RDOS Area "D" Service & Boundary Configuration Study
Fact Sheets
October 2021

REGIONAL DISTRICT GOVERNANCE

➢ What is a regional district?

The Regional District of Okanagan-Similkameen (RDOS) is one of 28 regional districts in BC. The boundaries of regional districts are vast – the RDOS spans 10,414 km^2 from the Okanagan Connector highway 97C in the north, south to the US border, stretching west from close to the Coquihalla Highway 5, to well east of Skaha Lake. Regional district boundaries encompass municipalities as well as unincorporated lands, which are divided into smaller areas called electoral areas. Regional districts are modeled as a federation of municipalities and electoral areas, each of which has representation on the regional board. The RDOS encompasses 9 electoral areas, of which Area "D" is one, and 6 municipalities.

Figure 1: RDOS Electoral Areas



Regional districts:

- Are the local government for rural (electoral) areas, providing them with basic local services such as community planning.
- Provide region-wide services to all electoral areas and municipalities within a region, such as solid waste management planning and emergency planning.
- Provide a framework for sub-regional or inter-municipal services to combinations of municipalities and electoral areas, such as garbage collection and animal control.

➢ Who makes decisions?

Regional districts are governed by a board consisting of two types of directors:

- ***Electoral Area Directors*** are elected directly by rural area voters, and serve 4-year terms.
- ***Municipal Directors*** are first elected to a municipal council, and are then appointed by their council to the regional district board for a term determined by their council.

The board selects its own chairperson, who has the authority to create standing committees to deal with issues such as planning, environmental management, and regional growth. The RDOS has Planning & Development, Community Services, Corporate Services, Environmental Services, and Protective Services committees.

Each municipality or electoral area has a voting strength on the board based on population. In the RDOS, each jurisdiction has one vote for every 1,800 residents. The voting strength is then divided by 5 to determine the number of directors that sit on the board from each jurisdiction. The RDOS Board consists of 19 directors – one from each of the 9 electoral areas and one from each of the municipalities, with the exception of the City of Penticton, which appoints 4 directors, and the District of Summerland, which appoints 2. Area "D" is represented by one Director on the Board. The

population of Area “D” has been estimated at 4,198, resulting in 3 votes.

As the governing body, the RDOS Board is responsible for making a wide range of decisions for Area “D”. Some decisions are made by the full Board and others are made only by the directors from the areas participating in the service. There are two types of votes at the board:

- ***Corporate votes***, in which all directors vote. Some of these votes are unweighted (1 director, 1 vote), such as for establishing new services, or regulatory bylaws. Weighted corporate votes are used for money matters, such as the financial plan, borrowing or buying property.
- ***Stakeholder votes***, in which only those directors participating in a service are entitled to vote. Weighted votes (by population) are used. These votes are for the operations of existing services. If there is only one participating area, the entire board will vote on the service.

The decision to establish a new local service in Area “D”, is a decision for the full the Board using an unweighted corporate vote. The decision to adopt RDOS's annual financial plan (i.e., budget), through which the services provided to Area “D” are funded and tax requisitions are determined, is also a decision for the full Board. This decision, however, is made using a weighted corporate vote. Decisions on region-wide services in which Area “D” along with all other jurisdictions participates are made by the full Board as well. In some instances the decisions are made using unweighted votes; in other instances, weighted votes.

Electoral Area “D” participates in a number of sub-regional services — that is, services that are provided to a limited number of jurisdictions (electoral areas and/or municipalities). Examples of these services include Electoral Area Planning, Regional Growth Strategy, and curbside recycling and garbage collection. Decisions on the operation and administration of these services are made only by the Directors who represent the participating jurisdictions, using weighted stakeholder votes.

Some of the RDOS services in which Electoral Area “D” participates are provided solely to Area “D” such as Okanagan Falls Sewer, Okanagan Falls fire protection, or Heritage Hills street lighting. The *Local Government Act* requires all votes on services that are provided to a single electoral area to be made by the full Board of Directors.

What is important to understand is that the Area “D” Director is not the only decision-maker for Area “D”. Indeed, all decisions on RDOS services that are provided to Area “D” involve directors from other jurisdictions in the Regional District. In some cases directors from all municipalities and electoral areas of the RDOS are involved; in other cases, directors from only a sub-set of jurisdictions are involved. In every case, however, the Area “D” Director shares decision-making authority over local matters with elected officials from other parts of the region.

Area “D” Residents

Electoral Area “D” residents participate in local decision-making through consultation processes on major initiatives, such as development of an OCP, the creation of a compost facility or the Services and Governance study. In some cases — the development of an OCP is an example — consultation with residents is required under the *Local Government Act*. In other cases, consultation is undertaken simply as a local governance best practice.

Area “D” residents also participate in decision-making through citizen advisory bodies. The 11-member Electoral Area “D” Advisory Planning Commission (APC) is one such group, established to advise the Board on land use and community planning matters in Area “D”. The Okanagan Falls Parks and Recreation Commission is an additional body with representation from residents.

Finally, residents who are also electors have a significant role to play in approving certain decisions of the RDOS Board. In some instances, elector approval is sought using an "alternative approval process" (AAP); in other cases, approval is pursued using an assent vote (i.e., referendum). Initiatives related to long-term borrowing, the establishment of new services, the disposal of infrastructure and parkland, and entering into public-private partnerships, are key examples of decisions that must be approved by electors.

