REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

Electoral Area "D" Service and Boundary Configuration Study Committee Agenda

Wednesday, February 9, 2022
6:00 – 8:00 pm

Via Zoom
https://us02web.zoom.us/j/81732069379?pwd=eDlYaHFPeVo1K2oyWEkzWFJSTzU2dz09

PURPOSE From 6:00 pm to 8:00 pm on Wednesday February 9, 2022, the Electoral Area "D" Service and Boundary Configuration Study Committee will meet as part of the study. The Committee will have an opportunity to review drafts of an information sheet on Municipality Classifications, as well as drafts of Open House materials. The Committee will also discuss the remainding schedule.

A. HOUSEKEEPING

- This meeting is being recorded
- Ensure to mute yourself except when speaking to reduce sound feedback.
- Reiterate project purpose / scope
- Format for including the EA Director/Alternate input on agenda items

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B. APPROVAL OF AGENDA

RECOMMENDATION 1
THAT the Agenda for the February 9, 2022 Electoral Area "D" Service and Boundary Configuration Committee be approved.

C. RECEIPT OF THE DECEMBER 8, 2021 MEETING MINUTES

RECOMMENDATION 2
THAT the minutes of the January 12, 2022 Electoral Area "D" Service and Boundary Configuration Committee be received.

D. CONSULTANTS - Sherry Hurst & Allan Neilson

- Information sheets – the consultants have provided an information sheet on municipal classifications and council size, based on the discussion regarding the different types of municipalities during the January committee meeting
- Open House

- Consultants will discuss agenda and plan for Open House events, and roles of the consultants and committee members
- The consultants have provided some draft handouts for the Open Houses in lieu of poster boards, as well as a draft feedback form
- Committee to provide update on Open House event promotion

- The consultants would like to outline the remaining schedule and discuss any changes that are needed to meet the Committee’s timeline

E. QUESTION PERIOD

F. ADJOURNMENT

ATTACHMENTS

The following documents are included in the agenda package for the Committee's review:

- January 12, 2022, Committee Meeting Minutes
- Draft information sheet: Municipal Classifications & Council Size
- Draft Open House handouts
- Draft Open House feedback form questions

RDOS Area "D" Service & Boundary Configuration Study
Information Sheet - DRAFT
February, 2022

MUNICIPAL CLASSIFICATIONS & COUNCIL SIZE

INTRODUCTION

As part of the incorporation process, a newly-formed municipality is designated as a village, town, city or district municipality. The designation is typically identified within the Letters Patent created to form the municipality and is guided in part by legislation. The following sheet provides some information regarding the differences between the classifications of municipalities, as well as the number of council members, and how those decisions are made as part of the incorporation process. Although the classification and council size are not determined is until the end of the incorporation process, questions on both issues often arise well in advance of any incorporation study. The sheet is therefore intended to provide some context for the Committee and community.

CLASSIFICATION OF MUNICIPALITY

Legislation

Section 10(1) of the *Local Government Act* identifies the system of classification that applies to new municipalities. According to that section:

- municipalities with fewer than 2,500 residents must be incorporated as villages;
- municipalities with more than 2,500 people but fewer than 5,001 must be incorporated as towns; and,
- municipalities with more than 5,000 persons must be incorporated as cities.

This system of classification suggests that a municipality within part of all of Area "D" would be incorporated as a either a village or a town, depending upon population. Section 10(1)(d) of the *Act*, however, explains that if the area to be incorporated is greater than 800 hectares and has an average population density of fewer than five persons per hectare, the municipality must be incorporated as a district municipality. Whether or not a municipality created from Area "D" exceeds 800 ha would depend upon the boundary, but any boundary would almost certainly have a population density of fewer than five persons per hectare. So it is possible that this legislative clause would deem the municipality to be a district municipality.

However, despite both these two sections identifying the "requisite" municipal classification, section 10(3) of the *Act* states that if the "Lieutenant Governor in Council considers it to be in the public interest to do so, a municipality may be incorporated in another classification provided for in this Act." This section therefore recognizes that Cabinet has the authority to override the default designations referenced within the Act, and create a new municipality as a city, town, village or district.

Does it Matter?

