

THE CORPORATION OF THE CITY OF GRAND FORKS
AGENDA – REGULAR MEETING
Tuesday September 2nd, 2014, 7:00 p.m.
6641 Industrial Parkway (Old Canpar office)

<u>ITEM</u>	<u>SUBJECT MATTER</u>	<u>RECOMMENDATION</u>
1. <u>CALL TO ORDER</u>		
a) 7:00pm Call to Order		
2. <u>ADOPTION OF AGENDA</u>		
a) September 2nd, 2014		Adopt Agenda
3. <u>MINUTES</u>		
a) August 18th, 2014 Minutes - COTW - Aug 18th.pdf	Committee of the Whole Meeting Minutes	Adopt the minutes
b) August 18th, 2014 Minutes - Special Meeting to go In- Camera -Aug 18th.pdf	Special Meeting of Council	Adopt the minutes
c) August 18th, 2014 Minutes - Regular Meeting - August 18th.pdf	Regular Meeting Minutes	Adopt the minutes
4. <u>REGISTERED PETITIONS AND DELEGATIONS</u>		
5. <u>UNFINISHED BUSINESS</u>		
6. <u>REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL (VERBAL)</u>		
a) Corporate Officer's Report RFD - Procedure Bylaw CAO - Rpts., Questions & Inquiries from Council.pdf	Verbal reports of Council	THAT all reports of members of Council given verbally at this meeting be received.
7. <u>REPORT FROM COUNCIL'S REPRESENTATIVE TO THE REGIONAL DISTRICT OF KOOTENAY BOUNDARY</u>		
a) Corporate Officer's report RFD - Procedure Bylaw Council - Report to RDKB.pdf	RDKB Representatives report	THAT the Mayors report on the activities if the Regional District of Kootenay Boundary be received.

8. **RECOMMENDATIONS FROM STAFF FOR DECISIONS**

- | | | |
|---|--|--|
| a) Manager of Development and Engineering
RFD - Mgr. Dev. & Eng. Licence of Occupation RDKB Demonstration Community Garden.pdf | Grand Forks Recreation Commission - Request for License of Occupation for demonstration community garden | THAT Council approves the License of Occupation and directs staff to proceed with the License of Occupation Agreement with the Regional District of Kootenay Boundary. |
| b) Corporate Services
RFD - Corp. Serv. - Volunteer Appreciation Night.pdf | Volunteer Appreciation Night - Call for Nominations - Policy #204 | THAT Council provides notice to the public calling for nominations from the public for exceptional volunteer service in the City of Grand Forks in accordance with Council Policy #204. |
| c) Chief Financial Officer
RFD - CFO MIABC Voting Delegates.pdf | Appointments of City of Grand Forks Voting Delegates for the Municipal Insurance Association Annual Meeting. | THAT Council receives the staff report and resolves to appoint _____ as the voting delegate at the 2014 MIA Annual General Meeting, and Appoints _____ and _____ as the alternates. |
| d) Chief Financial Officer
RFD - CFO Resolution City Hall Rebuild Contingency \$80k Fin. Plan Amend.pdf | City Hall Rebuild contingency resolution for financial plan amendment | THAT Council include an \$80,000 contingency for the City Hall rebuild to be included in the 2014 financial plan amendment, to be funded from surplus at the Regular September 2, 2014 meeting of Council. |

9. **REQUESTS ARISING FROM CORRESPONDENCE**

10. **INFORMATION ITEMS**

- | | | |
|--|--|---|
| a) Grand Forks Seniors Center Branch 68
Summ. of Info. - Grand Forks Senior's Center Tree Removals.pdf | Tree removals | Council to receive for information and direct staff to remove these trees as requested by the Grand Forks Seniors Center Branch 68. |
| b) Green Communities Committee
Summ. of Info. - Green Communities Committee - Congratulations on Greenhouse Gas Emissions Reduction.pdf | Congratulations from Green Communities Committee for successfully reducing corporate greenhouse gas emissions for the 2013 reporting year. | THAT Council to receive for information |

11. **BYLAWS**

- | | | |
|--|---|--|
| a) Chief Financial Officer
RFD - CFO Repeal Revitalization Tax Exemption Bylaws.pdf | Repeal of Bylaws 1780, 1881 and 1912 | <p>THAT Council adopt the City of Grand Forks Year 2005-2009 Financial Plan Amendment Repeal Bylaw No. 1780R, 2014.</p> <p>THAT Council adopt the City of Grand Forks Major Industrial Revitalization Area tax Exemption Renewal (Interfor) Repeal Bylaw No. 1881R, 2014.</p> <p>THAT Council adopt the City of grand Forks Amendment to the Major Industrial Revitalization Renewal (Interfor) Repeal Bylaw No. 1912R, 2014</p> |
| b) Chief Financial Officer
RFD - CFO Temporary Borrowing Bylaw 1950 - 3 readings.pdf | Temporary Borrowing Bylaw No. 1950, 2014 | THAT Council give first three readings to Temporary Borrowing Bylaw No. 1950, 2014 |
| c) Chief Financial Officer
RFD - CFO Temporary Borrowing Bylaw 1998 - 3 readings.pdf | Temporary Borrowing Bylaw No. 1998, 2014 | THAT Council gives first three readings to Temporary Borrowing Bylaw No. 1998, 2014 |
| d) Manager of Development and Engineering Services
RFD - Mgr. Dev. & Eng. Sagamore & 2nd Road Closure.pdf | First and Second reading of the Sagamore Road and 2nd Street Road Closure Bylaw No. 2002. | <p>THAT Council give first and second reading to Bylaw No. 2002, cited as the Sagamore Road and 2nd Street Road Closure Bylaw, a bylaw to close and remove the dedication of a road, measuring 1.098 hectares in size, as shown on Plan 21622 and 27765, DL 534, S.D.Y.D. and direct staff to advertise the bylaw and send letters to the surrounding property owners, inviting them to attend the October 6th, 2014 Committee of the Whole Meeting to make representation to Council if they have concerns or comments (written or in person), with regard to the road closure.</p> |

12. LATE ITEMS
13. QUESTIONS FROM THE PUBLIC AND THE MEDIA
14. ADJOURNMENT

THE CORPORATION OF THE CITY OF GRAND FORKS

COMMITTEE OF THE WHOLE MEETING

Monday August 18th, 2014, 9:00 AM

PRESENT: MAYOR BRIAN TAYLOR
COUNCILLOR BOB KENDEL
COUNCILLOR NEIL KROG
COUNCILLOR PATRICK O'DOHERTY
COUNCILLOR GARY SMITH
COUNCILLOR MICHAEL WIRISCHAGIN
COUNCILLOR CHER WYERS

CHIEF ADMINISTRATIVE OFFICER	D. Allin
CHIEF FINANCIAL OFFICER	R. Shephard
CORPORATE OFFICER	D. Heinrich
DEPUTY CORPORATE OFFICER	S. Winton
MANAGER OF DEVELOPMENT AND ENGINEERING	S. Bird
MANAGER OF OPERATIONS	R. Huston
MANAGER OF BUILDING AND BYLAW SERVICES	W. Kopan
FIRE CHIEF	D. Heriot
DEPUTY FIRE CHIEF	K. McKinnon

SPECIAL PRESENTATION TO BRAZILIAN SUMMER STUDENTS

Felipe Rodrigo Pinheiro Rafael and Maitê Machado Bayer
The Mayor presented letters of thanks to the Brazilian summer students, from the Engineers without Borders Program, for their work with the City this summer. He further wished them well in their future studies in Brazil.

CALL TO ORDER

The Mayor called the meeting to order at 9:12am.

COMMITTEE OF THE WHOLE AGENDA

Adopt Agenda

MOTION: O'DOHERTY / SMITH

RESOLVED THAT the Committee of the Whole adopt the August 18th, 2014, Agenda as presented.

CARRIED.

REGISTERED PETITIONS AND DELEGATIONS

Graham Watt
Learning Garden at the Grand Forks Recreation Centre

Graham spoke with regard to the Learning Garden and reviewed the proposed plan for the garden.

He requested that Council consider:

- Directing staff to work with the garden planning group to provide options for Council's consideration for using land for the garden;
- Entering into an agreement with the Grand Forks and Boundary Agricultural Society to utilize the City's charitable status for grant proposals for the garden.

It was determined that any pre existing conditions such as buried oil tanks, etc. would be determined ahead of time.

MOTION: SMITH

RESOLVED THAT the Committee of the Whole receives the presentation from Graham Watt regarding the Learning Garden at the Grand Forks Recreation Centre; AND FURTHER recommends that Council direct staff to prepare a License of Occupation for the use of City land adjacent to the skate park and bring the License of Occupation forward to the September 2nd, 2014, Regular Meeting of Council.

CARRIED.

Cavan Gates - BC Rural Network
2014 BC Rural Summit Summary Report

Mr. Gates provided a summary of report of the 2014 BC Rural Summit.

MOTION: SMITH

RESOLVED THAT the Committee of the Whole receives the 2014 BC Rural Summit Summary Report for information.

CARRIED.

Karin Bagn - People's Review Commission

Ms. Bagn advised that she is representing 108 people in Grand Forks who do not support the water meter project. She spoke with regard to:

- the August 21st, 2014 Environment Committee where she requested that the committee support the recommendation for a sub committee and allocation of funds for the sub committee and advised that her motion was not supported
- the Environment Committee did allocate of \$1000 to support the launch of the Kettle River Water Shed Project

-
- her repeated request that Council meet to discuss water meters
 - received advice from a Canadian lawyer to look at the provincial legislation in order to determine whether Council has followed the proper process in the passing of the water meter bylaw
 - a claim has been opened with the Ombudsperson's office and she encouraged the public to call and file their own claim
 - her request to the City for a copy of the contract with Neptune
 - her belief that there is a conflict of interest with City Council in terms of the contract
 - as 2 people are plumbers or contractors

An unidentified member of the public asked if their water bill will go up.

The Mayor advised that the installation of water meters does not automatically mean that water rates will rise. The rates are in place to cover the operation of the water system.

Ms. Bagn interjected on the conversation; whereas the Mayor recessed the meeting.

The Mayor recessed the meeting at 9:50am

The Mayor reconvened the meeting at 10:03am

The Mayor opened the floor to the public.

Christine Thompson, a member of the public, asked if the community was conserving water this summer due to the controversy with water meters and the awareness to conserve water.

The Chief Administrative Officer advised that in the City of Grand Forks water consumption has increased in the 2014 peak times in June and July. He reviewed a graph that showed the water consumption for 2014, illustrating the increase in consumption and that this is the City's worst year on record.

The Chief Administrative Officer advised that the homeowner is not responsible for any issues with the installation of the meters. The City is insured in to cover any issues that may arise.

The Mayor advised that Water use stats from 2004-2012 total consumption show a drop in consumption in 2007, which the Mayor advised is likely due to shut down of Canpar.

There was discussion from the public regarding:

- the consideration given to reviewing other communities between here and Canbrook
- public education program on water conservation
- environment vs cost savings
- to the user pay system
- water meter and RMF radiation
- water leaks
- the impact of a proposed dam being built at Big White on the Kettle River
- damage to infrastructure annually
- manual reading of electric meters

The Chief Administrative Officer advised that new construction has water meters and electrical meters that are read from the roadside. However, in Area D electrical meters are read manually

- water meter installation in Area D is not within the jurisdiction of the City
- water rights and precedents set by the City's decision to install water meters
- Gas tax dollars and water meters

The Mayor advised that the gas tax covers the meter and the installation.

David Janzen, a member of the public, asked about voting opportunities for people who leave the community in the fall.

The Corporate Officer advised that:

- early voting is on November 5th and 12th
- Council made the decision not to have mail in ballots.

MOTION: WIRISCHAGIN

RESOLVED THAT the Committee of the Whole receives the presentation from Karin Bagn representative of the People's Review Commission.

CARRIED.

PRESENTATIONS FROM STAFF

Manager of Operations

Summary of Water Meter Installation Information Open House

He spoke with regard to the process for water meter installation.

The Chief Administrative Officer advised that the City is flexible with regard to timelines and availability for installation and will work with the community.

Mayor advised that residents are currently charged a flat rate for water and there are many variable options of how the utility will be charged.

MOTION: SMITH

RESOLVED THAT the Committee of the Whole receives the summary report from the Manager of Operations regarding the water meter installation information open house.

CARRIED.

The Mayor recessed the meeting at 11:06am

The Mayor reconvened the meeting at 11:23am

Chief Financial Officer
Grand Forks Ministerial request for Permissive Tax Exemption

The Chief Financial Officer reviewed the request from the Grand Forks Ministerial Group with Council and requested that Council consider whether parking lots, vacant land and manses are a necessity for worship. Most municipalities consider parking lots as a necessity but not vacant land.

MOTION: WIRISCHAGIN

RESOLVED THAT COTW recommends to Council to direct staff to revisit the bylaw for review in the new year.

CARRIED.

MOTION: SMITH

**RESOLVED THAT the Committee of the Whole recommends Council advise staff that the bylaw should remain as is;
And further refer to the September 2nd, 2014, Regular Meeting.**

CARRIED.

Monthly Highlight Reports from Department Managers
Staff request for Council to receive the monthly activity reports from department managers.

MOTION: SMITH

RESOLVED THAT the Committee of the Whole recommends to Council to receive the monthly activity reports.

CARRIED.

REPORTS AND DISCUSSION

PROPOSED BYLAWS FOR DISCUSSION

Chief Financial Officer
Temporary Borrowing Bylaw No. 1950, 2014 - Emergency Water Supply for Fire Protection Loan Authorization.

The Chief Financial Officer advised that this bylaw refers to Emergency Water Supply For Fire Protection Loan Authorization. This Bylaw is to authorize the borrowing of up to 1.3 million dollars for the planning, study, design and construction of fire flow requirements including additions, well, standby, pump and pipes.

MOTION: O'DOHERTY

RESOLVED THAT the Committee of the Whole recommends that Council give first three readings to Temporary Borrowing Bylaw No. 1950, 2014 , - Emergency Water Supply for Fire Protection Loan Authorization at the September 2nd, 2014 Regular Meeting of Council.

CARRIED.

Chief Financial Officer

Temporary Borrowing Bylaw no. 1998, 2014 - Capital Renewal Loan Authorization Bylaw

This Bylaw is to authorize the borrowing of up to 4.2 million for multi-utility projects that combine road, water and sewer renewal.

MOTION: O'DOHERTY

THAT the Committee of the Whole recommends that Council give first three readings to Temporary Borrowing Bylaw No. 1998, 2014 - Capital Renewal Loan Authorization Bylaw at the September 2nd, 2014, Regular Meeting of Council.

CARRIED.

INFORMATION ITEMS

CORRESPONDENCE ITEMS

LATE ITEMS

REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF THE COUNCIL (VERBAL)

QUESTION PERIOD FROM THE PUBLIC

ADJOURNMENT

The Mayor adjourned the meeting at 11:49pm.

CERTIFIED CORRECT:

MAYOR BRIAN TAYLOR

DEPUTY CORPORATE OFFICER -
SARAH WINTON

AUGUST 18, 2014

COMMITTEE OF THE WHOLE MEETING

THE CORPORATION OF THE CITY OF GRAND FORKS

SPECIAL MEETING OF COUNCIL
MONDAY, AUGUST 18TH, 2014

PRESENT:

MAYOR BRIAN TAYLOR
COUNCILLOR BOB KENDEL
COUNCILLOR PATRICK O'DOHERTY
COUNCILLOR GARY SMITH
COUNCILLOR MICHAEL WIRISCHAGIN
COUNCILLOR CHER WYERS

CHIEF ADMINISTRATIVE OFFICER
CORPORATE OFFICER
MANAGER OF DEVELOPMENT & ENGINEERING
DEPUTY CORPORATE OFFICER

D. Allin
D. Heinrich
S. Bird
S. Winton

GALLERY

CALL TO ORDER

- a) The Mayor called the meeting to order at 1:30pm
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IN-CAMERA RESOLUTION

Resolution required to go into an In-Camera meeting

- a) Adopt resolution as per section 90 as follows:

MOTION: SMITH / KENDEL

**RESOLVED THAT Council convene an in-camera meeting as outlined under section 90 of the Community Charter to discuss matters in a closed meeting which are subject to section 90(1)(e), acquisition, disposition of expropriation of land or improvements that could reasonably be expected to harm the interests of the municipality;
be it further resolved that persons, other than members, officers, or other persons to whom council may deem necessary to conduct city business, will be excluded from the in-camera meeting.**

CARRIED.

LATE ITEMS

ADJOURNMENT

a) The Mayor adjourned the meeting at 1:31pm

MOTION: WYERS / KENDEL

RESOLVED THAT the August 18th, 2014, Special Meeting to go In-Camera be adjourned at 1:31pm

CARRIED.

CERTIFIED CORRECT:

MAYOR BRIAN TAYLOR

DEPUTY CORPORATE OFFICER-
SARAH WINTON

THE CORPORATION OF THE CITY OF GRAND FORKS

REGULAR MEETING OF COUNCIL
MONDAY, AUGUST 18TH, 2014

PRESENT:

MAYOR BRIAN TAYLOR
COUNCILLOR BOB KENDEL
COUNCILLOR PATRICK O'DOHERTY
COUNCILLOR GARY SMITH
COUNCILLOR MICHAEL WIRISCHAGIN
COUNCILLOR CHER WYERS

CHIEF ADMINISTRATIVE OFFICER
CORPORATE OFFICER
CHIEF FINANCIAL OFFICER
DEPUTY CORPORATE OFFICER
MANAGER OF DEVELOPMENT & ENGINEERING
MANAGER OF BUILDING AND BYLAW SERVICES

D. Allin
D. Heinrich
R. Shepherd
S. Winton
S. Bird
W. Kopan

GALLERY

CALL TO ORDER

- a) The Mayor called the August 18th, 2014, Regular Meeting to order at 7:00pm.
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ADOPTION OF AGENDA

- a) August 18th, 2014
The Mayor advised that the presentation to Jaclyn Salter would be moved to be included during the Regular Meeting.

MOTION: KENDEL / SMITH

RESOLVED THAT Council adopt the August 18th, 2014, Regular Meeting agenda as amended.

CARRIED.

MINUTES

- a) July 21st, 2014
Committee of the Whole Meeting Minutes

MOTION: O'DOHERTY / WIRISCHAGIN

RESOLVED THAT Council adopts the July 21st, 2014, Committee of the Whole Meeting minutes as presented.

CARRIED.

- b) July 21st, 2014
Regular Meeting Minutes

MOTION: SMITH / KENDEL

RESOLVED THAT Council adopts the July 21st, 2014, Regular Meeting minutes as presented.

