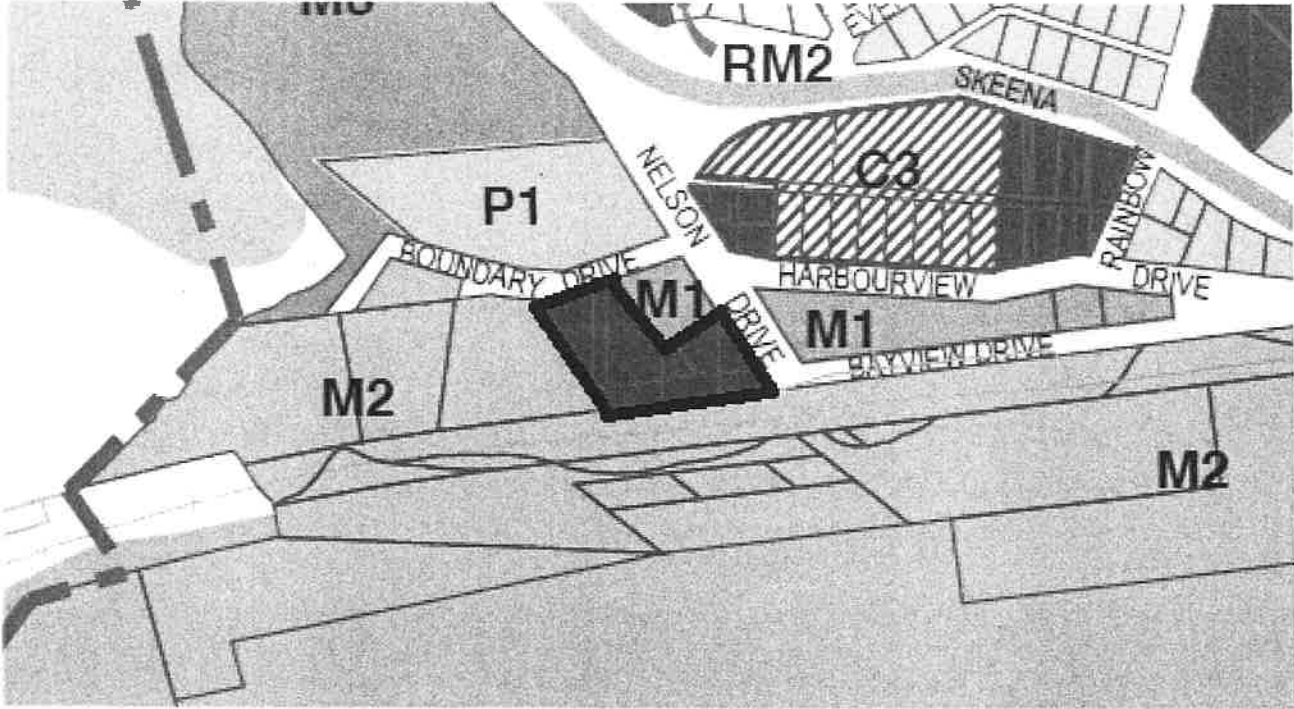
READ a third time by Council this 10th day of October, 2023

RECONSIDERED and **ADOPTED** by Council this day of November, 2023

Knut Bjorndal, Mayor

Polly Pereira, Director of Corporate Administrative Services

Schedule A



Core Commercial (C1) to Waterfront/ General Industrial (M2)



DISTRICT OF PORT EDWARD

Director of Corporate
Administrative Services & Strategic Projects

7C

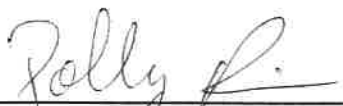
COUNCIL REPORT FOR CONSIDERATION

Date: October 24, 2023
To: Elsie Lemke, Interim Chief Administrative Officer
From: Polly Pereira, Director of Corporate Administrative Services
Subject: **Sewer Rates & Regulations Amendment Bylaw # 749**

RECOMMENDATION: That Council gives final reading and adoption to the attached Sewer Rates & Regulations Amendment Bylaw No. 749, 2023.

BACKGROUND: The attached Sewer Rates & Regulations Amendment Bylaw was given first, second and third reading at the last Council meeting on October 10, 2023. It is now being presented for adoption.

Prepared By:


Polly Pereira, DCAS

Approved for Submission to Council


Elsie Lemke, Interim CAO

Strategic Plan Priority Aligned With:

- Well Planned Finances
- Well Planned, Maintained, Financed Public Works & Infrastructure
- Growing & Progressive Economic Development
- High Quality of Life & Community Development
- Organizational Excellence



DISTRICT OF PORT EDWARD BYLAW NO. 749

SEWER RATES & REGULATIONS AMENDMENT BYLAW NO. 749, 2023

A BYLAW TO AMEND THE DISTRICT OF PORT EDWARD SEWER RATES & REGULATIONS BYLAW NO. 397, 1997

WHEREAS Council for the District of Port Edward wishes to amend the sewer rates within the Municipality; and

WHEREAS pursuant to the Community Charter, a Council may by bylaw regulate, prohibit and improve requirements in relation to municipal services;

THEREFORE the Council of the District of Port Edward in open meeting assembled enacts as follows:

1. That the sewer rates set out in "Schedule A" of the Sewer Rates & Regulations Bylaw No. 397, 1997 be amended; and
2. That the sewer rates be replaced by "Schedule A" attached to this bylaw.

CITATION

This Bylaw may be cited as the "SEWER RATES & REGULATIONS AMENDMENT BYLAW NO. 749, 2023".

REPEALS

That "SEWER RATES & REGULATIONS AMENDMENT BYLAW NO. 668, 2015" and its amendments be repealed in its entirety.