In almost all respects, towns, villages and district municipalities operate with the exact same authorities, under the exact same rules and regulations. One difference, however, relates to the regulation of drainage. While all municipalities may regulate drainage, section 639 of the *Local Government Act* gives district municipalities the power to collect water from any road using drains or ditches, and to discharge the water into the most convenient natural waterway or watercourse. The same section extends some protection to district municipalities against claims for damages related to drainage.

A second difference concerns the size of council assigned, by default, to each type of municipality.

SIZE OF COUNCIL

Legislation

Section 118(1) of the *Community Charter* sets out the size of the municipal council for different types of municipalities. The section notes, specifically, that unless otherwise provided by letters patent:

- a city or district municipality with fewer than 50,000 people shall have a council of one mayor and six councillors
- a village or town shall have a council of one mayor and four councillors

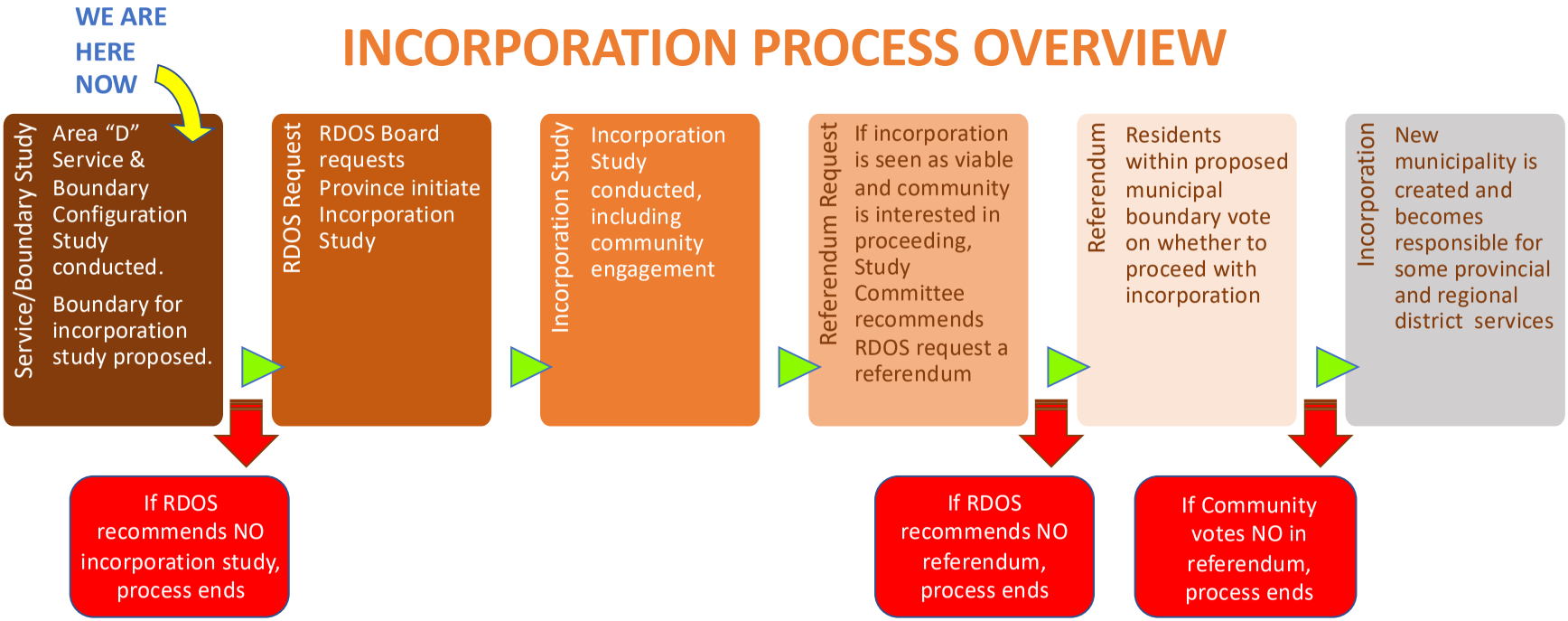
Notwithstanding that subsection, the municipal council once formed may, by bylaw, change the size of council to make it larger or smaller than that which is set out at the time of incorporation.

The choice of classification (i.e., village or town or district municipality) would automatically determine the size of the municipal council unless the letters patent established by Cabinet (on the advice of the Ministry) state otherwise. The Ministry typically seeks input from an incorporation study committee to understand if there is any reason to depart from the classification-determined size.