CARRIED.

- c) July 21st, 2014
Special Meeting to go In-Camera

MOTION: O'DOHERTY / SMITH

RESOLVED THAT Council adopts the July 21st, Special Meeting to go In-Camera minutes as presented.

CARRIED.

- d) August 8, 2014
Special Meeting minutes

MOTION: SMITH / WYERS

RESOLVED THAT Council adopts the August 8th, 2014, Special Meeting minutes as presented.

CARRIED.

REGISTERED PETITIONS AND DELEGATIONS

UNFINISHED BUSINESS

REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL (VERBAL)

a) Corporate Officer's Report
Verbal Reports of Council

Councillor O'Doherty

He reported that:

- He attended the open house for water meters
- He attended Music in the Park
- He attended the Park in the Park car show
- That baseball is done and waiting to hear about next year
- That hockey starts next week
- That the Fall Fair and the Fly In are both this weekend

Councillor Wyers

She reported that:

- She has been at AKBLG and had a prior commitment so has not been at the last two scheduled Council meetings
- She participated in Citizens on Patrol this month
- On June 25th, she attended the West Kootenay Boundary Regional Hospital board meeting and discussed the report regarding acute care in the West Kootenay Boundary as provided by Jim Gustafson; Ingrid Hempf's retirement was also announced
- She Participated in the Grand Forks International Baseball Tournament and thought it was great
- Her primary project this summer has been the Head Start for Young Women Program and the organization of the conference that the Grand Forks chapter is planning. The conference is being planned for October. There are 47 women in Kootenay Boundary local Government who will be invited to attend the conference and bring along any female youth from their communities.
- Grand Forks Airport Appreciation Day and Fly In is this Sunday, August 24th. On Saturday evening there will be a Runway Theatre for kids.

Councillor Kendel

He reported that:

- On July 17th, he and other Councillors attended the Spray Park Sod Turning at City Park
- He attended the water meter open house
- He attended the August 12th monthly meeting of the Boundary Museum. The Visitor Centre is always looking for volunteers to help at the Flour Mill Welcome Center. The Welcome Center is also installing new photo signage that will be installed along Highway 3. Thursday mornings, the museum makes bread that is available to purchase.
- He attended the Park in the Park car show and advised that it went extremely well and he thanked the organizers.

Councillor Smith

He reported that:

- The Rotary Club is fund raising for the Spray Park with a lobster dinner in September. There are also raffle tickets available for West Jet
- On July 22nd, he attended the Water Meter Open House which was well attended by the public
- On July 29th, he attended the vital signs committee meeting, where they are still gathering data for the report due out in September
- On July 11th, he met with two members of the Mural Committee and arranged for \$6,000 to be requested from Council for the project
- On July 15th, he met with the Gilpin Grasslands group to follow up on the meeting with the Nature Trust regarding financial backing for fencing the grasslands
- On July 15th, he MC'd the Habitat for Humanity Raising the Roof fund raiser and the event was great, they raised approximately \$1400.00
- On July 17th, he attended the Park in the Park event where he worked presenting the Solar Car initiative that the elementary school children participated in
- On July 8th, he attended the Deer Committee meeting. He spoke with regard to the tagging of the deer project that Council committed \$10,000.00 to, in partnership with the Ministry of Environment. He advised that they would like to tag a buck and that the MOE has committed \$3,000.00 to the project.
- He advised that the Deer Committee would like to include a deer cull question on the ballot at the upcoming election in November as an opinion poll
- He asked for Council's support to proceed with the tagging program in October and November of 2014. He explained the process for the tagging program
- He advised that the MOE would purchase the collars and that it is a two year project

Councillor Wirischagin

He had no report

The Mayor reported that:

- The Kettle River Watershed project is to be completed shortly
- The City is attempting to set up a meeting with Council and the BCSPCA at UBCM to discuss humane options in the community for dealing with animals
- He is receiving many calls regarding real estate and from people looking to move to the area

MOTION: SMITH / O'DOHERTY

RESOLVED THAT Council approves that there be an opinion poll question with regard to a deer cull be included on the ballot during the 2014 Local Government election.

CARRIED.

MOTION: SMITH / WYERS

RESOLVED THAT Council determines to advise staff to provide a detailed report with regard to the Ministry of Environments contribution to the deer tagging program before making a decision to proceed.

Councillor Wirischagin opposed this motion.

CARRIED.

MOTION: O'DOHERTY / SMITH

RESOLVED THAT all reports of members of Council given verbally at this meeting, be received.

CARRIED.

SPECIAL PRESENTATION

- a) The Mayor and Council presented their congratulations to Jaclyn Salter for receiving a \$1000.00 prize from the Canadian War Museum for her poem What It Was For on this year's theme, Canada and the First World War, as on of the Colonel Douglas H. Gunther History Awards.
Jaclyn read her poem to the gallery.

REPORT FROM COUNCIL'S REPRESENTATIVE TO THE REGIONAL DISTRICT OF KOOTENAY BOUNDARY

- a) Corporate Officer's Report
RDKB Representatives Report

The Mayor advised that:

- the Recreation Commission has asked to review the recreation facility
- the RDKB meets again on the 28th and a review of policies is underway

MOTION: O'DOHERTY / WIRISCHAGIN

THAT the Mayor's report on the activities of the Regional District of Kootenay Boundary be received.

CARRIED.

RECOMMENDATIONS FROM STAFF FOR DECISIONS

- a) Chief Financial Officer
Mr. Bill Pepin and Owners of Riverside Gardens request to the City to cancel the basic electrical charge

The Chief Administrative Officer advised that a letter will go out to Mr. Pepin this week in the hopes of resolving this issue.

MOTION: WIRISCHAGIN / O'DOHERTY

RESOLVED THAT Council receives for information and discussion.

CARRIED.

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- b) Chief Financial Officer
Policy 804 Tangible Capital Assets revision

MOTION: SMITH /O'DOHERTY

RESOLVED THAT Council adopts Policy #801-A1, Tangible Capital Assets

CARRIED.

- c) Manager of Bylaw Services
Show Cause Hearing - 721 65th Avenue

MOTION: SMITH / O'DOHERTY

**RESOLVED THAT Council considers the Show Cause Hearing request should the property owner appear before Council, and determine the next steps required in obtaining compliance with the City's Unsightly Premises Bylaw No. 1962;
And further, should the property owner, choose not to appear, that Council directs staff to deliver a third notice as per the City's Unsightly premises Bylaw No. 1962, to the executor of the estate, Maureen Shaw, for the property civilly known as 721-65th Avenue, Grand Forks, BC. Whereas the third notice will advise of a date and time which the City and/or its contractors intend to enter the property to remove and/or secure the structure and any surrounding materials that are in violation of the City's Unsightly Premises Bylaw No. 1962.**

CARRIED.

- d) Manager of Bylaw Services
Show Cause Hearing - 820-64th Avenue

MOTION: O'DOHERTY / WYERS

**THAT Council considers the Show Cause Hearing request should the property owner appear before Council, and determine the next steps required in obtaining compliance with the City's Unsightly Premises Bylaw No. 1962;
And further, should the property owner, choose not to appear, that Council directs staff to deliver a third notice as per the City's Unsightly Premises Bylaw No. 1962, to the property owner, Gregory Cherrington-Kelly, for the property civilly known as 820-64th Avenue, Grand Forks, BC. Whereas the third notice will advise of a date and time which the City and/or its contractors intend to enter the property to remove and/or secure the structure and any surrounding materials that are in violation of the City's Unsightly Premises Bylaw No. 1962.**

CARRIED.

REQUESTS ARISING FROM CORRESPONDENCE

INFORMATION ITEMS

- a) Habitat for Humanity
Request for the City to purchase street banners to be used as way of finding signage to the temporary ReStore location.

The Mayor advised that Habitat for Humanity has run into a hold up with the province regarding funding for the project and therefore needs to have a temporary location. The Chief Administrative Officer advised that the dollars could come from surplus or legislative.

Council discussed the request.

MOTION: O'DOHERTY / WIRISCHAGIN

RESOLVED THAT Council supports the request from Habitat for Humanity, to provide five or six street banners to be erected along 2nd Street, that show the location of the temporary ReStore.

CARRIED.

- b) Roxanna Bolton

MOTION: WIRISCHAGIN / SMITH

Council to receive for information and discussion.

CARRIED.

- c) Councillor Gary Smith
Declaration Under Section 107 of the Community Charter - Contract with the City for Pest Control Services

MOTION: O'DOHERTY / WIRISCHAGIN

RESOLVED THAT the memorandum, dated July 17th, 2014, from Councillor Gary Smith, outlining that he has provided additional pest control services for the City of Grand Forks at the five Fire Department Halls at an additional \$750.00 plus tax one time charge, inasmuch as there is no other pest control provider in the immediate Grand Forks area, and this be received pursuant to Section 107 of the Community Charter.

CARRIED.

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- d) Hilary Farson
Xplornet to Deliver 25 Mbps Broadband Internet to Rural Canadians

MOTION: WIRISCHAGIN / SMITH

Council to receive for information

CARRIED.

BYLAWS

- a) Chief Financial Officer
The City of Grand Forks Year 2005-2009 Financial Plan Amendment Repeal of Bylaw 1780R, 2014

MOTION: KENDEL / SMITH

RESOLVED THAT Council give first three readings to The City of Grand Forks Year 2005-2009 Financial Plan Amendment Repeal Bylaw No. 1780R, 2014.

CARRIED.

- b) Chief Financial Officer
The City of Grand Forks Major Industrial Revitalization Area Tax Exemption Renewal (Interfor) Repeal of Bylaw 1881R, 2014

MOTION: O'DOHERTY / WIRISCHAGIN

RESOLVED THAT Council give first three readings to The City of Grand Forks Major Industrial Revitalization Area Tax Exemption Renewal (Interfor) Repeal of Bylaw 1881R, 2014.

CARRIED

- c) Chief Financial Officer
Major Industrial Revitalization Area Tax Exemption Renewal (Interfor) Repeal of Bylaw No. 1912R, 2014.

MOTION: KENDEL / WYERS

RESOLVED THAT Council give first three readings to the Major Industrial Revitalization Area Tax Exemption Renewal (Interfor) Repeal of Bylaw No. 1912R, 2014

CARRIED

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- d) Manager of Development and Engineering
Water Regulations and Rates Repeal Bylaw No. 1501-R

MOTION: O'DOHERTY / SMITH

RESOLVED THAT Council give final reading to the Water Regulations and Rates Repeal Bylaw No. 1501-R, 2014.

Councillor Wirischagin opposed this motion.

CARRIED.

- e) Manager of Development and Engineering &
Manager of Operations
Water Regulations Bylaw No. 1973, 2014

MOTION: SMITH / O'DOHERTY

RESOLVED THAT Council give final reading to Water Regulations Bylaw No. 1973, 2014.

Councillor Wirischagin opposed this motion.

CARRIED.

- f) Manager of Development and Engineering
Municipal Ticket Information Amendment Bylaw No. 1957-A2, 2014

MOTION: O'DOHERTY / SMITH

RESOLVED THAT Council give final reading to Municipal Ticket Information Amendment Bylaw No. 1957-A2, 2014.

Councillor Wirischagin opposed this motion.

CARRIED.

LATE ITEMS

QUESTIONS FROM THE PUBLIC AND THE MEDIA

- a) The Mayor clarified that this is a question period and will be limited to 15 minutes

Ms Christine Thompson

She spoke with regard to the deer cull question, and asked if the City required a bylaw for the question. Ms. Thompson was advised that the City did not require a bylaw for an opinion poll.

Mr. Tom Tripp

He spoke with regard to meter reader options

Mr. Les Johnson

He spoke with regard to the motion to support Habitat for Humanity's request for street banners.

ADJOURNMENT

MOTION: SMITH

RESOLVED THAT the August 18th Regular meeting be adjourned at 8:03pm

CARRIED.

CERTIFIED CORRECT:

MAYOR BRIAN TAYLOR

DEPUTY CORPORATE OFFICER -
SARAH WINTON

REQUEST FOR DECISION

— REGULAR MEETING —



To: Mayor and Council
From: Procedure Bylaw / Chief Administrative Officer
Date: September 2nd, 2014
Subject: Reports, Questions and Inquiries from the Members of Council
Recommendation: **RESOLVED THAT ALL REPORTS OF MEMBERS OF COUNCIL, GIVEN VERBALLY AT THIS MEETING, BE RECEIVED.**

BACKGROUND: Under the City's Procedures Bylaw No. 1946, 2013, the Order of Business permits the members of Council to report to the Community on issues, bring community issues for discussion and initiate action through motions of Council, ask questions on matters pertaining to the City Operations and inquire on any issues and reports.

Benefits or Impacts of the Recommendation:

General: The main advantage of using this approach is to bring the matter before Council on behalf of constituents. Immediate action might result in inordinate amount of resource inadvertently directed without specific approval in the financial plan.

Strategic Impact: Members of Council may ask questions, seek clarification and report on issues.

Policy/Legislation: The Procedure Bylaw is the governing document setting out the Order of Business at a Council meeting.

Recommendation: **RESOLVED THAT ALL REPORTS OF MEMBERS OF COUNCIL, GIVEN VERBALLY AT THIS MEETING, BE RECEIVED.**

- OPTIONS:**
- 1. RESOLVED THAT ALL REPORTS OF MEMBERS OF COUNCIL, GIVEN VERBALLY AT THIS MEETING, BE RECEIVED**
 - 2. RESOLVED THAT COUNCIL DOES NOT RECEIVE THE REPORTS FROM MEMBERS OF COUNCIL.**
 - 3. RESOLVED THAT COUNCIL REFERS THE MATTER BACK TO STAFF FOR FURTHER INFORMATION.**
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 Department Head or CAO	 Chief Administrative Officer
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REQUEST FOR DECISION

— REGULAR MEETING —



To: Mayor and Council

From: Procedure Bylaw / Council

Date: September 2nd, 2014

Subject: Report – from the Council's Representative to the Regional District of Kootenay Boundary

Recommendation: **RESOLVED THAT THE MAYOR'S REPORT ON THE ACTIVITIES OF THE REGIONAL DISTRICT OF KOOTENAY BOUNDARY, GIVEN VERBALLY AT THIS MEETING BE RECEIVED.**

BACKGROUND: Under the City's Procedures Bylaw No. 1946, 2013, the Order of Business permits the City's representative to the Regional District of Kootenay to report to Council and the Community on issues, and actions of the Regional District of Kootenay Boundary.

Benefits or Impacts of the Recommendation:

General: The main advantage is that all of Council and the Public is provided with information on the Regional District of Kootenay Boundary.

Policy/Legislation: The Procedure Bylaw is the governing document setting out the Order of Business at a Council meeting.

Recommendation: **RESOLVED THAT THE MAYOR'S REPORT ON THE ACTIVITIES OF THE REGIONAL DISTRICT OF KOOTENAY BOUNDARY, GIVEN VERBALLY AT THIS MEETING BE RECEIVED.**

OPTIONS:

- 1. RESOLVED THAT THE MAYOR'S REPORT ON THE ACTIVITIES OF THE REGIONAL DISTRICT OF KOOTENAY BOUNDARY, GIVEN VERBALLY AT THIS MEETING BE RECEIVED.**
- 2. RECEIVE THE REPORT AND REFER ANY ISSUES FOR FURTHER DISCUSSION OR A REPORT: UNDER THIS OPTION, COUNCIL PROVIDED WITH THE INFORMATION GIVEN VERBALLY BY THE REGIONAL DISTRICT OF KOOTENAY BOUNDARY DIRECTOR REPRESENTING COUNCIL AND REQUESTS FURTHER RESEARCH OR CLARIFICATION OF INFORMATION FROM STAFF ON A REGIONAL DISTRICT ISSUE**

 Department Head or CAO	 Chief Administrative Officer
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REQUEST FOR DECISION

— REGULAR MEETING —



To: Mayor and Council

From: Manager of Development and Engineering

Date: September 2, 2014

Subject: Grand Forks Recreation Commission – Request for Licence of Occupation for demonstration community garden.

Recommendation: RESOLVED THAT Council approves the Licence of Occupation and directs staff to proceed with the Licence of Occupation Agreement with the Regional District of Kootenay Boundary.

BACKGROUND: In the Fall of 2013 the Grand Forks Recreation Commission met with the City to discuss their future plans for an outdoor family fitness park and a demonstration community garden adjacent to the Aquatic Center.

On February 13, 2014 the City received a request on behalf of the Grand Forks Recreation Commission from John Mackey, Director of Recreation & Facilities for the Kootenay Boundary Regional District for a Licence of Occupation for approximately 100 square meters of City owned property for the establishment of the outdoor fitness park. The request was approved by Council at the March 24, 2014 Regular Meeting of Council and the RDKB completed construction of the park soon thereafter.

The RDKB would like to continue on to the next phase of the project with the establishment of the demonstration community garden. This project would require the occupation of City-owned lands to the east and south of the Aquatic Center's existing property lines. The lands are legally described as Lot 2, Plan 54909, DL 380 of which the RDKB requires approximately 1245 square meters of the City-owned lot.

Benefits or Impacts of the Recommendation:

General: Entering into a contract for a Licence of Occupation would allow the RDKB to move forward with their development plans for the establishment of a demonstration community garden.

Strategic Impact: The demonstration community garden would provide some major benefits to the community such as: promoting a positive lifestyle, increased opportunity for social engagement by members of the public, increased activities for residents and tourists and extended use of the current facility.

Financial: N/A

REQUEST FOR DECISION

— REGULAR MEETING —



Policy/Legislation: Through the Sustainable Community Plan (SCP) the City has established goals to address climate change and to encourage the development of a healthier, less costly and sustainable community. This includes, but is not limited to, promoting an increase in physical and mental health through accessibility to clean air and exercise, strengthening the social fabric of the area by creating a livable community that improves and fosters an environment of learning, tolerance and growth, creating a balance of harmony and responsibility. Proceeding with this initiative will act upon and move the municipality closer to these goals.


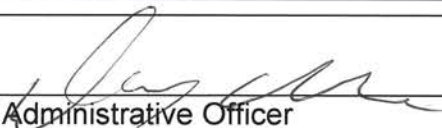
Attachments:

- 1) Email Request from John Mackey on behalf of the Grand Forks Recreation Commission for a Licence of Occupation.
- 2) Legal Plan
- 3) Location Map
- 4) Demonstration Community Garden Sketch Plan
- 5) Draft Licence of Occupation agreement

Recommendation: RESOLVED THAT Council approves the Licence of Occupation and directs staff to proceed with the Licence of Occupation Agreement with the Regional District of Kootenay Boundary.