Provincial Government

The provincial government has a direct role in (and ultimate authority over) decision-making for certain local services in all unincorporated areas of British Columbia, including Electoral Area "D". Roads, policing, and subdivision approval are the three key services for which the province is the principal decision-maker.

➢ What services does a regional district provide?

Regional districts can provide a broad range of services. With the exception of a few provincially mandated services, the services are determined by the regional board, with the support of residents. Because the board only provides services that their members, or residents, agree the regional district should provide, the menu of services varies by regional district, and can be different within each electoral area or community.

Some services, such as street lighting, may be provided to a portion of an electoral area, or to a combination of electoral areas and municipalities (such as the operation of the Campbell Mountain landfill). Regional services are those that are provided to all member municipalities and electoral areas, such as solid waste management planning.

Services are established to respond to needs identified by the board, electoral area directors, member municipalities, staff or residents. A proposed service must go through a process to determine its feasibility, including scope, cost, and delivery options. If deemed feasible, a service establishing bylaw must receive support from the regional district board. Ultimately the bylaw must also be approved by the province's Inspector of Municipalities, and supported by the residents that will participate in and pay for the service. Support can be demonstrated through a petition, alternative-approval process, referendum, or approval by a Council or electoral area director on behalf of residents of that jurisdiction.

Just because the regional district *can* provide a service, does not mean that they *do*. There are many organizations that provide services. For instance, water service may be provided to a community privately, or through an Improvement or Irrigation District independent of the regional district. In Area "D" there are 4 irrigation districts providing water, as well as one private utility.

➢ What services does a regional district NOT provide?

The provincial government provides some services to rural areas, including roads and policing. These services are not the responsibility of the regional district and they do not have control over how they are provided.

➢ How do regional districts pay for services?

Unlike a municipality, which has the flexibility to allocate "general revenues" to its services, each service provided by the regional district is budgeted for separately. Costs are recovered by billing those who benefit from the service. The expense of providing a service must be covered by revenue generated for that same service; one service cannot subsidize another. Revenue raised for a fire protection service must fund the fire department and no unrelated activity.

Regional districts raise funds primarily through requisition – parcel taxes (a set amount per parcel, land area, or metre of frontage), or property value taxes based on tax rates applied to the assessed value of the property (land, improvements, or land and improvements combined). Tax notices reference the services, or group of services received, and the associated tax rates or parcel tax amounts.

Regional districts also generate revenues from user fees and charges, such as dog licenses, garbage collection fees, recreation fees and provincial or federal government grants. Some services, such as garbage collection, are recovered fully through user fees, and do not require any taxation.

In electoral areas, regional district property taxes are collected by the provincial government's Surveyor of Taxes on behalf of the regional district. Within municipal boundaries, property taxes are paid to, and collected by, the municipality. The Province and municipalities then transfer funds to the regional districts to cover the cost of local, sub-regional and regional services that the regional districts provide.

➢ How would governance differ in a municipality?

When a municipality is created, the RDOS would be replaced as the local government by the new municipal corporation; similarly, the RDOS's Board of Directors would be replaced as the local governing body by the new Municipal Council for the newly incorporated area.

Council would consist of a mayor and either 4 or 6 councillors[1], all of whom would be elected at-large to represent the community as a whole. Council, together, would be responsible for making all major decisions, including those related to the establishment of new services and programs, the review and approval of major development applications, and the passing of the annual financial plan (i.e., budget). Significantly, Council would also determine local road standards and other road-related matters.

Council Committees
Standing and select committees of Council could be established to provide advice and recommend-dations on services and other matters. Residents could be appointed to both types of committees, as desired.

Residents
Residents of the new municipality would be involved in local decision-making through consultation processes, much as residents of Area "D" are today. Council could establish a citizen-based Advisory Planning Commission (APC) to comment on development applications and land-use matters; however, APCs are less common in municipalities than in electoral areas.

Resident electors would have some role to play in approving certain decisions of Council through AAPs and/or assent votes. The range of decisions on which approval would be required in the municipality, however, would be different than that which exists in Electoral Area "D". Municipal electors would need to approve long-term borrowing, decisions to enter into public-private partnerships, the disposal of local utilities and certain types of parkland, and certain other decisions, just as electors do today in Area "D". Decisions by Council to establish new services, however, would not be subject to elector approval.

Regional District
A new municipality would become a RDOS member municipality, along with Penticton, Summerland, Oliver, Osoyoos, Keremeos and Princeton. Council would appoint one of its members to the RDOS Board of Directors as a Municipal Director. This Director would vote at the Board table on all corporate matters (e.g., adoption of the annual financial plan), and in decisions on services in which the municipality participated.

Provincial Government
The provincial government would have diminished authority over local services in a new municipality. Specifically, the province would no longer make decisions related to local roads, and would no longer have authority over subdivision approval.[2] The province would still, however, make decisions concerning local policing. If the new municipality reached a population of 5,000, Council (through the Mayor) would have an enhanced role in helping to set policing priorities.[3]

The transfer of decision-making authority from the province to the municipality also includes a transfer in the cost to municipal taxpayers. Local taxpayers would become fully responsible for the cost of maintaining local roads and for processing and approving subdivisions.

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[1] Council size would depend in part on population, and be determined during the incorporation process.

[2] The province would remain in control of Highway 97, which is designated a provincial highway.

[3] Even at 5,000 population, the new municipality would not control local policing. Authority over local policing in communities served by the RCMP is held by the province and is exercised through the Solicitor General. The municipality would, however, have the ability to influence the setting of local RCMP policing priorities.