Does it Matter?

A smaller council of five may be preferred by community members who wish to minimize the cost — or, more accurately, the perception of cost — associated with governance and administration. The actual cost of two additional council members would not be significant; however, the choice of a small council may be considered as a demonstration of efficient, low-cost government. A smaller council size may also be warranted if the size of the community makes it challenging to identify sufficient interested and willing candidates to support a robust democracy and election process.

INCORPORATION PROCESS OVERVIEW



What services are provided to Area “D” & who provides them?

AREA "D" SERVICES & PROVIDERS, BEFORE & AFTER INCORPORATION

SERVICE TYPE	SERVICE PROVIDED TO AREA "D"	CURRENT SERVICE AREA	CURRENT SERVICE PROVIDER	SERVICE PROVIDER AFTER INCORPORATION (if within municipal boundary)
SOLID WASTE & RECYCLIING	Curbside recycling & garbage collection	ALL	RDOS	MUNICIPALITY
	Illegal dumping	ALL	RDOS	RDOS
	Solid waste management	ALL	RDOS	RDOS
	Refuse disposal/Landfill operations	ALL	RDOS	RDOS
LIBRARY	Okanagan Regional Library	ALL	RDOS (THROUGH ORL)	MUNICIPALITY (ORL)
PARKS & RECREATION	Regional parks & trails	ALL	RDOS	RDOS
	Ok Falls parks, recreation & facilities	PARTS OF AREA D	RDOS	MUNICIPALITY
SEWER	Okanagan Falls Sewer	PARTS OF AREA D	RDOS	MUNICIPALITY
	Vintage Views sewer system	PARTS OF AREA D	VINTAGE VIEWS WWTP (PRIVATE UTILITY)	VINTAGE VIEWS WWTP (PRIVATE UTILITY)
	Septage disposal	ALL	RDOS	MUNICIPALITY
EMERGENCY SERVICES	Emergency planning	ALL	RDOS	RDOS
	911 emergency call system	ALL	RDOS	RDOS
	OK Falls fire protection	PARTS OF AREA D	RDOS	MUNICIPALITY
	Victim services	ALL	RDOS	MUNICIPALITY
PLANNING & BUILDING	Electoral area planning	ALL	RDOS	MUNICIPALITY
	Subdivision servicing	ALL	RDOS	MUNICIPALITY
	Subdivision approval	ALL	PROVINCE (MOTI)	MUNICIPALITY
	Regional growth strategy	ALL	RDOS	RDOS
	Building inspection	ALL	RDOS	MUNICIPALITY
	Heritage conservation	ALL	RDOS	RDOS
	Heritage Hills street lighting	PARTS OF AREA D	RDOS	MUNICIPALITY
BYLAW ENFORCEMENT	Noise control	ALL	RDOS	MUNICIPALITY
	Untidy/unsightly premises	ALL	RDOS	MUNICIPALITY
	Animal control	ALL	RDOS	MUNICIPALITY
ECONOMIC DEVELOPMENT	Area "D" economic development	ALL	RDOS	MUNICIPALITY
	Regional economic development (OK Film)	ALL	RDOS	RDOS
ENVIRONMENTAL SERVICES	Stariing control	ALL	RDOS	RDOS
	Mosquito control	ALL	RDOS	RDOS
	Invasive species	ALL	RDOS	RDOS
	Sterile insect release	PARTS OF AREA D	RDOS (THROUGH SIR)	RDOS (THROUGH SIR)
	Destruction of pests (weeds & insects)	ALL	RDOS	RDOS
	Environmenal conservation service	ALL	RDOS	RDOS
WATER	Sun Valley water system	PARTS OF AREA D	RDOS	MUNICIPALITY
	Okanagan Falls water system	PARTS OF AREA D	OK FALLS ID	MUNICIPALITY
	Skaha Estates water system	PARTS OF AREA D	SKAHA ESTATES ID	MUNICIPALITY
	Vaseux Lake water system	PARTS OF AREA D	VASEUX LAKE ID	MUNICIPALITY
	Rolling Hills water system	PARTS OF AREA D	ROLLING HILLS WATERWORKS ID	MUNICIPALITY
	Heritage Hills/Vintage Views/Lakeshore Highlands water system (private)	PARTS OF AREA D	LAKESHORE WATERWORKS (PRIVATE UTILITY)	LAKESHORE WATERWORKS (PRIVATE UTILITY)
	Okanagan Basin Water Board	ALL	RDOS (THROUGH OBWB)	RDOS (THROUGH OBWB)
ADMINISTRATION	Electoral area administration	ALL	RDOS	MUNICIPALITY
	General government & administration	ALL	RDOS	RDOS
	Area "D" grants in aid	ALL	RDOS	MUNICIPALITY
	Area "D" rural projects	ALL	RDOS	MUNICIPALITY
TRANSIT	Area "D" transit	PARTS OF AREA D	RDOS (BC TRANSIT)	MUNICIPALITY
	Regional transit	ALL	RDOS (BC TRANSIT)	RDOS
	South Okanagan transit system	PARTS OF AREA D	RDOS (BC TRANSIT)	RDOS
PROVINCIAL SERVICES	Roads	ALL	PROVINCE (MOTI)	MUNICIPALITY
	Policing	ALL	PROVINCE (PSSG)	PROVINCE*