OPTIONS:

1. COUNCIL COULD CHOOSE TO SUPPORT THE RECOMMENDATION.
2. COUNCIL COULD CHOOSE TO NOT SUPPORT THE RECOMMENDATION.
3. COUNCIL COULD CHOOSE TO REFER THE ISSUE BACK TO STAFF FOR MORE INFORMATION.

	
Department Head or CAO	Chief Administrative Officer

From:  John Mackey <jmackey@rdkb.com> Feb-13-14 12:38:14 PM 
Subject: Recreation Centre Site Development - Licence to Occupy Request
To:  **Sasha Bird**

Attachments:  Rec Centre Site Map.pdf / Uploaded File (38K)

Good Afternoon,

GFREC is proceeding with its development plans for the RDKB property immediately surrounding the Aquatic Centre. These plans will include an outdoor family fitness park and a **demonstration community garden**.

Our plan for the fitness park is to create a 300 square metre (10 m X 30 m) linear park area adjacent to the east side of the aquatic centre. The present property lines limit GFREC to approximately 200 square metres.

To accomplish this, we will require a Licence to Occupy for the remaining 100 square metres. This is a section of land approximately 3.3 m X 30 m running from north to south along our existing property line located at 151 deg 42 min 30 sec. This request does not impact the existing sewer service that runs south to 72nd Avenue.

Please advise how you wish us to proceed with this application.

Thank you.

John Mackey, CD, MA
Director of Recreation & Facilities.

I am using the Free version of [SPAMfighter](#).
SPAMfighter has removed 3467 of my spam emails to date.

Do you have a [slow PC](#)? Try a free scan!

SUBDIVISION PLAN OF PART OF LOT 2, D.L. 380, S.D.Y.D., PLAN KAP54909

BCSS 82E.008

SCALE 1:1000



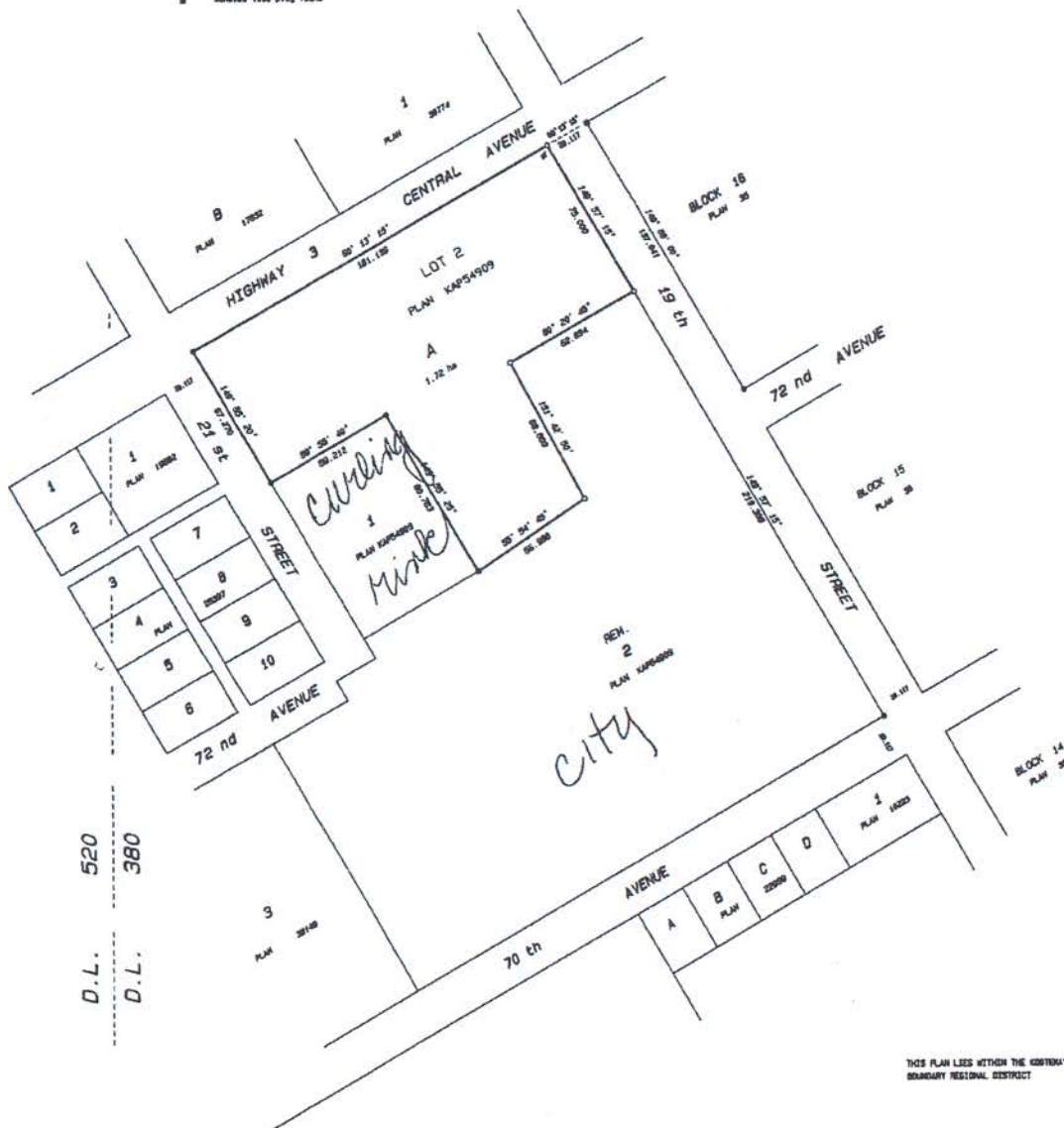
LEGEND

- Bearings are astronomic, derived from Plan KAP54909
- denotes standard iron post found
 - denotes standard iron post placed
 - denotes lead plug found

PLAN KAP 86407

Deposited in the Land Title Office at Kamloops, B.C. this 15 day of APRIL 20 08

C. JOHNSON
REGISTERED
L.B. 187476



THE CORPORATION OF THE CITY OF GRAND FORKS

Mark K...
Mayor: Mark K...

James D...
Clerk: James D...

K.A. Labossiere
Witness to both signatures: K.A. Labossiere, 805 2806 Grand Forks, B.C.

Print name of witness: K.A. Labossiere

K.A. Labossiere
805 2806
Grand Forks, B.C.
Planning Assistant

Occupation of witness: Planning Assistant

CONTROLLED HIGHWAY ACCESS APPROVAL

Approved pursuant to the Land Title Act this 25 day of MARCH 20 08.

[Signature]
Approving Officer for the Ministry of Transportation

Approved pursuant to the Land Title Act this 7th day of April 20 08.

[Signature]
Approving Officer for the City of Grand Forks

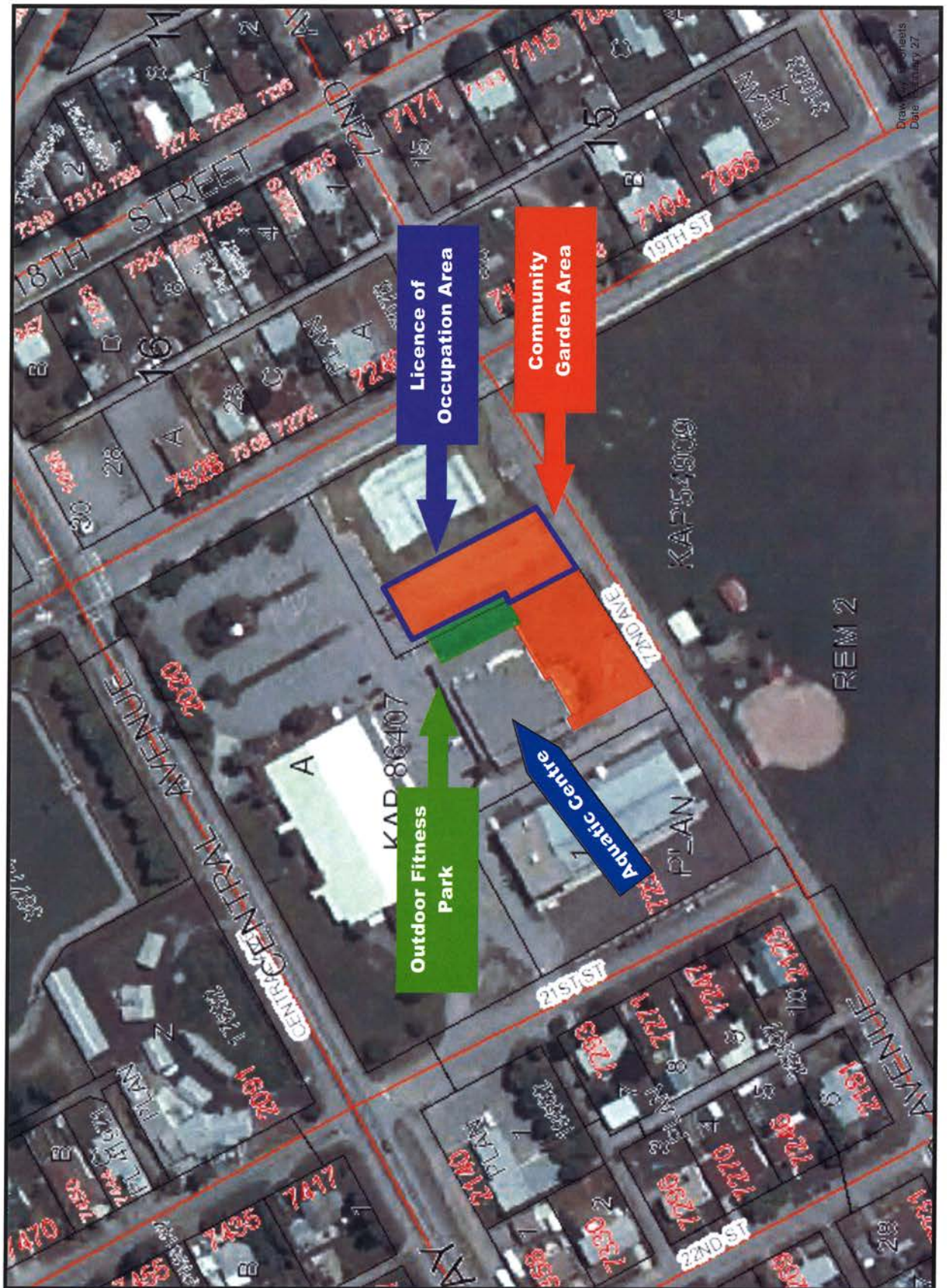
I, A.F. HOFFSLOOT, a BRITISH COLUMBIA LAND SURVEYOR OF THE CITY OF GRAND FORKS IN BRITISH COLUMBIA, CERTIFY THAT I WAS PRESENT AT AND PERSONALLY SUPERINTENDED THE SURVEY REPRESENTED BY THIS PLAN AND THAT THE SURVEY AND PLAN ARE CORRECT. THE FIELD SURVEY WAS COMPLETED ON THE 19 TH DAY OF MARCH 2008. THE PLAN WAS COMPLETED AND CHECKED, AND THE CHECKLIST FILED UNDER NO. 76427, ON THE 14 TH DAY OF MARCH 2008.

[Signature]
A.F. HOFFSLOOT
B.C.L.S.

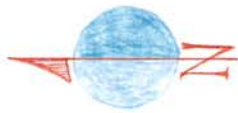
A.F. HOFFSLOOT
BRITISH COLUMBIA LAND SURVEYOR
P.O. BOX 2740, GRAND FORKS, B.C.
V2H 1H0 442-0887

07-99

**LICENCE OF OCCUPATION - GRAND FORKS RECREATION COMMISSION
DEMONSTRATION COMMUNITY GARDEN - LOCATION MAP**



Sketch Plan



LICENCE OF OCCUPATION

THIS LICENCE made the ____ day of _____, 2014.

BETWEEN:

THE CORPORATION OF THE CITY OF GRAND FORKS

7217 4th Street, P.O. Box 220

Grand Forks, British Columbia, VOH 1H0

(the "City")

AND:

REGIONAL DISTRICT OF KOOTENAY BOUNDARY

202 – 843 Rossland Ave.

Trail , British Columbia V1R 4S8

(the "Licensee")

WHEREAS:

- A. The City is the legal and beneficial owner of those Lands and premises located in the City of Grand Forks and legally described as:

Parcel Identifier: 023-096-713

Legal Description: Lot 2, District Lot 380, S.D.Y.D., Plan KAP54909, Except Plan KAP86407

- B. The Licensee wishes to occupy a portion of the "Lands", for the purpose of locating the Licensee's demonstration community garden.
- C. The City wishes to grant a Licence of Occupation to the Licensee for a portion of the described Lands, measuring approximately 1245 square meters as outlined on the sketch plan attached hereto as **Schedule "A"** (the "**Licensed Area**"), to use and occupy under the terms and conditions contained in this licence.

NOW THEREFORE, in consideration of the sum of one dollar (\$1.00) paid by the Licensee to the City, the premises and mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto covenant and agree as follows:

1. Grant of Licence

The City hereby grants to the Licensee and their employees, contractors, subcontractors and agents a non-exclusive licence to use and occupy the Licensed Area for the purposes of *the establishment of a demonstration community garden*.

2. Term

The term of the Licence shall be ten (10) years, commencing on the **2nd day of September, 2014** and expiring on the **1st day of September, 2024**. (the "Term")

3. Renewal

At its election, the Licensee may, by written notice to the City given on or before 6 months prior to the expiry of the Term, request that the Licence be renewed for an additional term of ten 10 years commencing on the 2nd day of September, 2024 and expiring no later than the 1st day of September, 2034. The City, acting reasonably would grant the Licence renewal, unless the Lands were required for City purposes.

4. Condition of the Licensed Area

The Licensed Area is licensed to the Licensee on an "as is" basis, and the City makes no representation or warranties with respect to the condition of the Licensed Area.

5. Licensee's Covenants

The City covenants with the Licensee:

- a) To use the Lands as a demonstration community garden in the area adjacent to the east and south sides of the aquatic centre.
- b) To keep the Lands free from permanent structures unless granted approval in writing by the City;
- c) Not to bring Contaminants (as defined below) onto, into or under the Licensed Area;

For the purpose of this Licence, "Contaminants" means any substance including without limitation, urea formaldehyde, hydrocarbons, lead, pollutants, polychlorinated biphenyls ("PCBs), contaminants, deleterious substances, dangerous substances or goods, hazardous, corrosive, or toxic substances, special waste, waste, pesticides, asbestos-containing materials, PCB-containing equipment or materials, and any other storage, manufacture, handling, disposal, treatment, generation, use, transport, remediation or release into the environment of which is now or hereinafter prohibited, controlled or regulated under any applicable laws.

6. Inspection

The City, and its officials, employees, contractors, subcontractors and agents may enter the Licensed Area to inspect the Licensed Area and the Works to ensure compliance with the terms and conditions of the Licence.

7. Dispute Resolution

The parties shall use commercially reasonable efforts to agree on any matter or resolve any dispute arising under this Agreement. If, despite the efforts of the parties, the parties are unable to determine the matter or resolve the dispute within thirty (30) days of the matter or dispute arising, the parties may, by further agreement, refer the matter or dispute to a mediator acceptable to each of the parties. Where the parties are unable to determine the matter or resolve the dispute with the assistance of a mediator, the parties may, by further agreement, refer the matter or dispute to a single arbitrator for determination in accordance with the Commercial Arbitration Act (British Columbia).

8. Termination

- a) The City may terminate this Licence upon thirty (30) days prior written notice to the Licensee in the event that the Licensee breaches a term of the Licence, which breach has not been remedied within 14 days of receiving notice of such breach from the City.
- b) Either party may terminate this Licence upon ninety (90) days prior written notice to the other party. In the event that the Licence is terminated under this clause, the Licensee will remove all privately owned property from the Licensed Area.

9. Indemnity

Notwithstanding any other terms, covenants and conditions contained in the Licence, the Licensee will indemnify and save harmless the City and those for whom the City is responsible in law from and against any and all liabilities, claims suits, actions, including actions of third parties, damages and costs, including, without limitation, legal fees on a solicitor and own client basis, which the City may incur, suffer or be put to arising out of or in connection with any breach or non-performance of the obligations of the Licensee under this Licence, any loss or damage to property or personal injury or bodily injury, including death, of any person or any wrongful act or neglect of the Licensee, its employees, contractors, subcontractors or agents on or about the Licensed Area, or arising out of or in connection with the use and occupation of the Licensed Area, its employees, contractors, subcontractors or agents. This indemnity will survive the expiration or earlier termination of this Licence.

10. Release

The Licensee does hereby release and discharge the City from any and all actions, causes of action, suits and demands whatsoever and whether at law or in equity or otherwise arising which the Licensee may at any time have by reason of the exercise of the rights granted to the Licensee hereunder.

11. Non-liability of the City

The City will not be liable or responsible in any way for any personal injury that may be

sustained by the Licensee, its invitees, those for whom the Licensee is responsible in law or any other person who may be upon, within or under the Licensed Area, or for any loss of or damage or injury to property belonging to or in the possession of the Licensee, its invitees, those for whom the Licensee is responsible in law or any other person or for any matter or things of whatsoever nature or kind arising from or in connection with the Licensee's use and occupation of the Licensed Area or otherwise.

12. Insurance

The Licensee, at its cost, will obtain and keep in force:

- a) "all risk" property insurance covering all of the Licensee's property in the Licensed Area, property for which the Licensee is legally liable and property installed by or on behalf of the Licensee within the Licensed Area;
- b) Comprehensive general liability insurance (including legal liability insurance) against claims for personal injury, death or property damage occurring upon, within or about the Licensed Area, such coverage to include the activities and operations conducted by the Licensee and those for whom the Licensee is in law responsible. Such policies will be written on a comprehensive basis with inclusive limits of not less than \$2,000,000 per occurrence or such higher limit as the City, acting reasonably, may require from time to time; and
- c) Any other form of insurance or such higher limits as the City, acting reasonably, may require from time to time, in form, in amounts and for insurance risks against which a prudent licensee would insure.

The Licensee will affect all insurance policies with reputable insurers licensed to do business in British Columbia and upon terms and in amounts, as to deductibles and otherwise, reasonably satisfactory to the City. The Licensee will deliver to the City within 30 days of the date first written above, and upon reasonable request from time to time, certificates of insurance (and upon request by the City, copies of the insurance policies) and will deliver to the City a certificate of renewal for each policy not less than 10 days prior to its respective expiry date. The Licensee will cause all insurance policies to contain an undertaking by the respective insurer to notify the City at least 30 days prior to cancellation or prior to making any other change material to the City's interest.