READ a first time this 10th day of October, 2023;
READ a second time this 10th day of October, 2023;
READ a third time this 10th day of October, 2023;

RECONSIDERED AND ADOPTED THIS __ day of October, 2023.

Knut Bjorndal
Mayor

Polly Pereira
Director of Corporate Administrative Services

SCHEDULE A
(Effective January 1, 2024)

1. <u>SEWER RATES</u>	<u>QUARTERLY RATE</u>
Each self contained dwelling unit, including each Suite within a Multiple Dwelling or each unit within an Apartment Block - Each unit	\$ 48.00
Trailer Parks, Manufactured Home Parks Each site, space, or pad whether or not occupied by a trailer or manufactured home	\$ 48.00
Campground Each cabin or camping space whether or not occupied by a Recreational Vehicle	\$ 24.00
Rooming or Boarding House Plus for each Housing Unit Plus for each sleeping room	\$ 48.00 \$ 48.00 \$ 24.00
Restaurant, Café, Coffee Shops Snack Bars (Unlicenced)	\$ 77.00
Licensed Lounge, Licensed Restaurant, Licensed Coffee Shops, Licensed Cafes	\$ 188.00
Hotel, Motels Plus for each unit with kitchen facilities Plus for each unit without kitchen facility	\$ 77.00 \$ 48.00 \$ 24.00
Schools	\$ 300.00
Business Premises, Stores, Offices, Workshops, Garages & Service Stations, Warehouses, and Industrial Buildings or Other commercial undertaking not otherwise Classified: With 9 employees or less With more than 9 employees	\$ 77.00 \$ 188.00

Private Clubs, Service Clubs, Churches \$ 48.00

Public Hall, or Church Halls \$ 77.00

2. SANITARY SEWER CONNECTION CHARGES

100 mm connection \$ 2,000.00 minimum plus actual costs incurred over this amount

150 mm connection or larger \$ 2,500.00 minimum plus actual costs incurred over this amount

For all connections, the minimum charge will be paid in advance of work performed.

All road crossings and rock excavating shall be actual costs.

3. STORM SEWER CONNECTION CHARGES

\$ 2,000.00 minimum plus actual costs incurred over this amount

The minimum charge will be paid in advance of work performed.

All road crossings and rock excavating shall be actual costs.



DISTRICT OF PORT EDWARD

7d

Director of Corporate
Administrative Services & Strategic Projects

COUNCIL REPORT FOR CONSIDERATION

Date: October 24, 2023
To: Elsie Lemke, Interim Chief Administrative Officer
From: Polly Pereira, Director of Corporate Administrative Services
Subject: **Council Remuneration Amendment Bylaw # 750**

RECOMMENDATION: That Council gives final reading and adoption to the attached Council Remuneration Amendment Bylaw No. 750, 2023.

BACKGROUND: The attached Council Remuneration Amendment Bylaw was given first, second and third reading at the last Council meeting on October 10, 2023. It is now being presented for adoption.

Prepared By:



Polly Pereira, DCAS

Approved for Submission to Council



Elsie Lemke, Interim CAO

Strategic Plan Priority Aligned With:

- Well Planned Finances
- Well Planned, Maintained, Financed Public Works & Infrastructure
- Growing & Progressive Economic Development
- High Quality of Life & Community Development
- Organizational Excellence



DISTRICT OF PORT EDWARD BYLAW NO. 750

COUNCIL REMUNERATION AMENDMENT BYLAW NO. 750, 2023

A BYLAW TO AMEND THE COUNCIL REMUNERATION BYLAW NO. 740, 2023

WHEREAS Pursuant to the Community Charter which provides for the payment of remuneration to Council members and expenses to Council and provide for special expenditures;

THEREFORE the Council of the District of Port Edward in open meeting assembled enacts as follows:

1. That the Council remuneration rates set out in "Schedule A" of the Council Remuneration Bylaw No. 740, 2023 be amended; and
2. That the Council remuneration rates be replaced by "Schedule A" attached to this bylaw.

THEREFORE the Council of the District of Port Edward in open meeting assembled, ENACTS AS FOLLOWS:

CITATION

This Bylaw may be cited as the "COUNCIL REMUNERATION AMENDMENT BYLAW NO. 750, 2023".

REPEALS

That "COUNCIL REMUNERATION AMENDMENT BYLAW NO. 742, 2023" and its amendments be repealed in its entirety.

READ a first time this 10th day of October, 2023;
READ a second time this 10th day of October, 2023;
READ a third time this 10th day of October, 2023;

RECONSIDERED AND ADOPTED THIS ___ day of October, 2023.

Mayor

Director of Corporate Services

Certified a true copy of Bylaw No. 750
cited as "Council Remuneration Amendment Bylaw No. 750, 2023."

SCHEDULE "A"

ANNUAL INDEMNITIES AND ALLOWANCE FOR MAYOR AND COUNCILLORS

	2023	
MAYOR	\$20,425	This rate will be increased annually effective January 1st, by the "all items" consumer price index percentage for British Columbia as published by Statistics Canada.
COUNCILLORS	\$11,935	This rate will be increased annually effective January 1st, by the "all items" consumer price index percentage for British Columbia as published by Statistics Canada.

ANNUAL CELL PHONE ALLOWANCE FOR THE USE OF PERSONAL CELL PHONE TO FACILITATE COMMUNICATION WITH STAFF AND TO CONDUCT COUNCIL BUSINESS IF NECESSARY

MAYOR	Phone supplied by the District
COUNCILLORS	\$180

ANNUAL CAR ALLOWANCE FOR THE USE OF PERSONAL VEHICLE TO ATTEND COUNCIL BUSINESS WITHIN THE PRINCE RUPERT AND PORT EDWARD AREA FOR MAYOR AND COUNCILLORS

MAYOR	\$150
COUNCILLORS	\$150