RDOS	Operated by the RDOS, on a region-wide or sub-regional basis (so assumed would still be operated by RDOS after incorporation)
MUNICIPALITY	Municipal responsibility (if within municipal boundary); could choose to have someone else (including RDOS) deliver service
PROVINCE	Provincial responsibility
OTHER	Other authority

** Note that if the municipality were to exceed 5,000 population in the future, the municipality would be responsible for providing local police service; however municipal council would have only limited influence over policing decisions*

What do I currently pay for local government services?

1. RDOS services for all of Area "D" (2021)

Administration	Property Tax per $450,000 home[1]	Total property tax collected in Area "D"
Area "D" Grants in Aid	$5.58	$16,762
General Government & Administration	$25.38	$76,225
Electoral Area Administration	$135.43	$406,785
Area "D" Rural Projects	$8.61	$25,846
Surveyor of Taxes	$44.89	$134,833
Water		
Okanagan Basin Water Board	$14.63	$44,171
Planning & Building		
Electoral Area Planning	$65.34	$196,255
Regional Growth Strategy	$1.29	$3,882
Building Inspection	$20.04	$60,178
Subdivision Servicing	$8.26	$24,800
Heritage Conservation	$0.25	$755
Economic Development		
Regional Economic Development	$0.63	$1,944
Area "D" Economic Development	$62.06	$186,386
Parks		
Regional Parks & Trails	$5.40	$16,227
Solid Waste Management		
Solid Waste Management	$3.24	$9,738
Illegal Dumping	$0.60	$1,800
Emergency Services		
Emergency Planning	$4.46	$13,399
Victim Services	$1.06	$3,178
911 Emergency Call[2]	$15.19	$54,062
Environmental Services		
Destruction of Pests	$0.41	$1,194
Mosquito Control[2]	$1.80	$6,397
Invasive Species	$1.08	$3,291
Starling Control	$0.45	$1,388
Environmental Conservation	$7.79	$23,415
Bylaw Enforcement		
Animal Control	$9.23	$27,760
Untidy/Unsightly Premises	$10.38	$32,692
Noise Control	$3.67	$11,009
Library		
Okanagan Regional Library	$66.61	$199,932
Transit		
Regional Transit	$3.88	$11,647
Subtotal for area-wide taxes	$527.64	$1,595,951

2. RDOS area specific services (2021) (portions of Area "D" only)

*	Curbside Recycling & Garbage Collection (OK Falls, Skaha Estates)	$135.00	
*	Curbside Recycling & Garbage Collection (Lakeshore Highlands, Heritage Hills, Vintage Views, Upper Carmi)	$155.00	
	OK Falls Fire Protection	$163.18	$424,786
	OK Falls Parks, Recreation & Facilities	$223.04	$566,880
*	OK Falls Sewer	$879.00	$1,140,093
	Sterile Insection Release Property Tax[3]	$8.91	$20,283
	Sterile Insection Release Parcel Tax	$139.26/acre	$3,851
	Heritage Hills Street Lighting	$23.57	$6,193
	Area "D" Transit	$34.82	$85,131
*	Sun Valley Water System	$1,643.00	$75,841
	Subtotal for area-specific charges	N/A	$2,323,058