The liability policy of the Licensee will include the City as an additional named insured with a cross-liability and severability of interest clause. The Licensee will cause all insurance policies to contain a waiver of subrogation clause in favour of the City and those for whom it is in law responsible.

13. Nature of Licence

The occupancy of the Licensed Area by the Licensee will, under all circumstances, be viewed as a licence only and will not create or be deemed to create any interest in the Licensed Area in the Licensee's favour.

14. Assignment

The Licensee will not be entitled to assign or transfer this Licence. The Licensed Area, or any portion thereof, may not be further licensed or leased without the prior written consent

of the City, which consent may be withheld in its sole discretion.

15. No Derogation

Nothing contained or implied herein will derogate from the obligations of the Licensee under any other agreement with the City, or if the City so elects, prejudice or affect the City's rights, powers, duties or obligations in the exercise of its functions pursuant to the Community Charter (British Columbia) and the Local Government Act (British Columbia), or any other Act of the legislature of the Province of British Columbia, as amended from time to time and the rights, powers, duties and obligations of the City under all public and private statutes, bylaws, orders and regulations, all of which may be, if the City so elects, as fully and effectively exercised in relation to the Lands and the City as if this Licence had not been executed and delivered by the City to the Licensee.

16. Builders' Liens

The Licensee will not suffer or permit any liens under the Builders' Lien Act to be registered against title to the Lands, including the Licensed Area, by reason of labour, services or materials supplied to the Licensee. In the event that any lien is so filed, the Licensee will take immediate action to cause same to be removed.

17. Compliance With Laws

The Licensee, at its sole cost and expense, will promptly comply with all applicable requirements of governmental or administrative authorities, including, without limiting the generality of the foregoing, all municipal bylaws, which relate, directly or indirectly, to the use of the Licensed Area.

18. Further Assurances

The parties will execute and deliver all such further documents and do such other things as the other party hereto may request in order for this Licence to be given full effect.

19. Waiver

The waiver by the City of any breach of a term, covenant or condition of this Licence will not be considered to be a waiver of any subsequent breach of the term, covenant or condition or another term, covenant or condition. No breach of a term, covenant or condition of this Licence will be considered to have been waived by the City unless acknowledged by the City in writing as waived.

20. Severance

If any section, subsection, sentence, clause or phrase in the Licence is for any reason held to be invalid by the decision of a court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of this Licence. The parties hereto shall agree upon an amendment to be made to the section, subsection, sentence, clause or phrase previously found to be invalid and shall do or cause to be done all acts reasonably necessary in order to amend the Licence so as to reflect its original spirit and intent.

21. Notices

Any notice required or permitted to be given hereunder will be in writing and will be sufficiently given if it is delivered personally or mailed by prepaid mail to the intended party at its address set out on page 1 of the Licence. A notice will be deemed to be received on the day it is delivered, if delivered personally, or 4 business days after the date it was mailed.

22. Governing Law

The Licence will be governed by and construed in accordance with the laws of British Columbia and the parties hereby agree to attorn to the courts of British Columbia .

23. Singular and Plural

Wherever the singular or masculine is used herein the same shall be construed as meaning the plural, feminine or the body corporate or politic where the contents or the parties so require.

24. Enurement

The Licence will enure to the benefit of and be binding upon the parties hereto and their respective successors and permitted assigns.

IN WITNESS WHEREOF the parties hereto have executed the Licence as of the day and year first above written:

THE CORPORATION OF THE CITY OF GRAND FORKS, by its authorized signatories:

Name

Signature

Name

Signature

THE LICENSEE, by its authorized signatories:

Name

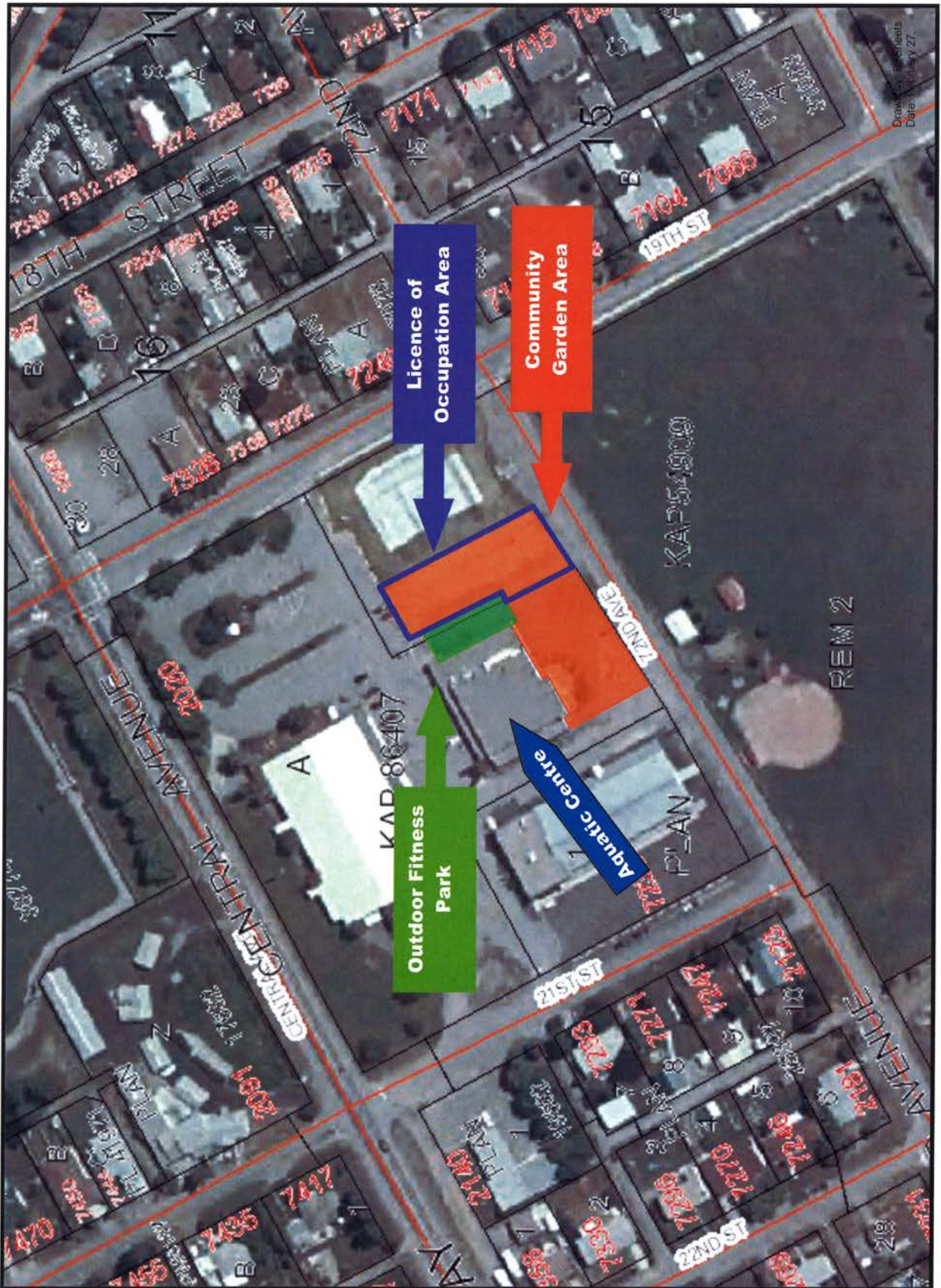
Signature

Name

Signature

LICENCE OF OCCUPATION - GRAND FORKS RECREATION COMMISSION
DEMONSTRATION COMMUNITY GARDEN

Licensed Area



REQUEST FOR DECISION

— REGULAR MEETING —



To: Mayor and Council

From: Corporate Services

Date: September 2nd, 2014

Subject: Volunteer Appreciation Night – Call for Nominations – Policy #204

Recommendation: **RESOLVED THAT COUNCIL** provides notice to the public calling for nominations from the public for exceptional volunteer service in the City of Grand Forks in accordance with Council Policy #204.

BACKGROUND: In August, 2009, Council adopted a policy outlining procedures, for the giving of recognition to a volunteer or a group of volunteers for service above and beyond those generally performed in the Community. A copy of the policy is attached for reference. The policy outlines that prior to giving any recognition of volunteers; the City must call for nominations publicly in a Regular Meeting of Council and through the City's newsletter. There are no time frames attached to the policy. This year as per Council's direction, Volunteer Appreciation Night will be held in conjunction with the Chamber of Commerce and Community Futures Small Business Awards night on Thursday, October 16th, 2014. In this regard, it is being proposed that the Call for Nominations be announced publicly at the September 2nd, 2014 Regular Meeting. Nomination forms will be available at the City Hall reception desk and on the City's website. Completed nominations must be submitted to City Hall either in person or electronically, by Friday, September 29th, 2014. The venue for this event will be The Curling Rink Banquet Room.

Benefits or Impacts of the Recommendation:

General: Proceeding with the public call for nominations, signals to the public that Council will publicly recognize individuals or groups of individuals who have gone above and beyond in serving our community as a volunteer. A further benefit to this option is the fact that Council is seen as acting on Council policy.

Financial: There are costs to hosting a Volunteer Appreciation night, which are normally budgeted for on an annual basis. Costs for this evening in the past number of years have averaged around \$1,500.

Policy/Legislation: Council Policy outlines the procedure for the recognition of special volunteers.

Attachments: Council Policy #204

REQUEST FOR DECISION

— REGULAR MEETING —



Recommendation:

RESOLVED THAT COUNCIL Council provides notice to the public calling for nominations from the public for exceptional volunteer service in the City of Grand Forks in accordance with Council Policy #204.

OPTIONS:

- 1. RESOLVED THAT COUNCIL RECEIVES THE STAFF REPORT.**
- 2. RESOLVED THAT COUNCIL DOES NOT ACCEPT THE STAFF REPORT.**
- 3. RESOLVED THAT COUNCIL REFERS THE MATTER BACK TO STAFF FOR FURTHER INFORMATION.**

<hr/>	
	
Department Head or CAO	Chief Administrative Officer

CITY OF GRAND FORKS

POLICY TITLE: Volunteer of the City **POLICY NO:** 204

EFFECTIVE DATE: August 17, 2009 **SUPERSEDES:**

APPROVAL: Council **PAGE:** 1 of 1

POLICY:

Council may give recognition to a volunteer or a group of volunteers for service above and beyond of those generally performed in the Community.

PROCEDURE:

When Council is giving consideration to the recognition to an individual or group, it shall make its deliberations "in camera" and when a decision to give recognition has been made, it shall then be announced by the Mayor at the Annual Community Volunteer Recognition Evening.

Further, when giving consideration to recognizing a special volunteer, Council may consider the following criteria:

- the individual or group should be honoured for its volunteer work in the City of Grand Forks or for volunteer work that has had an impact on the City of Grand Forks
- the individual or group should not have been paid or received any form of financial remuneration for the work or activity for which the volunteer is being considered
- The individual or group should have made a significant commitment to the community to be considered for the recognition.
- There is substantial support from the Community through letters of recommendations outlining the volunteerism history and the impact on the community.
- A special volunteer recognition may be given after the passing of the individual.
- Prior to giving any recognition of volunteer of the year, the City must call for nominations publicly in a Regular Council meeting and through the City's Newsletter.

CITY OF GRAND FORKS
EXCEPTIONAL VOLUNTEER SERVICE
NOMINATION FORM

PERSON /OR GROUP BEING NOMINATED

(Please print clearly with **correct spelling**)

SHORT BIOGRAPHY OF THEIR VOLUNTEER SERVICES (which will be read that evening):

ARE THEY, HE, SHE ABLE TO ATTEND THE VOLUNTEER EVENING? _____

YOUR NAME OR GROUP: _____

PLEASE PROVIDE A PHONE NUMBER OR EMAIL ADDRESS THAT WE MAY CONTACT IN EVENT
THAT YOUR NOMINATION IS ACCEPTED AS ONE OF THE AWARDS FOR THIS YEAR: _____

All Nominations need to be submitted to City Hall by September 29th, 2014

REQUEST FOR DECISION

— REGULAR MEETING —



To: Mayor and Council

From: Chief Financial Officer

Date: August 20th, 2014

Subject: Appointments of City of Grand Forks Voting Delegates for the Municipal Insurance Association Annual Meeting

Recommendation: **RESOLVED THAT COUNCIL RECEIVES THE STAFF REPORT AND RESOLVES TO APPOINT _____ AS THE VOTING DELEGATE AT THE 2014 MIA ANNUAL GENERAL MEETING, AND APPOINTS _____ AND _____ AS THE ALTERNATES.**

BACKGROUND:

The Municipal Insurance Association traditionally holds its Annual General Meeting during the UBCM Conference. This year it will take place at 3:00 PM on Tuesday, September 23rd, 2014 in the Emerald Ball Room, Westin Resort in Whistler. In accordance with Article 6.13 of the Reciprocal Agreement, Council must register the voting delegate and two alternates with the Municipal Insurance Association before September 11th, 2014 in order to be eligible to vote at the annual meeting on September 23rd. It is appropriate for Council to determine, by resolution, who will represent the City of Grand Forks at this meeting.

In 2013, Councillor Wyers was registered as the Voting Delegate; Councillor Kendel was Alternate #1, and Councillor Smith was Alternate #2.

Council needs to determine who will be the voting delegate and the two alternates from those members of Council who will be attending the UBCM conference this year.

Benefits or Impacts of the Recommendation:

General: Council will have complied with their requirement in accordance with Article 6.13 of the Reciprocal Agreement.

Strategic Impact: N/A

Financial: N/A

Policy/Legislation: Article 6.13 of the Reciprocal Agreement between the Municipal Insurance Association and the City of Grand Forks provides the authority for Council to appoint a delegate to vote in the City's interest at the Annual General Meeting.

Attachments: MIABC AGM Invitation

REQUEST FOR DECISION

— REGULAR MEETING —



Recommendation:

RESOLVED THAT COUNCIL RECEIVES THE STAFF REPORT AND RESOLVES TO APPOINT _____ AS THE VOTING DELEGATE AT THE 2014 MIA ANNUAL GENERAL MEETING, AND APPOINTS _____ AND _____ AS THE ALTERNATES.

OPTIONS:

- 1. RESOLVED THAT COUNCIL RECEIVES THE STAFF REPORT.**
- 2. RESOLVED THAT COUNCIL DOES NOT ACCEPT THE STAFF REPORT.**
- 3. RESOLVED THAT COUNCIL REFERS THE MATTER BACK TO STAFF FOR FURTHER INFORMATION.**

 Department Head or CAO	 Chief Administrative Officer
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MIABC

Providing Trusted Civic Solutions

You Are Invited

Come visit us to hear about the the launch of the MIABC's new property insurance program.

Learn how the MIABC is becoming the "one-stop shop" for BC local governments' insurance needs.

Tuesday, September 23, 2014

Annual General Meeting

3:00 - 5:00 p.m. Emerald Ballroom A

Reception

5:00 - 6:00 p.m. Emerald Ballroom B/C

Westin Resort & Spa, 4090 Whistler Way



DIRECTIONS TO THE EVENT

After exiting the Whistler Conference Centre, turn left on to Whistler Way and walk south for about three minutes. The Westin Resort & Spa will be on your left.

info@miabc.org
390 - 1050 Homer Street
Vancouver, BC V6B 2W9

Phone: 604-683-6266
Fax: 604-683-6244
Toll Free: 1-855-683-6266



MUNICIPAL INSURANCE ASSOCIATION
of British Columbia

REQUEST FOR DECISION

— REGULAR MEETING —



To: Mayor and Council

From: Chief Financial Officer

Date: August 21, 2014

Subject: City Hall Rebuild contingency resolution for financial plan amendment

Recommendation: **RESOLVED THAT COUNCIL** include an \$80,000 contingency for the City Hall rebuild to be included in the 2014 financial plan amendment, to be funded from surplus at the Regular September 2, 2014 meeting of Council

BACKGROUND:

As presented as the September 2, 2014 Committee of the Whole, staff is requesting a financial plan amendment for an \$80,000 contingency for the City Hall rebuild, to be funded by surplus.

As our insurance provider has not been able to approve changes to the rebuild in a timely fashion, the City must ensure that the project proceeds according to the contracted schedule to avoid delay costs.

The contingency will be in place for changes in the rebuild that insurance will potentially not authorize. The City is working diligently to ensure that we are not spending anything that is not covered by our claim but there is a possibility that some of these changes may not be approved by our insurer.

Staff will continue to update Council as the project progresses.

Benefits or Impacts of the Recommendation:

General: Timely authorization of changes in the rebuild will ensure the project in completed according to the contract schedule

Financial: A contingency budget will ensure all expenditures not covered by insurance are authorized in the financial plan

REQUEST FOR DECISION

— REGULAR MEETING —



Recommendation:

RESOLVED THAT COUNCIL include an \$80,000 contingency for the City Hall rebuild to be included in the 2014 financial plan amendment, to be funded from surplus at the Regular September 2, 2014 meeting of Council

-
- OPTIONS:**
- 1. RESOLVED THAT COUNCIL RECEIVES THE STAFF REPORT**
 - 2. RESOLVED THAT COUNCIL DOES NOT ACCEPT THE STAFF REPORT**
 - 3. RESOLVED THAT COUNCIL REFERS THE MATTER BACK TO STAFF FOR FURTHER INFORMATION.**
-

	
Department Head or CAO	Chief Administrative Officer

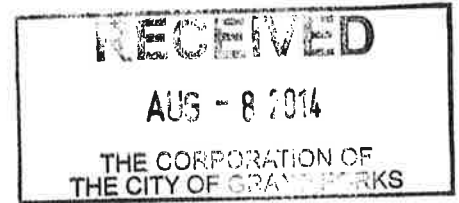
Grand Forks Senior's Center Branch 68

Box 553, 565 – 71ST. Ave.

Grand Forks, BC, V0H 1H0 250-442-4265

August 8, 2014

Grand Forks City Council
City Hall
Grand Forks, BC V0H1H0



RE: Tree Removal at Senior Center

Dear City Council,

Per our consultation with Doug Allin, CAO and Roger Huston, Public Works Manager, we are submitting our request in writing for the removal of the two trees on the North side of the Senior's Building.

Apparently tree roots have invaded the water line running through the park and has caused a severe leak. This is causing the flooding we see near the trees (see enclosed photos).

We are requesting that the two trees be removed and that the space be made into a parking area. We would like a barrier down the middle, so that parking can take place from both sides (no drive through).

In return, the Senior's will purchase 4 trees to be planted in the park at the supervision of Roger Huston.