* *these services reflect user fees*

3. Provincial services for all Area "D" (2021)

Police Tax	$54.81	$164,626
Rural Tax (roads, subdivision)	$202.50	$608,225
School Tax	$748.49	$2,248,134
Subtotal for provincial services	$1,005.80	$3,020,985

4. Other agencies for all Area "D" (2021)

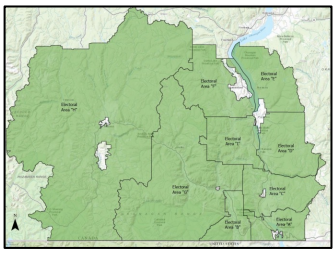
Okanagan Similkameen Hospital District	$113.66	$341,376
Municipal Finance Authority	$0.09	$270
BC Assessment Authority	$18.50	$55,551
Subtotal for agency taxes	$132.25	$397,197

1. Average residential value in Area "D" in 2021 was $466,048. A rounded number of $450,000 for illustration purposes. It is assumed the $450,000 represents 50% land, 50% improvement value.
2. 911 Emergency Call and Mosquito Control services are levied on property improvement value only,
3. Sterile Insect Release property tax is calculated on land value only. The parcel tax is only on orchard growers and is based on land area.

Note that these are the taxes and user fees paid for RDOS and Provincial services. They do not include user fees and rates paid to private utilities or Improvement or Irrigation Districts.

How are service decisions made for Area "D"?

The Regional District of Okanagan- Similkameen (RDOS) is made up of 9 electoral areas (A, B, C, D, E, F, G, H and I) and 6 municipalities (Penticton, Summerland, Oliver, Osoyoos, Keremeos and Princeton). The 19-member RDOS Board of Directors is the local government that makes decisions for the region.

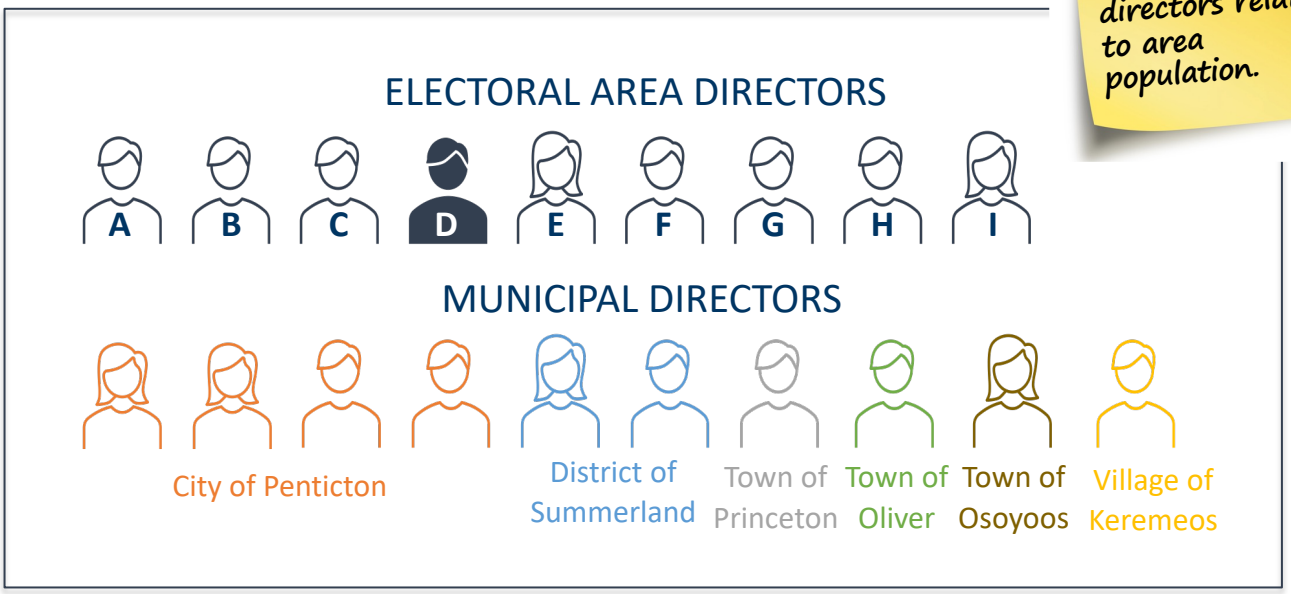


Who is on the RDOS Board of Directors?