We appreciate your time and attention to this matter.

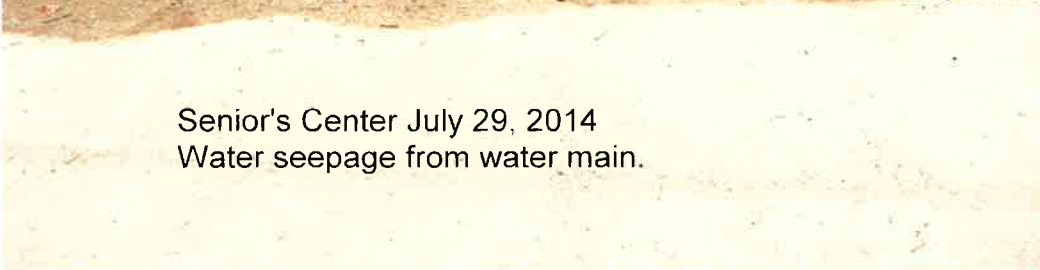
Sincerely,

Evelyn Brown

Evelyn Brown, Secretary
p.p. Ralph White, President
Grand Forks Senior's Center, Branch 68

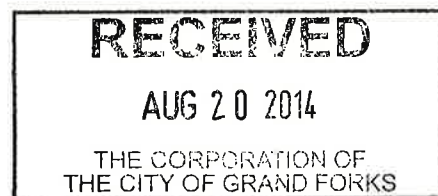
cc: Doug Allin
Roger Huston

FILE CODE
WE3 + *G1* *G.F. Senior's Center*
C/O - Tree Removals
(Trees...)



Senior's Center July 29, 2014
Water seepage from water main.





Ref: 156222

August 14, 2014

His Worship Mayor Brian Taylor and Members of Council
City of Grand Forks
Box 220
Grand Forks, BC V0H 1H0

Dear Mayor Brian Taylor and Councillors:

On behalf of the joint Provincial-Union of BC Municipalities (UBCM) Green Communities Committee (GCC), we would like to extend our congratulations for your successful efforts to measure and reduce your corporate greenhouse gas emissions for the 2013 reporting year.

As a signatory to the Climate Action Charter (Charter), you have demonstrated your commitment to work with the Province and UBCM to take action on climate change and to reduce greenhouse gas emissions in your community and corporate operations.

Climate change is a global challenge. The work that your local government has undertaken to measure and reduce its corporate emissions demonstrates strong climate leadership and sets the stage for broader climate action in your community. This leadership and commitment is essential to ensuring the achievement of our collective climate action goals.

As you are likely aware, the GCC was established under the Charter to support local governments in achieving their climate goals. In acknowledgement of the efforts of local leaders, the GCC is again recognizing the progress and achievements of local governments such as yours through the multi-level Climate Action Recognition Program. A description of this program is attached to this letter for your reference.

As a Charter signatory who has completed a corporate carbon inventory for the 2013 reporting year and has demonstrated familiarity with the Community Energy and Emissions Inventory, you have been awarded Level 2 recognition – 'Measurement.'

In recognition of your achievements, the GCC is very pleased to provide you with 'green communities' branding for use on official websites and letter heads. An electronic file with the 2013 logo will be provided to your Chief Administrative Officer. Also included with this letter is a 2013 Green Communities window decal, for use on public buildings.

FILE CODE 72
WEB 31 G1 Green Communities
942 - Committee - Congratulations
Page 55 of 112

Congratulations again on establishing your corporate emissions inventory and your overall progress. We wish you continued success in your ongoing commitment to the goal of corporate carbon neutrality and your efforts to reduce emissions in the broader community.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay" followed by a stylized flourish.

Jay Schlosar
Assistant Deputy Minister
Local Government Division

A handwritten signature in black ink, appearing to read "Gary MacIsaac" in a cursive style.

Gary MacIsaac
Executive Director
Union of British Columbia Municipalities

Enclosures



GCC Communiqué on the Climate Action Recognition Program

In acknowledgment of the ongoing efforts of local leaders, the joint Provincial-UBCM Green Communities Committee (GCC) is pleased to be continuing the **Climate Action Recognition Program** for BC local governments for the 2013 reporting year. This is a multi-level program that provides the GCC with an opportunity to review and publicly recognize the progress and achievements of each *Charter* signatory.

Recognition is provided on an annual basis to local governments who demonstrate progress on their *Charter* commitments, according to the following:

Level 1: Progress on Charter Commitments

All local governments who demonstrate progress on fulfilling one or more of their *Charter* commitments will receive a letter from the GCC acknowledging their accomplishments.

Level 2: Measurement

Local governments who have completed a corporate carbon inventory for the reporting year and demonstrate that they are familiar with the Community Energy and Emissions Inventory (CEEI) will receive a 'Climate Action Community 2013' logo, for use on websites, letter head and similar.

Level 3: Achievement of Carbon Neutrality

Local governments who achieve carbon neutrality in the reporting year will receive a 'Climate Action Community – Carbon Neutral 2013' logo, for use on websites, letter head and similar.

To be eligible for this program, local governments will need to complete a Climate Action Revenue Incentive Program (CARIP)/Carbon Neutral Progress Report and submit it to the Province in accordance with the program guidelines. Determination of the level of recognition that each community will receive will be based on the information included in each community's annual CARIP report. Additional information on CARIP reporting is available online at:

www.cscd.gov.bc.ca/lgd/greencommunities/carip.htm .

REQUEST FOR DECISION

— REGULAR MEETING —



To: Mayor and Council

From: Chief Financial Officer

Date: August 20, 2014

Subject: Repeal of Bylaws 1780, 1881 and 1912

Recommendation: **RESOLVED THAT COUNCIL adopt The City of Grand Forks Year 2005-2009 Financial Plan Amendment Repeal Bylaw No. 1780R, 2014**

RESOLVED THAT COUNCIL adopt The City of Grand Forks Major Industrial Revitalization Area Tax Exemption Renewal (Interfor) Repeal Bylaw No. 1881R, 2014

RESOLVED THAT COUNCIL adopt The City of Grand Forks Amendment to the Major Industrial Revitalization Area Tax Exemption Renewal (Interfor) Repeal Bylaw No. 1912R, 2014

BACKGROUND:

At the July 21, 2014 Committee of the Whole, staff introduced Repeal Bylaw No. 1780R, Repeal Bylaw No. 1881R and Repeal Bylaw No. 1912R. At the August 18, 2014 Regular meeting, these bylaws were given first three readings.

The three original bylaws were intended to be in effect for five years with a possible five year extension. However, there were no end dates on the bylaws so it is now necessary to repeal them. Interfor was the only participant and exercised the five year extension option. 2014 is the final year for the Revitalization Exemption.

If Council wishes to initiate another revitalization tax exemption program in the future, a new bylaw will be drafted that will achieve the current Council's objectives.

Bylaw 1780R, Bylaw 1881R and Bylaw 1912R are now presented for final reading.

Benefits or Impacts of the Recommendation:

General: Repealing these bylaws will clarify that the Revitalization Tax Exemption Program offered in these bylaws is no longer available.

REQUEST FOR DECISION

— REGULAR MEETING —



Policy/Legislation: Community Charter S. 226 Revitalization Tax Exemptions

Attachments: Bylaw 1780R Year 2005-2009 Financial Plan Amendment Repeal Bylaw
Bylaw 1780 Year 2005-2009 Financial Plan Amendment Bylaw
Bylaw 1881R Major Industrial Revitalization Area Tax Exemption Renewal (Interfor) Repeal Bylaw
Bylaw 1881 Major Industrial Revitalization Area Tax Exemption Renewal (Interfor) Bylaw
Bylaw 1912R Amendment to the Major Industrial Revitalization Area Tax Exemption Repeal Bylaw
Bylaw 1912 Amendment to the Major Industrial Revitalization Area Tax Exemption Bylaw

Recommendation: **RESOLVED THAT COUNCIL adopt The City of Grand Forks Year 2005-2009 Financial Plan Amendment Repeal Bylaw No. 1780R, 2014**

RESOLVED THAT COUNCIL adopt The City of Grand Forks Major Industrial Revitalization Area Tax Exemption Renewal (Interfor) Repeal Bylaw No. 1881R, 2014

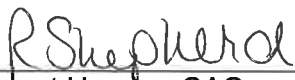

RESOLVED THAT COUNCIL adopt The City of Grand Forks Amendment to the Major Industrial Revitalization Area Tax Exemption Renewal (Interfor) Repeal Bylaw No. 1912R, 2014

OPTIONS: 1. RESOLVED THAT COUNCIL RECEIVES THE STAFF REPORT
2. RESOLVED THAT COUNCIL DOES NOT ACCEPT THE STAFF REPORT
3. RESOLVED THAT COUNCIL REFERS THE MATTER BACK TO STAFF FOR FURTHER INFORMATION.

REQUEST FOR DECISION

— REGULAR MEETING —



 Department Head or CAO	 Chief Administrative Officer
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THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 1780R

A Bylaw to Repeal Bylaw No. 1780 and all Amendments Thereto

=====

WHEREAS it is deemed necessary and expedient to repeal Bylaw No. 1780 and all its amendments thereto in its entirety;

NOW THEREFORE, the Council of the Corporation of the City of Grand Forks in open meeting assembled, **ENACTS** as follows:

1. That Bylaw No. 1780, cited for all purposes as the "Year 2005-2009 Financial Plan Amendment Bylaw No. 1780" and any amendments thereto, be hereby repealed.
2. This bylaw may be cited as "**The City of Grand Forks Year 2005-2009 Financial Plan Amendment Repeal Bylaw No. 1780R, 2014**".

INTRODUCED on the 21st day of July, 2014

Read a **FIRST** time this 18th day of August, 2014.

Read a **SECOND** time this 18th day of August, 2014.

Read a **THIRD** time this 18th day of August, 2014.

FINALLY ADOPTED this _____ day of _____, 2014.

Mayor Brian Taylor

Corporate Officer, Diane Heinrich

CERTIFICATE

I hereby certify the foregoing to be a true copy of Bylaw No. 1780R as adopted by the Municipal Council of the City of Grand Forks on the _____ day of _____, 2014.

Corporate Officer of the Municipal Council of the
City of Grand Forks

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 1780

A BYLAW TO AMEND THE FIVE YEAR FINANCIAL PLAN
FOR THE YEARS 2005 - 2009

WHEREAS the Community Charter provides that Council may amend a Five Year Financial Plan by bylaw at any time;

AND WHEREAS Council may, by bylaw, pursuant to the Community Charter provide for a revitalization tax exemption program;

AND WHEREAS Council wishes to establish a major industry revitalization tax exemption program for all property of Class 4, "Major Industry", as defined in Section 4 of the Prescribed Class of Property Regulation B.C. Reg. 438/81 as amended.

AND WHEREAS the Community Charter provides that a revitalization tax exemption program bylaw may only be adopted after notice of the proposed bylaw has been given in accordance with Section 227 of the Community Charter and Council has given this notice;

NOW THEREFORE Council for the Corporation of the City of Grand Forks, in open meeting assembled, **ENACTS** as follows:

1. This bylaw may be cited, for all purposes, as the "**Year 2005 – 2009 Financial Plan Amendment Bylaw No. 1780**".
2. That Bylaw No. 1768, "Year 2005 – 2009 Financial Plan Bylaw", be amended by attaching "Appendix B" attached hereto and identified as "Schedule A" and declared to be the "Major Industrial Revitalization Tax Exemption Area and Program".
3. In this bylaw:

"Base Amount" means an assessed value of land and improvements used to calculate Municipal property tax payable on a parcel located in the Revitalization Area during the Base Amount Year;

"Base Amount Year" means the calendar year prior to the first calendar year in respect of which an Agreement set out in Schedule "B" applies to a parcel in the Revitalization Area;

“Full Assessment” means the amount of Municipal property tax that would be payable in respect of a parcel in the revitalization area after the calendar year during which an Agreement set out in Schedule “B” is made, as if the Agreement had never been made;

“Revitalization Area” means the properties shown on Schedule “A”.

4. There is established a revitalization tax exemption program which includes the following:

- (1) Property tax exemptions prescribed by this bylaw in respect of
 - (a) construction of a new improvement, in excess of 10% of the existing assessment for improvements

in respect of parcels located within the Revitalization Area shown on Schedule “A”;

- (2) the maximum exemption under this bylaw must not exceed the increase in the assessed value of improvements on the parcel between:

- (a) the year before the construction or alteration began, and
 - (b) the year in which the tax exemption certificate under this bylaw is issued;

- (3) the maximum term of a revitalization tax exemption is:

- (a) 5 years, plus
 - (b) a single renewal, subject to this bylaw and the Agreement set out in Schedule “B”, for a term of an additional 5 years, subject to Council approval;

- (4) In respect of the Revitalization Area shown in Schedule “A”:

The amounts of exemptions provided under this bylaw are such that the Municipal property tax payable is the Municipal tax rate for Class 4 multiplied by:

Years 1-5: “base amount”

- (i) Year 6: base amount plus 20% of difference between base amount and full assessment;
 - (ii) Year 7: base amount plus 40% of difference between base amount and full assessment;

- (iii) Year 8: base amount plus 60% of difference between amount and full assessment;
 - (iv) Year 9: base amount plus 80% of difference between base amount and full assessment;
 - (v) Year 10: full assessment.
- 5. The bylaw does not apply to a parcel unless:
 - (1) The parcel is located in one of the areas shown on Schedule "A";
 - (2) The Parcel is Class 4; and
 - (3) The owner of the parcel has entered into an Agreement with the City substantially in the form of and with the content of the Agreement attached as Schedule "B".
- 6. Once the conditions established under Section 3 and the Agreement set out in Schedule "B" have been met, a revitalization tax exemption certificate must be issued for the parcel in accordance with the Agreement;
- 7. The revitalization tax exemption certificate must, in accordance with the conditions established in Section 3 and the Agreement set out in Schedule "B", specify the following:
 - (1) the amount of the tax exemption or the formula for determining the exemption;
 - (2) the term of the tax exemption;
 - (3) the conditions on which the tax exemption is provided.
- 8. If an Owner requests a tax exemption under the bylaw, the Owner must apply to the City Clerk, in writing and must submit the following with the application:
 - (1) A certificate that all taxes assessed and rates, charges and fees imposed on the Land have been paid and where taxes, rates or assessments are payable by installments, that all installments owing at the date of the certificate have been paid,
 - (2) A completed written application in a form prescribed by Council and available in the office of the City Clerk,

- (3) Description of the new improvements or the alteration of the existing improvement that would be eligible under the bylaw for a Municipal tax exemption,
- (4) An examination fee in the amount of \$100.00,
- (5) A copy of the Agreement duly executed by and on behalf of the Owner.

Read a **FIRST** time this 2nd day of May, 2005.

Read a **SECOND** time this 2nd day of May, 2005.

Read a **THIRD** time this 2nd day of May, 2005.

PUBLIC NOTICE posted at City Hall and published in the Grand Forks Gazette on May 4th, 2005 and on May 11th, 2005, in accordance with the requirements of Section 227 of the Community Charter.

FINALLY ADOPTED this 16th day of May, 2005.

Mayor Jake Raven

City Clerk Lynne Burch

C E R T I F I C A T E

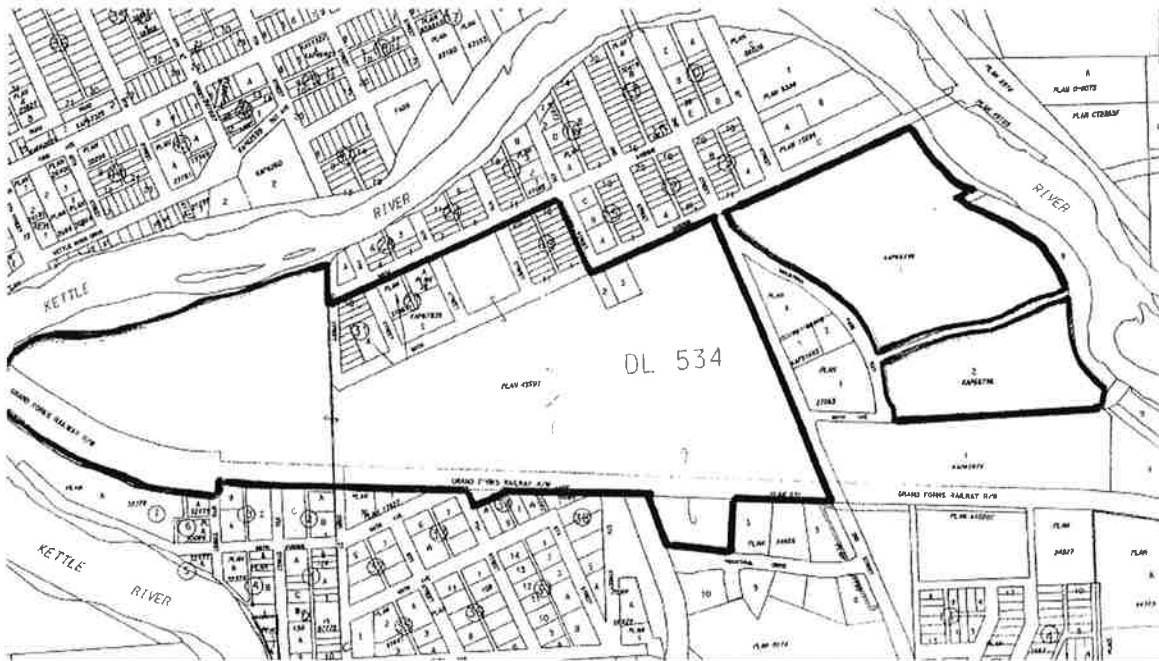
I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1780,
as passed by the Municipal Council of the City of Grand Forks
on the 16th day of May, 2005.

Clerk of the Municipal Council of the
City of Grand Forks

Appendix “B”

Major Industrial Revitalization Tax Exemption Area & Program

- Lot A, D.L. 382, S.D.Y.D., Plan 32378
- Lot 1-20, Block 19, D.L. 534, S.D.Y.D., Plan 36
- Lot 1, D.L. 382 & 534, S.D.Y.D., Plan 43597 – 570-68th Avenue
- Lot 1, D.L. 534, S.D.Y.D., Plan KAP67835
- Parcel A, Block 27, D.L. 534, S.D.Y.D., Plan 36
- Lot A, Block 27, D.L. 534, S.D.Y.D., Plan 37967
- Parcel A, Block 31, D.L. 534, S.D.Y.D., Plan 36
- Lot 7-10, Block 31, D.L. 534, S.D.Y.D., Plan 36
- Lot 5, Block 34, D.L. 534, S.D.Y.D., Plan 108
- Parcel 1, D.L. 534, S.D.Y.D., Plan KAP66796 – 6641 Industrial Park Way
- Lot 2, D.L. 534, S.D.Y.D., Plan KAP67972 – 6526 Industrial Park Way



REASONS AND OBJECTIVES:

The ***Major Industrial Revitalization Tax Exemption Area*** is created in an effort to encourage major industry to expand and upgrade their production facilities, stabilizing the local economy and maintaining employment levels.

Objectives of the tax exemption area include:

- Keeping these production facilities updated with modern technology, with minimal impact on the environment.
- Encouraging spin-off employment opportunities for other local suppliers.
- Expanding the municipal assessment base.
- Maintaining or increasing jobs.

Schedule B

Revitalization Tax Exemption Agreement

THIS AGREEMENT dated for reference the day of , 2005.

BETWEEN

Address
GRAND FORKS, B. C.
V0H 1H0

("Owner")

AND

CITY OF GRAND FORKS
420 Market Avenue
P.O. BOX 220
GRAND FORKS, BC
V0H 1H0

("City")

GIVEN THAT

- A. The City has under the bylaw defined in this Agreement established a revitalization tax exemption program, for the purpose of encouraging revitalization of an area of the Municipality,
- B. The Lands that are the subject of this Agreement are located in an area designated by the City's Council as a revitalization area,
- C. The Owner is a registered Owner of the Lands defined in this agreement,
- D. This Agreement contains the terms and conditions respecting the provision of a Municipal property tax exemption under the bylaw defined in this Agreement,
- E. The Owner and the Municipality wish to enter into this Agreement and register it against the title to the Lands as a covenant under Section 219 of the Land Title Act,

THIS AGREEMENT WITNESSES that in consideration of the mutual covenants and agreements contained in this Agreement and the payment by the Owner to the City of consideration in the amount of \$10,00 (Ten) Dollars, the receipt and

sufficiency of which are acknowledged by the City, the City and Owner covenant and agree with each other as follows:

DEFINITIONS

1. In this Agreement the following words have the following meanings:

“Agreement” means this Agreement, including the standard charge terms contained in this Agreement, together with the General Instrument defined in this Agreement;

“Bylaw” means “Year 2005-2009 Financial Plan Amendment Bylaw No. 1780”, which designated the Major Industry Revitalization Tax Exemption Area and outlined the Program and is in force from time to time;

“Dispose” means to transfer by any method and includes assign, give, sell, grant, charge, convey, bequeath, devise, lease, rent or sublet, divest, release or agree to do any of those things;

“General Instrument” means the Form C under the Land Title (Transfer Forms) Regulation, as amended and all schedules and addends to the Form C charging the Lands and citing the terms and conditions of this Agreement as the “standard charge terms” for the purposes of the Form C;

“Lands” means the lands legally described in Item 2 of the General Instrument and any part into which the Lands are subdivided;

“Land Title Office” means the Kamloops Land Title Office or its successor;

“Owner” means the transferor described in the General Instrument and any subsequent owner of the Lands or any parts into which the Lands are subdivided and includes any person who is a registered owner in fee simple of the Lands from time to time;

TERM

2. The Owner covenants and agrees with the City that the term of this Agreement is:

- (1) 5 years commencing on January 1 of the first calendar year after the calendar year referred to in the reference date of this Agreement was made,

- (2) a renewal term of an additional 5 years, subject to Council approval.

APPLICABLE IMPROVEMENTS

3. The tax exemption provided for under the bylaw applies in respect of:
 - (1) a construction of a new improvement, or

REVITALIZATION TAX EXEMPTION CERTIFICATE

4.
 - (1) Once the Owner has completed the construction of the new improvement referred to in Section 3, and the City has issued an occupancy permit under the City's Building Regulation Bylaw, in force from time to time, in respect of the new improvement, the City's Council must issue a revitalization tax exemption certificate to the Owner for the Lands of the Owner and the Lands are otherwise in compliance with this Agreement.
 - (2) A revitalization tax exemption certificate must, in accordance with the bylaw and this Agreement, specify the following:
 - (a) the amount of the tax exemption or the formula for determining the exemption;
 - (b) the term of the tax exemption;
 - (c) the conditions on which the tax exemption is provided;

TAX EXEMPTION

5. So long as a revitalization tax exemption certificate in respect of the Lands has not been cancelled, the Lands are exempt to the extent, for the period and subject to the conditions provided in the certificate, from Municipal property taxation.
6. The revitalization tax exemption certificate may be cancelled by the Council of the City:
 - (1) On the request of the Owner, or
 - (2) If any of the conditions in the certificate are not met.

CONDITIONS

7. *[For the purposes of Section 6(2) of this Agreement, describe any conditions whereby the certificate will be cancelled. These could include such matters as maintenance of employment levels or other performance baselines that the City requires to be met in order for this to proceed.]*

OWNERS OBLIGATIONS

8. The Owner must pay to the City the cost of all tie-ins of works and services associated with the new improvements or alteration to improvements, to existing storm and sanitary sewers, water mains, water meters, driveways and other Municipal services.
9. The Owner must comply with
 - (1) all enactments, laws, statutes, regulations and Order of any authority having jurisdiction, including bylaws of the City, and
 - (2) all federal, provincial, municipal and environmental licenses, permits and approvals required under applicable enactments relating to the Lands and Improvements

OBLIGATIONS OF CITY

10. The City must issue a revitalization tax exemption certificate to the Owner in respect of the Lands once the Owner has applied for and obtained an occupancy permit from the City under the City's Building Regulation Bylaw, in force from time to time, in relation to the new improvements or alterations to an existing improvements, so long as the Owner and the Lands are otherwise in compliance with the Bylaw and this Agreement.

CITY'S RIGHTS AND POWERS

11. Nothing contained or implied in this Agreement prejudices or affects the City's rights and powers in the exercise of its functions or its rights and powers under any public and private statutes, bylaws, orders or regulations to the extent the same are applicable to the Lands, all of which may be fully and effectively exercised in relation to the Lands as if the Agreement had not been executed and delivered by the Owner.

GENERAL PROVISIONS

12. It is mutually understood, agreed and declared by and between the parties, that the City has made no representations, covenants, warranties, guarantees, promises or agreements (oral or otherwise), express or implied with the Owner other than those expressly contained in this Agreement.

13. The Owner covenants and agrees to use best efforts to do or cause to be done, at the expense of the Owner, all acts reasonably necessary to grant priority to this Agreement as a covenant over all charges and encumbrances which may have been registered against the title to the Lands in the Land Title Office, save and except those specifically approved in writing by the City or in favour of the City.
14. The covenants set forth in this Agreement shall charge the Lands pursuant to Section 219 of the Land Title Act and shall be covenants the burden of which shall run with the Lands and bind the Lands and every part or parts thereof, and every part to which the Lands may be divided or subdivided, whether by subdivision plan, strata plan, or otherwise.
15. The covenants set forth in this Agreement shall not terminate if and when a purchaser becomes an owner in fee simple of the Lands or any portion thereof, but shall charge the whole of the interest of such purchaser and shall continue to run with the Lands and bind the Lands and all future owners for the time being of the Lands or any portion thereof, except the Owner will be entitled to a partial discharge of this Agreement with respect to any subdivided parcel of the Lands on acceptance of the works and on compliance by the Owner with all requirements under this Agreement with respect to the subdivided portion of the Lands.
16. It is further expressly agreed that the benefit of all covenants made by the Owner herein shall accrue solely to the City and this Agreement may only be modified by agreement of the City with the Owner, or discharged by the City pursuant to the provisions of Section 219 of the Land Title Act and this Agreement. All of the costs of the preparation, execution, and registration of any amendments or discharges shall be borne by the Owner.
17. This Agreement shall enure to the benefit of and is binding on the parties and their respective heirs, executors, administrators, successors and assigns.
18. The Owner shall, on the request of the City, execute and deliver or cause to be executed and delivered, all such further transfers, agreements, documents, instruments, easements, statutory rights of way, deeds and assurances and do and perform, or cause to be done and performed, all such acts and things as may be, in the opinion of the City, necessary to give full effect to the intent of this Agreement.
19. Time is of the essence of this Agreement.

20. This Agreement constitutes the entire agreement between the Owner and the City with regard to the subject matter hereof and supersedes all prior agreements, understandings, negotiations and discussions, whether oral or written of the City with the Owner.
21. Any notice or other communication required or contemplated to be given or made by any provision of this Agreement shall be given or made in writing and whether delivered personally (and if so shall be deemed to be received when delivered) or mailed by prepaid registered mail in any Canada Post Office (and if so, shall be deemed to be delivered on the sixth business day following such mailing except that, in the event of interruption of mail service notice shall be deemed to be delivered only when actually received by the party to whom it is addressed), so long as the notice is addressed as follows:

to the Owner at:

Address
Grand Forks, B. C.
V0H 1H0
Attention: [insert contact]

and: **to the City at:**

City of Grand Forks
7217 4th Street
P.O.BOX 220
Grand Forks, BC
V0H 1H0
Attention: City Clerk

or to such other address to which a party hereto from time to time notifies the other parties in writing.

22. (a) No amendment or waiver of any portion of this Agreement shall be valid unless in writing and executed by the parties to this Agreement.
- (b) Waiver of any default by a party shall not be deemed to be a waiver of any subsequent default by that party.
23. This Agreement is not intended to create a partnership, joint venture, or agency between the Owner and the City.
24. This Agreement shall be construed according to the laws of the Province of British Columbia.

25. A reference in this Agreement to the City or the Owner includes their permitted assigns, heirs, successors, officers, employees, and agents.
26. This Agreement is effective from and after the reference date in this Agreement, but only if this Agreement has been executed and delivered by the Owner and executed by the City.
27. The parties intend, by their execution and delivery of this Agreement, to create a covenant granted to the City under Section 219 of the Land Title Act and a contract executed and delivered to the City under seal.
28. Unless otherwise expressly provided in this Agreement, whenever the City is permitted to make or give any decision, direction, determination or consent, the City may act in its sole discretion, but will act reasonably.
29. Unless otherwise expressly provided in this Agreement, the expense of performing the obligations and covenants of the Owner contained in this Agreement and of all matters incidental to them, is solely that of the Owner.
30. The Owner represents and warrants to the City that:
 - (1) all necessary corporate actions and proceedings have been taken by the Owner to authorize its entry into performance of this Agreement;
 - (2) upon execution and delivery on behalf of the Owner, this Agreement constitutes a valid and binding contractual obligation of the Owner;
 - (3) neither the execution and delivery, not the performance of this Agreement shall breach any other Agreement or obligation or cause the Owner to be in default of any other Agreement or obligation, respecting the Lands, and
 - (4) the Owner has the corporate capacity and authority to enter into and perform this Agreement.

As evidence of their agreement to be bound by the terms of this instrument, the parties hereto have executed the Land Title Office Form C which is attached hereto and forms part of this Agreement.

END OF DOCUMENT

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 1881R

A Bylaw to Repeal Bylaw No. 1881 and all Amendments Thereto

=====

WHEREAS it is deemed necessary and expedient to repeal Bylaw No. 1881 and all its amendments thereto in its entirety;

NOW THEREFORE, the Council of the Corporation of the City of Grand Forks in open meeting assembled, **ENACTS** as follows:

1. That Bylaw No. 1881, cited for all purposes as the "Major Industrial Revitalization Area Tax Exemption Renewal (Interfor) Bylaw No. 1881" and any amendments thereto, be hereby repealed.
2. This bylaw may be cited as "**The City of Grand Forks Major Industrial Revitalization Area Tax Exemption Renewal (Interfor) Repeal Bylaw No. 1881R, 2014**".

INTRODUCED on the 21st day of July, 2014

Read a **FIRST** time this 18th day of August, 2014.

Read a **SECOND** time this 18th day of August, 2014.

Read a **THIRD** time this 18th day of August, 2014.

FINALLY ADOPTED this _____ day of _____, 2014.

Mayor Brian Taylor

Corporate Officer, Diane Heinrich

CERTIFICATE

I hereby certify the foregoing to be a true copy of Bylaw No. 1881R as adopted by the Municipal Council of the City of Grand Forks on the _____ day of _____, 2014.

Corporate Officer of the Municipal Council of the
City of Grand Forks

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 1881

A BYLAW TO RENEW THE MAJOR INDUSTRIAL REVITALIZATION AREA
TAX EXEMPTION AS PROVIDED FOR IN BYLAW NO. 1780
FOR PROPERTY LEGALLY DESCRIBED AS
LOT 1, DISTRICT LOTS 382 AND 534, S.D.Y.D., PLAN 43597 AND
PARCEL A, DISTRICT LOT 534, S.D.Y.D., PLAN KAP77809

=====

WHEREAS Section 226 of the Community Charter allows Council to provide for a Revitalization Tax Exemption by amending the financial plan;

AND WHEREAS Bylaw No. 1780 was adopted in 2005 which amended the Five Year Financial Plan to provide for a Major Industrial Revitalization Tax Exemption Area and Program;

AND WHEREAS a Major Industrial Revitalization Area Tax Exemption Certificate was issued with respect to lands described as:

Lot 1, D.L. 382 and 534, S.D.Y.D., Plan 43597
Parcel A, D.L. 534, S.D.Y.D., Plan KAP77809

NOW THEREFORE the Council of the Corporation of the City of Grand Forks, in open meeting assembled, **ENACTS** as follows:

1. That the Major Industrial Revitalization Area Tax Exemption provided for Lot 1, District Lots 382 and 534, S.D.Y.D., Plan 43597 and Parcel A, District Lot 534, S.D.Y.D., Plan KAP77809, under the Major Industrial Revitalization Area Tax Exemption Certificate, issued October 18, 2005 and identified as Schedule "A", attached to this bylaw, be renewed for an additional 5-year term, upon expiry of the current term.
2. This bylaw may be cited, for all purposes, as the "**Major Industrial Revitalization Area Tax Exemption Renewal (Interfor) Bylaw No. 1881**".

Read a **FIRST** time this 17th day of August, 2009.

Read a **SECOND** time this 17th day of August, 2009.

Read a **THIRD** time this 17th day of August, 2009.

FINALLY ADOPTED this 8th day of September, 2009.

Brian Taylor - Mayor

Lynne Burch - City Clerk

CERTIFICATE

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1881,
as passed by the Municipal Council of the Corporation
of the City of Grand Forks on the 8th day of September, 2009.

Clerk of the Municipal Council of the Corporation
of the City of Grand Forks



Community Charter
(Section 226)

MAJOR INDUSTRIAL REVITALIZATION AREA TAX EXEMPTION CERTIFICATE

- Take Notice that the lands described as follows:

Parcel Identifier: - 016 341 911
- 026 249 944

Legal Description: - Lot 1, District Lots 382 and 534, S.D.Y.D., Plan 43597
- Parcel A, District Lot 534, S.D.Y.D., Plan KAP77809

Which said lands are the subject of a Revitalization Tax Exemption Agreement between the Corporation of the City of Grand Forks and Pope & Talbot Ltd.

- Take notice that the amounts of exemptions provided under this bylaw are such that the municipal property tax payable is the Municipal tax rate for Class 4 multiplied by:

Years 1-5: "base amount"

Year 6: base amount plus 20% of difference between base amount and full assessment

Year 7: base amount plus 40% of difference between base amount and full assessment

Year 8: base amount plus 60% of difference between base amount and full assessment

Year 9: base amount plus 80 % of difference between base amount and full assessment

Year 10: full assessment

- Take notice that the term of the tax exemption is 5 years commencing on January 1 of the first calendar year after the calendar year identified in this certificate, plus one renewal term of an additional 5 years, subject to Council approval.

- Take notice that this tax exemption is conditional upon:

The property owner agreeing to invest significant capital into the manufacturing facilities on the owner's property in the tax exemption area. The improvements will consist of upgraded lumber manufacturing equipment, installation of lumber drying kilns to maximize the drying capacity, construction of an approximate 37,000 square foot addition to the planer mill, and upgraded shipping facilities. The additional improvements to the planer mill must remain in an operational state on property occupied by Pope & Talbot Ltd. and in the event that the improvements are dismantled or removed, they must be replaced

with other equipment, buildings or technology that further enhances the original goals of the project.

This certificate is dated this 18th day of October, 2005.

Dan Zabinsky, CMA
DEPUTY CLERK / TREASURER
Corporation of the City of Grand Forks

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 1912R

A Bylaw to Repeal Bylaw No. 1912 and all Amendments Thereto

=====

WHEREAS it is deemed necessary and expedient to repeal Bylaw No. 1912 and all its amendments thereto in its entirety;

NOW THEREFORE, the Council of the Corporation of the City of Grand Forks in open meeting assembled, **ENACTS** as follows:

1. That Bylaw No. 1912, cited for all purposes as the "Amendment to the Major Industrial Revitalization Area Tax Exemption Renewal (Interfor) Bylaw No. 1912" and any amendments thereto, be hereby repealed.
2. This bylaw may be cited as "**The City of Grand Forks Amendment to the Major Industrial Revitalization Area Tax Exemption Renewal (Interfor) Repeal Bylaw No. 1912R, 2014**".

INTRODUCED on the 21st day of July, 2014

Read a **FIRST** time this 18th day of August, 2014.

Read a **SECOND** time this 18th day of August, 2014.

Read a **THIRD** time this 18th day of August, 2014.

FINALLY ADOPTED this _____ day of _____, 2014.

Mayor Brian Taylor

Corporate Officer, Diane Heinrich

C E R T I F I C A T E

I hereby certify the foregoing to be a true copy of Bylaw No. 1912R as adopted by the Municipal Council of the City of Grand Forks on the _____ day of _____, 2014.

Corporate Officer of the Municipal Council of the
City of Grand Forks

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 1912

**A BYLAW TO AMEND THE MAJOR INDUSTRIAL REVITALIZATION AREA
TAX EXEMPTION RENEWAL (INTERFOR) BYLAW NO. 1881**

=====

WHEREAS Section 226 of the Community Charter allows Council to provide for a Revitalization Tax Exemption by amending the financial plan;

AND WHEREAS Bylaw No. 1780 was adopted in 2005, which amended the Five Year Financial Plan to provide for a Major Industrial Revitalization Tax Exemption Area and Program;

AND WHEREAS Bylaw No. 1881 was adopted in 2009, renewing the Major Industrial Revitalization Area Tax Exemption Certificate for an addition five year term;

NOW THEREFORE the Council of the Corporation of the City of Grand Forks, in open meeting assembled, **ENACTS** as follows:

1. That the Major Industrial Revitalization Area Tax Exemption Renewal (Interfor) Bylaw No. 1881 be amended by deleting Schedule "A" in its entirety and replacing it with a new Schedule "A", identified as Appendix 1 attached to this bylaw
2. This bylaw may be cited, for all purposes, as the "**Amendment to the Major Industrial Revitalization Area Tax Exemption Renewal (Interfor) Bylaw No. 1912**".