The RDOS Board of Directors is comprised of

- 9 electoral area directors, each elected by voters within the electoral area
- 10 municipal directors, appointed by local municipal Councils to the Board

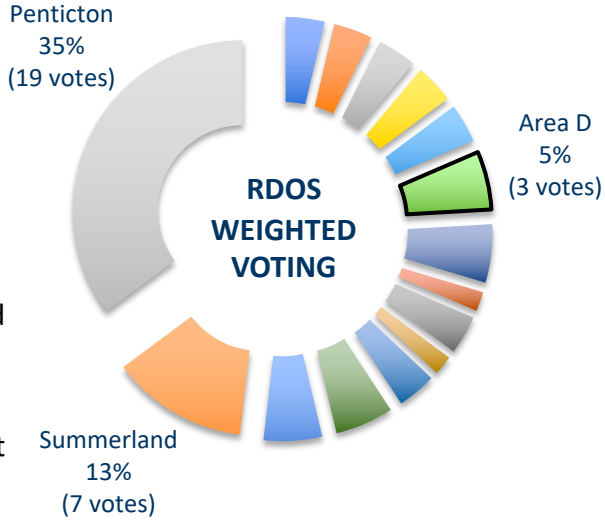
The number of municipal directors relates to area population.



How are decisions made by the RDOS Board?

Decisions are made using different types of votes on the RDOS Board, depending on the topic. Some votes are "unweighted" where each director receives one vote. Other votes are "weighted" based on the population within each electoral area or municipality.

- Some decisions (creation of a new service) are voted on by the full Board (1 director = 1 vote)
- Other decisions are made with weighted votes based on voting strength (e.g. budget, borrowing money).
- Some service decisions are made by only those directors who represent areas that participate in that service (e.g. recycling and garbage collection)



How would incorporation impact services and governance?

	CURRENT	POST INCORPORATION
SERVICES	• Most services provided by RDOS • 4 Irrigation/improvement districts provide some services • Province provides policing, local roads, subdivision approval & tax collection	• Most services provided by municipality • Municipality provides local roads, subdivision approval, tax collection • Irrigation districts within municipal boundaries dissolved • Municipal hall required
GOVERNANCE	• Full RDOS Board (19 directors) makes most service, and all budget decisions • Area "D" has 1 director • Province decides on road maintenance, subdivisions, policing levels	• Locally elected council (5 or 7 members) makes most decisions • Municipality has 1 director on RDOS Board (1 of 20 directors) • Province makes policing decisions
FINANCE	• Residents pay 5.25% tax collection fee • Irrigation/improvement Districts not eligible for grants • Tax ratios cannot be changed • Many service costs shared amongst all electoral areas	• Council can adjust tax ratios • Council can apply for grants • New revenue options (Fortis franchise fee, utilities tax) • Service costs may change depending on tax base • Water/sewer still paid by those who receive service

Why might you want (or not want) to be part of an incorporation study area?

The purpose of a detailed incorporation study is to closely examine the service, governance and cost impacts of incorporation upon a specific study area. The study area boundary is determined primarily based on technical information, but is also influenced by community interest and input. There are many factors that might prompt residents within a neighbourhood or community to either want to explore a more detailed analysis of incorporation costs and impacts for their community, or to prefer to remain outside an incorporation study area boundary. The table below includes some common reasons expressed during previous governance studies that help to explain some of those preferences on being both included or excluded from an incorporation study area that would be the basis for any future incorporation study. What reasons and factors might be relevant for your community?