Read a **FIRST** time this 14th day of February, 2011.

Read a **SECOND** time this 14th day of February, 2011.

Read a **THIRD** time this 14th day of February, 2011.

FINALLY ADOPTED this 28th day of February, 2011.

Brian Taylor – Mayor

Diane Heinrich, Corporate Officer

C E R T I F I C A T E

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1912
as passed by the Municipal Council of the Corporation
of the City of Grand Forks on the 28th day of February, 2011.

Corporate Officer
of the Municipal Council of the Corporation
of the City of Grand Forks

APPENDIX 1
attached to Bylaw No. 1912

SCHEDULE "A"



Community Charter
(Section 226)

**MAJOR INDUSTRIAL REVITALIZATION AREA TAX EXEMPTION
CERTIFICATE**

- Take Notice that the lands described as follows:

Parcel Identifier: - 028 356 691

Legal Description: - Lot 1, District Lots 382 and 534, S.D.Y.D., Plan KAP91480

Which said lands are the subject of a Revitalization Tax Exemption Agreement between the Corporation of the City of Grand Forks and International Forest Products Ltd.

- Take notice that the amounts of exemptions provided under this bylaw are such that the municipal property tax payable is the municipal tax rate for Class 4 multiplied by:
- Years 1-5: "base amount"
 - Year 6: base amount plus 20% of difference between base amount and full assessment
 - Year 7: base amount plus 40% of difference between base amount and full assessment
 - Year 8: base amount plus 60% of difference between base amount and full assessment
 - Year 9: base amount plus 80 % of difference between base amount and full assessment
 - Year 10: full assessment
- Take notice that the term of the tax exemption is 5 years commencing on January 1 of the first calendar year after the calendar year identified in this certificate, plus one renewal term of an additional 5 years, subject to Council approval.
- Take notice that this tax exemption is conditional upon:

The property owner agreeing to invest significant capital into the manufacturing facilities on the owner's property in the tax exemption area. The improvements will consist of upgraded lumber manufacturing equipment, installation of lumber drying kilns to maximize the drying capacity, construction of an approximate 37,000 square foot addition to the

planer mill, and upgraded shipping facilities. The additional improvements to the planer mill must remain in an operational state on property occupied by Pope & Talbot Ltd., and in the event that the improvements are dismantled or removed, they must be replaced with other equipment, buildings or technology that further enhances the original goals of the project.

This certificate is dated this 18th day of October, 2005

Diane Heinrich
CORPORATE OFFICER
for the Corporation of the City of Grand Forks

REQUEST FOR DECISION

— REGULAR MEETING —



To: Mayor and Council
From: Chief Financial Officer
Date: August 20, 2014
Subject: Temporary Borrowing Bylaw No. 1950, 2014
Recommendation: **RESOLVED THAT COUNCIL give first three readings to Temporary Borrowing Bylaw No. 1950, 2014.**

BACKGROUND:

At the Committee of the Whole on August 18, 2014 staff introduced Temporary Borrowing Bylaw No. 1950, 2014.

This bylaw allows the City to temporarily borrow funds against Bylaw No. 1922 "Emergency Water Supply for Fire Protection Loan Authorization" to a maximum of \$1.3 million. Once the project is complete and the total cost is known, the temporary borrowing will be converted to long term debt through the Municipal Finance Authority.

Expenditures for 2012 and 2013 on this project total \$200,686.76 and the project is continuing in 2014.

This bylaw is now presented for first three readings.

Benefits or Impacts of the Recommendation:

General: This project spans several years and Bylaw 1950 allows the City to leverage financing until the project is complete.

Strategic Impact: Temporary borrowing ensures City resources are available for operational requirements

Policy/Legislation: Community Charter S. 181(1) Temporary borrowing under loan authorization bylaw

Attachments: Temporary Borrowing Bylaw No. 1950, 2014

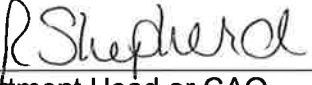
Recommendation: **RESOLVED THAT COUNCIL give first three readings to Temporary Borrowing Bylaw No. 1950, 2014.**

REQUEST FOR DECISION

— REGULAR MEETING —



- OPTIONS:**
- 1. RESOLVED THAT COUNCIL RECEIVES THE STAFF REPORT**
 - 2. RESOLVED THAT COUNCIL DOES NOT ACCEPT THE STAFF REPORT**
 - 3. RESOLVED THAT COUNCIL REFERS THE MATTER BACK TO STAFF FOR FURTHER INFORMATION.**

	
Department Head or CAO	Chief Administrative Officer

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 1950

A Bylaw to Authorize Temporary Borrowing Pending the Sale of Debentures

WHEREAS it is provided by Section 181(1) of the Community Charter that the Council may, where it has adopted a loan authorization bylaw, without further assets or approvals, borrow temporarily from any person under the conditions therein set out;

AND WHEREAS the Council has adopted Bylaw No. 1922, cited as "City of Grand Forks Emergency Water Supply For Fire Protection Loan Authorization Bylaw No. 1922", authorizing the planning, study, design and construction of fire flow requirements (additional well, stand-by pumps and pipe) in the amount of one million, three hundred thousand dollars (\$1,300,000.00);

AND WHEREAS the sale of debentures has been temporarily deferred:

NOW THEREFORE, Council for the Corporation of the City of Grand Forks in open meeting assembled, **ENACTS**, as follows:

1. The Council is hereby authorized and empowered to borrow an amount or amounts not exceeding the sum of one million, three hundred thousand dollars (\$1,300,000.00), as the same may be required.
2. The form of obligation to be given as acknowledgement of the liability shall be a promissory note or notes bearing the corporate seal and signed by the Mayor and the Financial Officer.
3. The money so borrowed shall be used solely for the purpose set out in said Bylaw No. 1922.
4. The proceeds from the sale of the debentures or so much thereof as may be necessary shall be used to repay the money so borrowed.
5. This Bylaw may be cited as "Temporary Borrowing Bylaw No. 1950, 2014".

Read a **FIRST** time this ____ day of _____

Read a **SECOND** time this ____ day of _____

Read a **THIRD** time this ____ day of _____

FINALLY ADOPTED this ____ day of _____

Mayor Brian Taylor

Corporate Officer, Diane Heinrich

C E R T I F I C A T E

I hereby certify the foregoing to be a true copy of bylaw No. 1950, as adopted by the
Municipal Council of the City of Grand Forks on the ____ day of _____

Corporate Officer of the Municipal Council of the
City of Grand Forks

REQUEST FOR DECISION

— REGULAR MEETING —



To: Mayor and Council
From: Chief Financial Officer
Date: August 20, 2014
Subject: Temporary Borrowing Bylaw No. 1998, 2014
Recommendation: **RESOLVED THAT COUNCIL give first three readings to Temporary Borrowing Bylaw No. 1998, 2014.**

BACKGROUND:

At the Committee of the Whole on August 18, 2014 staff introduced Temporary Borrowing Bylaw No. 1998, 2014.

This bylaw allows the City to temporarily borrow funds against Bylaw No. 1923 "Capital Renewal Loan Authorization" to a maximum of \$4.2 million. Once the project is complete and the total cost is known, the temporary borrowing will be converted to long term debt through the Municipal Finance Authority.

Expenditures for 2013 on this project totaled \$62,472.40 and the project is continuing in 2014.

This bylaw is now presented for first three readings.

Benefits or Impacts of the Recommendation:

General: This project spans several years and Bylaw 1998 allows the City to leverage financing until the project is complete.

Strategic Impact: Temporary borrowing ensures City resources are available for operational requirements

Policy/Legislation: Community Charter S. 181(1) Temporary borrowing under loan authorization bylaw

Attachments: Temporary Borrowing Bylaw No. 1998, 2014



Recommendation: **RESOLVED THAT COUNCIL give first three readings to Temporary Borrowing Bylaw No. 1998, 2014.**

REQUEST FOR DECISION

— REGULAR MEETING —



- OPTIONS:**
- 1. RESOLVED THAT COUNCIL RECEIVES THE STAFF REPORT**
 - 2. RESOLVED THAT COUNCIL DOES NOT ACCEPT THE STAFF REPORT**
 - 3. RESOLVED THAT COUNCIL REFERS THE MATTER BACK TO STAFF FOR FURTHER INFORMATION.**

 Department Head or CAO	 Chief Administrative Officer
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THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 1998

A BYLAW TO AUTHORIZE TEMPORARY BORROWING
PENDING THE SALE OF DEBENTURES

WHEREAS it is provided by Section 181(1) of the Community Charter that the Council may, where it has adopted a loan authorization bylaw, without further assets or approvals, borrow temporarily from any person under the conditions therein set out;

AND WHEREAS the Council has adopted Bylaw No. 1923, cited as “City of Grand Forks Capital Renewal Loan Authorization Bylaw No. 1923, 2011”, authorizing road, water and sewer capital renewal projects in the amount of four million, two hundred thousand dollars (\$4,200,000.00);

AND WHEREAS the sale of debentures has been temporarily deferred;

NOW THEREFORE Council for the Corporation of the City of Grand Forks, in open meeting assembled, **ENACTS** as follows:

1. The Council is hereby authorized and empowered to borrow an amount or amounts not exceeding the sum of four million, two hundred thousand dollars (\$4,200,000.00), as the same may be required.
2. The form of obligation to be given as acknowledgement of the liability shall be a promissory note or notes bearing the corporate seal and signed by the Mayor and the Financial Officer.
3. The money so borrowed shall be used solely for the purpose set out in said Bylaw No. 1923.
4. The proceeds from the sale of the debentures or so much thereof as may be necessary shall be used to repay the money so borrowed.
5. This Bylaw may be cited as the “**Temporary Borrowing Bylaw No. 1998, 2014**”.

Read a **FIRST** time this ____ day of _____

Read a **SECOND** time this ____ day of _____

Read a **THIRD** time this ____ day of _____

FINALLY ADOPTED this ____ day of _____

Mayor Brian Taylor

Corporate Officer, Diane Heinrich

C E R T I F I C A T E

I hereby certify the foregoing to be a true copy of bylaw No. 1998, as adopted by the
Municipal Council of the City of Grand Forks on the ____ day of _____

Corporate Officer of the Municipal Council of the
City of Grand Forks

REQUEST FOR DECISION

— REGULAR MEETING —



To: Mayor and Council
From: Sasha Bird,
Manager of Development and Engineering Services
Date: September 2, 2014
Subject: First and second reading of the Sagamore Road & 2nd Street Road Closure Bylaw No. 2002.

Recommendation: **RESOLVED THAT COUNCIL** give first and second reading to Bylaw No. 2002, cited as the "Sagamore Road and 2nd Street Road Closure Bylaw, a bylaw to close and remove the dedication of a road, measuring 1.098 hectares in size, as shown on Plan 21622 and 27765, DL 534, S.D.Y.D. and direct Staff to advertise the bylaw and send letters to the surrounding property owners, inviting them to attend the October 6, 2014 Committee of the Whole meeting to make representation to Council if they have concerns or comments (written or in person), with regard to the road closure.

BACKGROUND: At the May 26, 2014 Regular meeting, Council deemed that portion of road located on the corner of Sagamore Road and 2nd Street as surplus to the needs of the City and directed Staff to proceed with the statutory requirements necessary to start and complete the closure of that portion of unnamed, undeveloped road traversing through Lot 1 and Lot 2, Plan KAP73069.

Referrals were sent to the various agencies for their comments or concerns and they were requested to response no later than April 17, 2014. No concerns or comments regarding the Sagamore Road and 2nd Street road closure were received by that date.

The Surveyor has supplied a reference plan showing that portion of road to be closed and assigned a legal description and size of those portions of road to be closed. The legal for that portion of road traversing Lot 1, Plan KAP73069 is Parcel B, Plan EPP44134 and is 0.181 hectares in size. The legal for that portion of road traversing Lot 2, Plan KAP73069 is Parcel A, Plan EPP44134 and is 0.917 hectares in size. The reference plan will become part of Bylaw 2002 as Schedule "A".

After first and second reading of Bylaw No. 2002, Staff are required, by the Community Charter, to advertise the proposed road closure in two consecutive editions of the local paper and to send letters to surrounding property owners, notifying them of the proposed road closure and inviting them to the October 6, 2014 Committee of the Whole meeting to make representation to Council, if they have any concerns or comments with respect to the road closure.

REQUEST FOR DECISION

— REGULAR MEETING —



With the closure of the undeveloped road the City would acquire a sellable, developable piece of property. The Real Estate Strategy Guiding Principles Policy states that the City will explore acquisition of land to enhance the value of existing City-owned lands or acquire land that would provide strategic benefits to the Community. The cost to the City to close that portion of road would be the advertising in two issues of the paper, the surveyor's costs for preparing the road closure and consolidation plans, the registration of the plans and the raising of the title to the closed road at the Land Titles office.

If the adjacent property owners are not interested in purchasing their portion of the closed road, the City would have a piece of industrial zoned property which could be sold to the public for future development.

Benefits or Impacts of the Recommendation:

- | | |
|----------------------------|---|
| General: | This closure could be considered as housekeeping by closing undeveloped, unused roads and lanes that Council deems surplus to the needs of the City and creating sellable, developable property for the benefit of the Community. |
| Strategic Impact: | The closure meets the objectives of the Real Estate Strategy Guiding Principles Policy # 806. |
| Financial: | By acquiring and selling property the City would be generating income from the sale of the land; income through taxation and would be seen as welcoming new businesses and jobs to the Community. |
| Policy/Legislation: | The requirements to close a road, to advertise and to send notices to the surrounding property owners is legislated by the Community Charter. |

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- | | |
|---------------------|--|
| Attachments: | <ul style="list-style-type: none">- A copy of Bylaw No. 2002 being the Sagamore Road and 2nd Street Road Closure bylaw;- A plan showing the zoning and location of the undeveloped road;- An aerial view showing the surrounding property owners and the land uses;- An aerial view showing the location of Lot 1 & Lot 2, Plan KAP73069;- Council's resolution from the May 26th, 2014 Regular meeting;- A copy of the Real Estate Strategy Guiding Principles Policy #806;- An excerpt from the Community Charter of Section 40 (the road closure and removal of highway dedication procedure) and Section 94 (the requirement for public notice). |
|---------------------|--|
-



REQUEST FOR DECISION

— REGULAR MEETING —



Recommendation: **RESOLVED THAT COUNCIL** give first and second reading to Bylaw No. 2002, cited as the "Sagamore Road and 2nd Street Road Closure Bylaw, a bylaw to close and remove the dedication of a road, measuring 1.098 hectares in size, as shown on Plan 21622 and 27765, DL 534, S.D.Y.D. and direct Staff to advertise the bylaw and send letters to the surrounding property owners, inviting them to attend the October 6, 2014 Committee of the Whole meeting to make representation to Council if they have concerns or comments (written or in person), with regard to the road closure.

-
- OPTIONS:**
- 1. COUNCIL CHOOSES TO SUPPORT THE RECOMMENDATION.**
 - 2. COUNCIL CHOOSES TO NOT SUPPORT THE RECOMMENDATION.**
 - 3. COUNCIL CHOOSES TO REFER THE REPORT BACK TO STAFF FOR MORE INFORMATION.**
-

	
Department Head or CAO	Chief Administrative Officer

THE CORPORATION OF THE CITY OF GRAND FORKS

BYLAW NO. 2002

**A Bylaw to Close and Remove the Dedication of that portion of Road
Shown on Plan 21622 and 27765, D.L. 534, S.D.Y.D.**

=====

WHEREAS in accordance with the Community Charter, Council may, by bylaw, close and remove the dedication of a highway or a portion of it;

NOW THEREFORE the Council for the Corporation of the City of Grand Forks, in open meeting assembled, **ENACTS**, as follows:

1. To close and remove the dedication of those portions of road measuring 1.098 hectares, legally described as Parcel A & Parcel B, DL 534, SDYD, Plan EPP44134, outlined on reference plan prepared by A.F. Hoefsloot, B.C.L.S., dated August 5, 2014 and identified as "Schedule A" forms part of this bylaw;
2. That title to the above-described portions of closed roads be hereby vested in the name of the Corporation of the City of Grand Forks;
3. That this bylaw may be cited for all purposes as the **"Sagamore Road and 2nd Street Road Closure Bylaw No. 2002, 2014"**.

Read a **FIRST** time this _____ day of September, 2014.

Read a **SECOND** time this _____ day of September, 2014.

Read a **THIRD** time this _____ day of _____, 2014.

PUBLIC NOTICE posted at City Hall and advertised in the Grand Forks Gazette on the _____ day of _____, 2014 and the _____ day of _____, 2014.

APPROVED BY the Ministry of Transportation and Infrastructure, pursuant to the Transportation Act, this _____ day of _____, 2014.

Approving Officer

FINALLY ADOPTED this _____ day of _____, 2014.

Brian Taylor, Mayor

Diane Heinrich, Corporate Officer

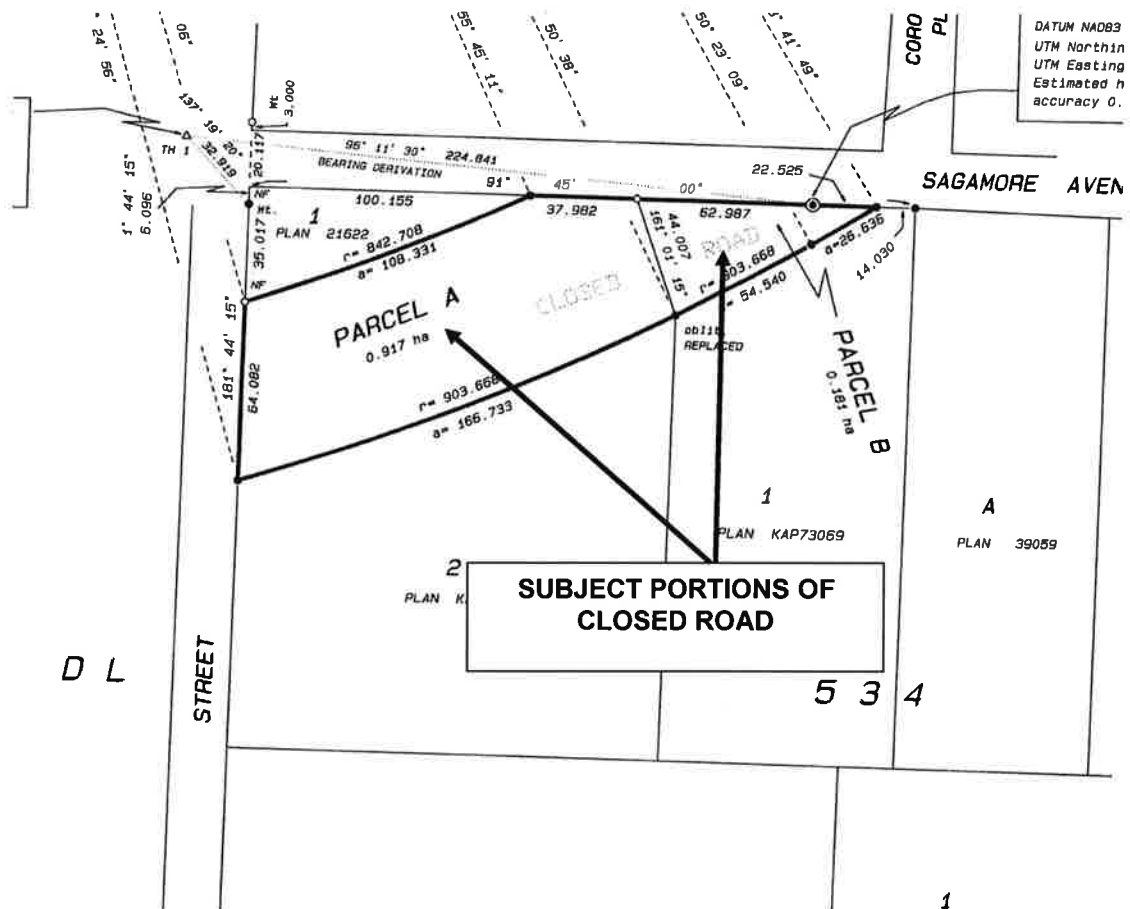
C E R T I F I C A T E

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 2002, as passed by the Municipal Council of the City of Grand Forks on the _____ day of _____, 2014.

Corporate Officer of the Municipal Council of the
City of Grand Forks

Dated this _____ day of _____, 2014.

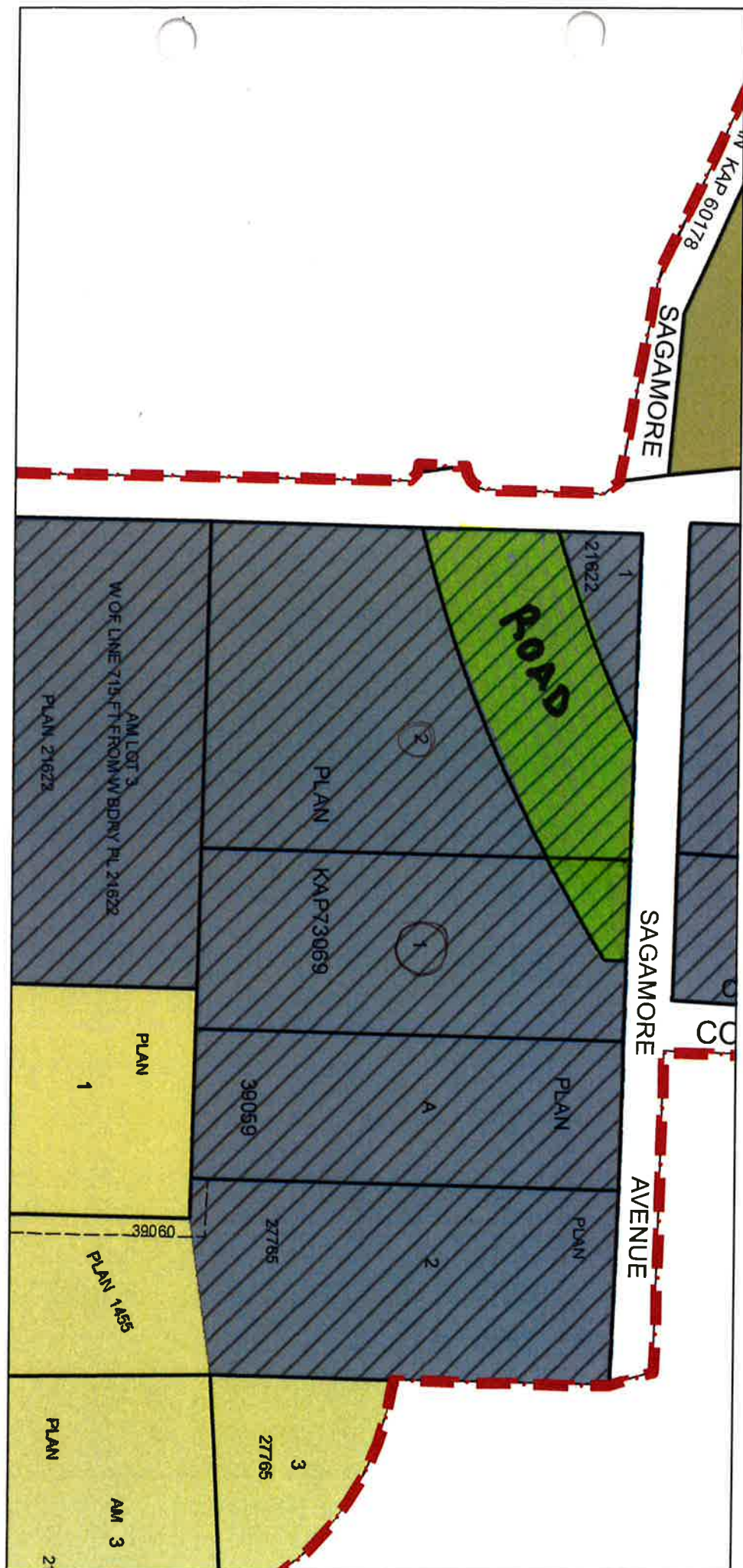
SCHEDULE "A"



This is Schedule "A" referred to in Section 1 of the Sagamore Road & 2nd Street Road Closure Bylaw No. 2002, 2014.

Date of adoption

Corporate Officer







RESOLVED THAT COUNCIL DEEM THAT PORTION OF CLOSED ROAD AS SURPLUS TO THE NEEDS OF THE CITY AND APPROVE THE REQUEST TO CLOSE THAT PORTION OF UNNAMED, UNDEVELOPED ROAD AND DIRECT STAFF TO PROCEED WITH STATUTORY REQUIREMENTS NECESSARY TO START AND COMPLETE THE ROAD CLOSURE AND CONSOLIDATION OF THAT PORTION OF UNNAMED, UNDEVELOPED ROAD WITH LOT 1, PLAN KAP73069 AND LOT 2, KAP73069, RESPECTIVELY.

CARRIED.

b) Manager of Development and Engineering

Pavement rehabilitation for 22nd Street (Highway 3 to 77th Avenue) or 68th Avenue (Kettle River Drive to 19th Street).

MOTION: SMITH / WYERS

RESOLVED THAT COUNCIL APPROVES THE RECOMMENDATION OF URBAN SYSTEMS AND MOVES FORWARD WITH THE MILL AND REPLACE PROGRAM FOR PAVEMENT REHABILITATION OF 68TH AVENUE AND FURTHER RESOLVES THAT COUNCIL APPROVES A BUDGET AMENDMENT FOR BEING PARTIALLY FUNDED THROUGH GAS TAX, BORROWING BYLAW 1923 OR SLAG RESERVES.

CARRIED.

CARRIED UNANAMOUSLY

REQUESTS ARISING FROM CORRESPONDENCE

INFORMATION ITEMS

a) Manager of Development and Engineering

ICBC Intersection Review Recommendations

MOTION: KROG / SMITH

RESOLVED THAT COUNCIL RECEIVE THE REPORT FROM THE MANAGER OF PLANNING AND ENGINEERING REGARDING THE ICBC INTERSECTION REVIEW RECOMMENDATIONS.

CARRIED.

CITY OF GRAND FORKS

POLICY TITLE: Real Estate Strategy Guiding Principles

POLICY NO: 806

EFFECTIVE DATE: March 26, 2014

APPROVAL: Council

PAGE: 1 of 4

POLICY:

This policy defines a strategy to guide the City of Grand Forks in the acquisition, disposition and leasing of City owned property, in order to maximize the financial returns and for the utilization of these resources, to the benefit of the entire Community.

PURPOSE:

To administer City real estate transactions in the budgeting process or through resolution of Council.

PROCEDURE:

The following guiding principles, for Council's consideration, are as follows:

1. City Policy Documents Considered First

At the highest level, the fundamental policy documents of the City will provide guidelines for the potential acquisition, disposition and leasing of City-owned lands. These documents include:

- The **Sustainable Community Plan**, which establishes long-range physical development goals and objectives and sets out Municipal objectives on ensuring sustainability.
- The **Long-Term Financial Strategy**, which established long-range financial goals and objectives.
- The **Five-Year Financial Plan**, which includes identification of capital expenditures and proposed revenue sources.
- The **Annual Report**, which sets out Municipal objectives, establishes measures and reports on progress.
- The **Corporate Strategic Plan**, as adopted by Council in January of 2011, which outlines Council's initiatives.

- The **Community First agreement**, which sets out Municipal objectives in partnership with the Province of B.C., on strategically prioritizing Community and economic development needs.

2. Open Process

The City, unless otherwise directed by Council, will publicly offer City-owned lands for sale or lease, through an Expression of Interest, Request for Proposal or other public marketing efforts.

3. Revenue Generation and Job Creation

In order to maximize revenues and create more jobs, the City will:

- Sell or lease, whichever is most advantageous for the City, any lands that have been deemed surplus to the City's operational needs or have no broader Community purpose. Lease any lands that are vacant but are being retained by the City for future operational needs;
- Not hold vacant, City-owned lands for unreasonable periods of time.

4. Speculation/Development

The City will not pursue land or develop its own lands, on a speculative basis. The Municipality's purpose under the Community Charter is to provide for "stewardship of the public assets of the Community." The City also does not possess the financial depth and Staff resources to speculate on acquisitions or development.

5. Acquisitions Through Rezoning

The City will attempt to secure private lands of interest first, through rezoning applications.

6. Sponsored Crown Grants

The City will attempt to locate any new Municipal buildings, facilities or parks, on Crown lands through a Sponsored Crown Grant, wherever feasible. Sponsored Crown Grants are made available to Municipalities by the Crown, at no cost, provided the land is only used for Municipal purposes.

7. Strategic Acquisitions

The City will explore acquisitions to enhance the value of existing City-owned lands or provide strategic benefits to the Community and also with consideration to Council's Strategic Plan, SCP and other pertinent plans, (i.e. advancing environmental stewardship).

8. Secondary Benefits to Disposing

The City will also consider disposing of City-owned lands to create secondary benefits, such as

- (1) catalyst to new development;
- (2) attract a key industry'
- (3) securing beneficial Community services or facilities.

9. Support Community Groups

The City will continue to support Community organizations by providing land at a nominal fee, where the Council feels it supports their overall Community's goals, identified in the Strategic Plan, Sustainable Community Plan and other relevant plans.

10. Annual Review to Develop Strategy

Drawing on the principles above, it is recommended that an annual review be performed to identify:

- (1) City-owned properties for disposition and/or lease;
- (2) Crown/private properties for acquisition;
- (3) properties with opportunities for enhancement to the City and/or the Community. This analysis will provide important input into the City's Annual Operating Budget (i.e. appraisal costs, surveying...) and will provide input into the City's Capital Plan (i.e. potential proceeds, funds required). This review to be incorporated into Council's review of priorities during annual Council priority and strategic planning sessions.

11. Community Charter Governs Actions

In terms of properties identified for acquisition/disposition, there are considerable regulations in the Community Charter governing how the City can participate in transactions. The requirements of the Community Charter are so prescriptive. There is no further requirement to establish policies in this regard. Key highlights of the Community Charter affecting the City's acquisitions/ dispositions include:

- Providing Assistance - if land is being disposed of to a business, Council needs to be aware of the prohibition against assistance to business: "Council must not provide a grant, benefit, advantage or other form of assistance, to a business," unless specifically provided for (Section 25). Assistance includes disposing of land or improvements for less than market value. If Council wishes to dispose of

land below market value, to assist a business, it can only do so in the context of a partnering agreement (Section 21). A partnering agreement enables a person to provide a service on behalf of Council. Council must provide prior notice of its intention to provide such assistance (Section 24).

- Fettering Council - any acquisition/disposition that may involve Council also exercising its legislative powers in considering land use matters should recognize the need to avoid Council's decision making.
- Use of Proceeds - Council is legally obligated to place the proceeds of property sales in a reserve fund for capital purposes and further restrictions exist in the case of:
 - the sale of parkland dedicated on subdivision or received in place of a development cost charge; or
 - the sale of closed roads which provided access to a body of water.
- Special Provisions - special provisions are required for the exchange or disposal of parkland, disposal of water and sewer systems and other utilities, Municipal roads, Municipal forests, disposal of assets acquired using provincial grants and disposal of lands obtained by tax sales: governed by Part 11. Division 8. Annual Tax Sale of the Local Government Act.

12. Budget Implications

As outlined above, the recommended "Annual Review to Develop Strategy" will provide input into both the City's Annual Operating Budget and Capital Plan.

13. Policy Implication

Provides a significant first step and foundation for guiding the City's future real estate decisions. Further policy work will follow with respect to leases/licenses.

14. Environmental Considerations

Opportunities to advance environmental stewardship will be explored each year during the annual review and presented to Council for consideration.

15. Cost benefit to the City

Opportunities to take advantage of any cost benefits to the City will be explored each year and presented to Council for consideration.

Temporary traffic restriction and traffic control

38. (1) A council may temporarily restrict or prohibit all or some types of traffic on a highway.
- (2) In addition to the authority under section 154 [*delegation of council authority*], a council may, by bylaw, authorize a municipal employee or any other person to control traffic on a highway, or to temporarily restrict or prohibit all or some types of traffic on a highway, in relation to matters specified in the bylaw.

2003-26-38.

Additional powers in relation to highways

39. A council may, by bylaw, do one or more of the following:
- (a) assign a name or number to a highway;
 - (b) assign numbers to buildings and other structures;
 - (c) require owners or occupiers of real property to place assigned numbers in a conspicuous place on or near the property;
 - (d) require owners of private highways to maintain them in a clean, fit and safe state and to post suitable private thoroughfare signs;
 - (e) require persons to take specified actions for the purposes of maintaining the cleanliness or safety of a highway that is next to property that they own or occupy, or that is affected by property that they own or occupy;
 - (f) require owners or occupiers of land to fence any part of it abutting on a highway.

2003-26-39.

Permanent closure and removal of highway dedication

40. (1) A council may, by bylaw,
- (a) close all or part of a highway that is vested in the municipality to all or some types of traffic, or
 - (b) reopen all or part of such a highway that has been closed.
- (2) A council may, by bylaw, remove the dedication of a highway
- (a) that has been closed by a bylaw under subsection (1) (a), or
 - (b) that is to be closed by the same bylaw, or by a bylaw adopted by the council at the same time.
- (3) Before adopting a bylaw under this section, the council must
- (a) give notice of its intention in accordance with section 94 [*public notice*], and
 - (b) provide an opportunity for persons who consider they are affected by the bylaw to make representations to council.
- (4) In addition to the requirement under subsection (3), before adopting a bylaw under subsection (1) (a), the council must deliver notice of its intention to the operators of utilities whose transmission or distribution facilities or works the council considers will be affected by the closure.
- (5) A bylaw under subsection (2) must be filed in accordance with section 120 of the *Land Title Act* and, on filing, the property subject to the bylaw ceases to be a highway, its dedication as a highway is cancelled and title to the property may be registered in the name of the municipality in accordance with section 120 of the *Land Title Act*.
- (6) As a limit on subsection (2), a council may not remove the dedication of a highway that was dedicated by the deposit of a subdivision or reference plan in the land title office if
- (a) the highway has not been developed for its intended purpose, and
 - (b) the owner of the land at the time the plan was deposited is the owner of all of the parcels created by the plan,
- unless the owner of the parcels consents.
- (7) This section, and not section 30 [*reservation and dedication of municipal property*], applies to cancelling the dedication of a highway.
- (8) For certainty, this section applies to public highways under section 42 of the *Transportation Act*.

2003-26-40; 2003-52-534; 2004-44-97.

(Am) Dec 31/04

**Other persons attending
closed meetings**

- 91.** (1) If all or part of a meeting is closed to the public, the council may allow one or more municipal officers and employees to attend or exclude them from attending, as it considers appropriate.
- (2) If all or part of a meeting is closed to the public, the council may allow a person other than municipal officers and employees to attend,
- (a) in the case of a meeting that must be closed under section 90 (2), if the council considers this necessary and the person
 - (i) already has knowledge of the confidential information, or
 - (ii) is a lawyer attending to provide legal advice in relation to the matter, and
 - (b) in other cases, if the council considers this necessary.
- (3) The minutes of a meeting or part of a meeting that is closed to the public must record the names of all persons in attendance.

2003-26-91; 2003-52-538.

**Requirements before
meeting is closed**

- 92.** Before holding a meeting or part of a meeting that is to be closed to the public, a council must state, by resolution passed in a public meeting,
- (a) the fact that the meeting or part is to be closed, and
 - (b) the basis under the applicable subsection of section 90 on which the meeting or part is to be closed.

2003-26-92.

**Application of rules
to other bodies**

- 93.** In addition to its application to council meetings, this Division and section 133 [*expulsion from meetings*] also applies to meetings of the following:
- (a) council committees;
 - (b) a municipal commission established under section 143;
 - (c) a parcel tax roll review panel established under section 204;
 - (d) a board of variance established under section 899 of the *Local Government Act*;
 - (e) an advisory body established by a council;
 - (f) a body that under this or another Act may exercise the powers of a municipality or council;
 - (g) a body prescribed by regulation.

2003-26-93.

Division 4 – Public Notice and Access to Records

**Requirements for
public notice**

- 94.** (1) If this section applies, the applicable notice must be
- (a) posted in the public notice posting places, and
 - (b) published in accordance with this section.
- (2) Subject to subsection (4), publication under subsection (1) (b)
- (a) must be in a newspaper that is distributed at least weekly
 - (i) in the area affected by the subject matter of the notice, and
 - (ii) if the area affected is not in the municipality, also in the municipality, and
 - (b) unless otherwise provided, must be once each week for 2 consecutive weeks.
- (3) The obligation under subsection (2) may be met by publication of the notice in more than one newspaper, if this is in accordance with that subsection when the publications are considered together.