REASONS YOU MIGHT …	REASONS YOU MIGHT NOT …
Being included within an incorporation study area might appeal to your community if your community:	Your community may not want to be included within an incorporation study area if your community:
✓ wants to understand the cost and impact of having local control over services, land use planning, building inspection, utilities, recreation, bylaw enforcement and others	✓ is content with the type and level of current local services provided to the community
✓ wants to understand the cost and impact of having the community, not the Province, set the local road standards and provide road maintenance	✓ values being part of a rural community that has fewer service needs than more urban areas
✓ is interested in the idea of having decisions on services, development polices and approvals, and other community matters made in the community by a locally-elected council, and wants to appreciate the cost and impact of that change on their community	✓ is receiving good value and services for their local tax dollars, and does not see any compelling need for changes to that system
✓ is interested in the idea of being represented by more than one elected representative to better reflect the diversity of local opinions and perspectives within the community	✓ is satisfied that any service adjustments desired by their community are minor, and able to be accommodated within the regional district system
✓ sees themselves as having current or future service needs and priorities that are distinct from more rural areas of the regional district	✓ would prefer that the responsibility and cost for local roads remain the responsibility of the provincial Ministry of Transportation and Infrastructure
✓ views themselves as linked to and having shared interests, goals and priorities with surrounding communities	✓ feels well represented by having one Electoral Area “D” director on the RDOS Board, and views a local governing council of 5 to 7 council members, with a municipal hall, as excessive relative to the needs of their community
✓ is uncertain whether incorporation would make sense, but is interested in gaining a better understanding of the implications that option, and having the opportunity to vote once more detailed analysis is available	✓ does not view themselves as being connected to, or having shared goals, interests and priorities with surrounding communities
	✓ is satisfied that, in the years ahead, the community can continue to be well-governed and appropriately-serviced as part of Electoral Area “D” in the RDOS, and is therefore not interested in exploring options at this time

Questions to Consider

Services

- In general, do you receive good value for the taxes you pay for your local services?
- Do you get the local services – type and level – that you need? Are there ones you would like to receive that you don't currently have?
- What are your views on local roads services, which are provided in Area "D" by the Province?

Governance

- Does one electoral area director for Area "D" provide sufficient representation and influence in decision-making for your community?
- Is there any need to consider a change in the form of local government to address current issues and/or future challenges facing Area "D"?
- How important is local control and influence over decision-making?

Incorporation Impact & Boundary Considerations

- What would be the benefits to your community of being part of a municipality?
- What would be the drawbacks to your community of being part of a municipality?
- Do you view your community as one that has shared goals and priorities with surrounding Area "D" communities, or one that has different needs and aspirations?

Thank you for attending!
Don't forget to fill out an Open House Feedback Form to share your input!
Have your say!

COMMUNITY FEEDBACK

Electoral Area "D" Service and Boundary Considerations Study Committee

Thank you for your interest in the Area "D" Service and Boundary Consideration Study. The Committee is sharing the information prepared thus far through five open houses and is seeking input on each community's interests, issues and concerns regarding services and governance, as well as gauging community interest in being part of the boundary that would define the study area for any subsequent detailed incorporation study. Please take a moment to answer a few questions and to provide your comments. All feedback will be reviewed by the Committee and summarized for the community.

1. Area you an Area "D" resident? (yes/no)

2. Where in the community do you live?
- Upper Carmi
- Eastside Road North/Lakeshore Highlands/Heritage Hills/Vintage Views
- Eastside Road South/Skaha Estates
- Okanagan Falls
- South of Okanagan Falls/Vaseux Lake/Rolling Hills/Sun Valley
- Other _____

2. Have you reviewed information on the Study website at rdosregionalconnections.ca? (yes/no)

3. Did you attend one of the Open Houses? (yes/no)

4. If your answer to 3 was yes, which one(s) did you attend? (all that apply)
- February 16
- February 17
- February 23
- February 24
- February 26

5. Please rate your level of agreement with the following statements:
(strongly disagree/disagree/neutral/agree/strongly agree)
- I receive sufficient range of services through the Regional District
- I receive good value for the taxes I pay to the Regional District
- One electoral area director is sufficient representation for my community
- Having service decisions made locally is of primary importance to me
- I think the Regional District can continue to meet the needs and aspirations of my community in the future

6. Do you have concerns or issues with the services provided to your community by any of the following providers? If so, please elaborate on your issues and/or concerns.
The RDOS? _____
The Province? _____
Other? _____

7. I am interested in my community being included as part of the boundary for any subsequent detailed incorporation study. (yes/no/undecided)

8. If my community were part of the study area boundary in a future incorporation study, I would have the following concerns: _____

9. I would like to receive more information on:
Other input or comments: _____